BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

18.02.2015

Mr K Paul, learned counsel, appears for the appellant.

Mr KS Kynjing, learned Advocate General, assisted by Mr R Gurung, learned GA, represents the respondents.

Learned counsel for the appellant submitted that it is a settled law that life of a select list is only for one year unless specifically extended as per provisions of extension envisaged in the Rules. Learned counsel referred to Rule 12 of Government of Meghalaya, Home (Police) Department vide notification of 1996 and submitted that power of extension is vested in the Governor of the State or in certain cases where there is a consultation with the State Public Service Commission, with the Commission, but in no case, the extension should exceed the maximum period of six months. At this stage, looking to words "Consultation" and "Approval" used in the provision in the context of disposal of application for extension of period of select list by the Commission, learned counsel for parties pray for and are granted a week's time to find out as to whether even after approval by the Commission, the first Clause of Rule 12 will come into play, which may require seeking of approval of the Governor of State. A clarification is also required in respect of averments made in para 8 of the affidavit-in-opposition which reads as under :

> ***"8. ..... The validity of the recommendation list was up to 9th September 2011. Governments vide No. PER.56/2010/Pt.I/4 dtd. 5th September, 2011 requested the Commission to consider the extension of the Recommendation List for a period of 3 months w.e.f. 10.09.2011. The approval of the Commission for extension of the Recommendation List for a period of 4 months w.e.f. 10.09.2011 was communicated to the Government vide Letter No. MPSC/Exam-2/1/2006-2007/Pt/8, dated 10th October, 2011. Again vide Letter***

No. PER.56/2010/248, dated 6th January, 2012 Government sought a second extension of the Recommendation List for a further period of 6 months w.e.f. 10.01.2012. The Commission approved the extension for 4 months and the same was communicated to the Government vide Letter No. MPSC/Exam-2/1/2006-2007/249, dated 18th January, 20112."

List the matter on 25.02.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
Crl. No. 3 of 2014

18.02.2015

Mr. B Bhattacharjee, learned counsel appears for the appellant.

Mr. R Gurung, learned counsel represents the respondents.

Learned counsel for the respondents prays for 2(two) weeks' time to argue the matter.

List it on 4.03.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
WA No. 37 of 2014

18.02.2015

Mr. KS Kynjing, learned Advocate General appears for the appellants.

Mr. BK Deb Roy, learned counsel represents the respondents.

Learned counsel for the respondents prays for adjournment on the ground that he is not ready with the case to argue. Thus, in the interest of justice the matter is adjourned.

List it on 4.03.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
WA No. 48 of 2014

18.02.2015

Mr. SC Shyam, learned senior counsel appears for the Union of India.

Mr. L Darlong, learned counsel represents the respondents.

Learned senior counsel for the Union of India prays for 1(one) week's time on the ground that he is not keeping well.

List this matter on 26.02.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
WA No. 52 of 2014

18.02.2015

Mr. SC Shyam, learned senior counsel appears for the Union of India.

Mr. L Darlong, learned counsel represents the respondents.

Learned senior counsel for the Union of India prays for 1(one) week's time on the ground that he is not keeping well.

List this matter on 26.02.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
WP(C) No. 359 of 2013

18.02.2015

Mr. MS Borgohain, learned counsel appears for the petitioner.

Mr. R Gurung, learned counsel represents the respondents.

Learned counsel for the petitioner states that Mr. R Sekhar, learned counsel engaged to argue the matter is indisposed.

List this matter on 26.02.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
& HON'BLE MR JUSTICE SR SEN
WP(Crl.) No. 17 of 2014

18.02.2015

Ms. B Das, learned counsel appears for the petitioner.

Mr. R Gurung, learned counsel represents the respondents.

Learned counsel for the petitioner prays for and is granted 2(two) weeks' time to file written statement.

List thereafter on 4.03.2015.

JUDGE **CHIEF JUSTICE (ACTING)**

V Lyndem

BEFORE
THE HON'BLE MR. JUSTICE UMA NATH SINGH,
CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE S.R. SEN

18.02.2015

Mr K Paul, learned counsel, appears for the appellant.

Mr KS Kynjing, learned Advocate General, assisted by Mr R Gurung, learned GA, represents the respondents.

Learned counsel for the appellant submitted that it is a settled law that life of a select list is only for one year unless specifically extended as per provisions of extension envisaged in the Rules. Learned counsel referred to Rule 12 of Government of Meghalaya, Home (Police) Department vide notification of 1996 and submitted that power of extension is vested in the Governor of the State or in certain cases where there is a consultation with the State Public Service Commission, with the Commission, but in no case, the extension should exceed the maximum period of six months. At this stage, looking to words "Consultation" and "Approval" used in the provision in the context of disposal of application for extension of period of select list by the Commission, learned counsel for parties pray for and are granted a week's time to find out as to whether even after approval by the Commission, the first Clause of Rule 12 will come into play, which may require seeking of approval of the Governor of State. A clarification is also required in respect of averments made in para 8 of the affidavit-in-opposition which reads as under :

> ***"8. ..... The validity of the recommendation list was up to 9th September 2011. Governments vide No. PER.56/2010/Pt.I/4 dtd. 5th September, 2011 requested the Commission to consider the extension of the Recommendation List for a period of 3 months w.e.f. 10.09.2011. The approval of the Commission for extension of the Recommendation List for a period of 4 months w.e.f. 10.09.2011 was communicated to the Government vide Letter No. MPSC/Exam-2/1/2006-2007/Pt/8, dated 10th October, 2011. Again vide Letter***

No. PER.56/2010/248, dated 6th January, 2012 Government sought a second extension of the Recommendation List for a further period of 6 months w.e.f. 10.01.2012. The Commission approved the extension for 4 months and the same was communicated to the Government vide Letter No. MPSC/Exam-2/1/2006-2007/249, dated 18th January, 20112."

List the matter on 25.02.2015.

JUDGE CHIEF JUSTICE
(ACTING)

dev