

MC[WP(C)]. No. 100/2017

**BEFORE
THE HON'BLE MR. JUSTICE S.R.SEN**

06-06-2017

Learned State counsels, Mr. K.Khan, Ms. G.Deka and Mr. S.Sen Gupta moved a Misc. application bearing MC[WP(C)] No. 100/2017 arising out of WP(C) No. 151/2017 and the same was reflected in the Supplementary List, Order No. 2.

2. Heard learned Addl. Sr. State counsel, Mr. K.Khan and also perused the Misc. application filed before this Court specially paragraph 3 and 4 of the said Misc. application which is reproduced herein below:

"3. That the applicant states that the Central Recruitment Board has been conducting recruitment for personnel to be recruited Police Department w.e.f. 29.05.2017 daily and scheduled to end on 23.6.2017 at Police Training School, Shillong. The Board will also conduct interview at Goeragre, West Garo Hills, Tura w.e.f 27.6.2017 till 8.7.2017.

4. That the applicant states that as per schedule the interview on 6.6.2017 will be for the post of commando constables (male and female). For female candidate 140 candidates 62 candidates interview will commence from 12:30 P.M. For the same post tomorrow 200 hundred male candidates interview will be held on 7.6.2017 from 8: AM onwards. Thereafter on 8.6.2017 another 200 hundred male candidate interview will be held."

3. Learned Addl. Sr. State counsel, Mr. K.Khan further submits that the interview has already begun w.c.f. 29.05.2017

and it is still continuing but the stay order passed by this Court dated 05.06.2017 in WP(C) No. 151/2017 has created lots of inconvenience for the Police Department as well as the candidates who are called for the interview, hence this Misc. application.

4. Also heard Mr. P.Shome, learned counsel for the respondent who submits that the petitioner inspite of obtaining good marks from general category was not called for the interview, hence petitioner had moved the writ petition bearing WP(C) No. 151/2017.

5. After hearing the submissions advanced by the learned counsels for the parties and after perusal of paragraph 3 and 4 of the Misc. application No. 100/2017, I express my anguish against the government counsel as to why no one had informed the Court about the interview when this matter was taken up on 05.06.2017, though some government counsels were present before the Court. Learned Sr. Govt. counsel, Ms. G.Deka informed that she received the copy on 02.06.2017 and communicated the matter to the Department concerned but there was no instruction from the Department.

6. Whatever the case may be, after applying my mind I feel that the said stay order dated 05.06.2017 passed in WP(C) No. 151/2017 needs to be vacated. Accordingly, the stay order dated 05.06.2017 passed in WP(C) No. 151/2017 is hereby vacated. However, the respondents will not declare the results till a decision is arrived at in WP(C) No. 82/2016 and WP(C) No. 151/2017.

7. With this observation and direction, this instant Misc. case stands disposed of.

JUDGE

S.Rynjah