

Cont Case No. 36 of 2012

01.04.2014

HON'BLE THE CHIEF JUSTICE

Ms L Khiangte, Advocate, present for the petitioner.

Shri KP Bhattacharjee, Advocate, present for the respondents.

The amended contempt petition has been filed by the petitioner disclosing the names of the alleged contemnors. The amended petition be taken on record.

Adjourned at the request of the learned counsel for the respondents. List after three weeks along with Review Petition No. 4 of 2014.

CHIEF JUSTICE

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01.04.14

Crl MC No. 68 of 2013
IN Crl Appeal No.10 of 2013

01.04.2014

HON'BLE THE CHIEF JUSTICE

In view of the judgment and order of the date passed in Crl Appeal No. 10 of 2013, no further order need to be passed in this Crl. Misc. Case, which stands disposed of.

CHIEF JUSTICE

dev
01.04.14

MC No. 98 of 2014
IN WP(C)No.118 of 2014

01.04.2014

HON'BLE THE CHIEF JUSTICE

In view of the interim order of the date passed in WP(C)No. 118 of 2014, no further interim order need to be passed in this Misc. Case, which stands disposed of.

CHIEF JUSTICE

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01.04.14

Review Petn No. 4 of 2014

01.04.2014

HON'BLE THE CHIEF JUSTICE

Shri KP Bhattacharjee, Advocate, present for the review applicant.

Ms L Khiangte, Advocate, present for the respondent.

Adjourned at the request of Ms L Khiangte, counsel for the respondent. List after three weeks.

CHIEF JUSTICE

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01.04.14

WP(C)No.83 of 2010

01.04.2014

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Ms P Das, counsel for
the petitioner. List in the next week.

CHIEF JUSTICE

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01.04.14

THE HIGH COURT OF MEGHALAYA

WP(C)No.118 of 2014

Shri Aderlbert Kharlyngdoh, resident of Nongshilliang,
Block-2, East Khasi Hills District, Shillong-793014,
Meghalaya and 35 Ors.

.....Petitioners

-Versus-

State of Meghalaya & 53 Ors

..... Respondents

Shri N Syngkon, Advocate, present for the petitioners.

Shri K Khan, Addl. Senior GA, present for respondents
No. 1 and 2.

Shri ND Chullai, Senior GA, present fore respondents No.
3,4 and 5.

ORDER

ORAL: HON'BLE PRAFULLA C. PANT, CHIEF JUSTICE

Heard.

By means of this writ petition, the petitioners have
challenged the selection process and the selection of
respondents No. 6 to 54, for the posts of Grade III
Meghalaya Agricultural Service.

It is pleaded on behalf of the petitioners that an
advertisement dated 20.04.2012 was issued for making
appointment to the post of Grade III Meghalaya
Agricultural Service (for short MAS), along with other
posts of various departments. Copy of said advertisement
(Annexure 1) discloses clearly in para 8 that written

examination was to be held for the selection of the posts advertised. It is pointed out that the respondents Meghalaya Public Service Commission (for short MPSC) by whom advertisement was issued, fixed 07.02.2014 as date of written examination for the above mentioned posts for which notice dated 30.01.2014 was issued. Copy of said notice is also annexed with the writ petition (Annexure 3). On behalf of the petitioners, it is submitted that call letters were sent to the candidates. Learned counsel for the petitioners argued that the respondents MPSC arbitrarily changed the selection procedure and invited the candidates to appear for interviews without holding written examination, which were held between 07.02.2014 to 21.02.2014 vide impugned rejection list dated 25.03.2014. It is also submitted that vide impugned notification dated 28.02.2014 (Annexure 7), the respondents No. 6 to 54 were declared selected which included even the names of those candidates whose applications were rejected vide communication dated 25.03.2013 (Annexure 5) and notice dated 20.06.2013 (Annexure 6) after the scrutiny. The seven of such candidates, according to the petitioners, are respondents No. 30 Smti Bingiala Laloo (qualified after the last date of notification/advertisement), respondent No. 31 Smti

Amenisha Lyngdoh (qualified after the last date of notification/advertisement), respondent No. 40 Smti Dingsai Dalbot Shira (qualified after the last date of notification/advertisement), respondent No. 41 Shri Mimo Ch. Momin (incomplete application), respondent No. 43 Smti Sierra Manda Sangma (qualified after the last date of notification/advertisement), respondent No. 48 Smti Chonkame Rangsa Marak (qualified after the last date of notification/advertisement) and respondent No. 51 Smti Bakhriamdor Sohliya (qualified after the last date of notification/advertisement).

Learned senior counsel for the respondents MPSC submitted that since the petitioners have participated in the selection process as such they cannot challenge the selection. However, this Court is of the view that had the respondents not made clear in the advertisement that the written test will be held what the learned counsel for the respondents pleaded could have been accepted. But the petitioners are candidates who in pursuance to advertisement have applied for the posts and it has been pleaded that in blatant violation of the terms of the advertisement, the selection has been made, as such this Court is unable to accept the argument advanced on behalf of the respondents.

Admit the writ petition.

Learned counsel for respondents No. 1 and 2 and learned senior counsel for respondents No. 3,4 and 5 pray for and are allowed four weeks' time to file their counter affidavits.

Also issue notices to respondents No. 6 to 54, who may also file their counter affidavits within a period of four weeks, and the petitioners are directed to take steps with full particulars of the private respondents for getting notices served.

Having heard learned counsel for the petitioners and learned counsel for respondents No. 1 and 2 and learned senior counsel for respondents No. 3,4 and 5, considering the prima facie case made out in favour of the petitioners, as an interim measure, it is directed that no appointment shall be made, if not already made, from the impugned select list (Annexure 7) challenged in the writ petition, till the next date of listing.

List after four weeks.

(Prafulla C. Pant)
CHIEF JUSTICE

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01.04.14

WP(C)No.297 of 2013

01.04.2014

HON'BLE THE CHIEF JUSTICE

None present for the petitioners.

Smti P Roy, Advocate, present for the respondents.

This writ petition is dismissed for non prosecution.

CHIEF JUSTICE

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01.04.14