

GAHC010018442017



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C) 1998/2017**

1:MANASH PRATIM BARUAH  
S/O- LATE KRISHNA KANTA BARUAH, R/O- KHUTI KATIA, KALANGPAR,  
P.O AND P.S- HAIBARGAON, DIST- NAGAON, ASSAM, PIN- 782002,

VERSUS

1:THE STATE OF ASSAM and 4 ORS.  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM,  
DISPUR, GUWAHATI-781006

2:THE SECRETARY  
GOVT OF ASSAM  
DEPT. OF PERSONNELB  
ASSAM SECRETARIAT  
DISPUR  
GUWAHATI-781006

3:THE ASSAM PUBLIC SERVICE COMMISSION  
REPRESENTED BY ITS CHAIRMAN/CHAIRMAN-IN-CHARGE  
JAWAHAR NAGAR  
KHANAPARA  
GUWAHATI- 781022

4:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR KHANAPARA GUWAHATI- 781022

5:THE PRINCIPAL CONTROLLER OF EXAMINATION  
ASSAM PUBLIC SERVICE COMMISSION  
JAWAHARNAGAR KHANAPARA GUWAHATI-78102

**Advocate for the Petitioner : MR.U B SARMA**

**Advocate for the Respondent : GA, ASSAM**

**BEFORE**

**HON'BLE THE CHIEF JUSTICE MR. A.S. BOPANNA  
HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI**

**28.01.2019**

*(A.S. Bopanna, C.J.)*

Heard Mr. S Barthakur, learned counsel for the petitioner. Also heard Mr. RK Talukdar, learned counsel for respondent Nos.3, 4 and 5.

Learned counsel representing the counsel for respondent Nos.3, 4 and 5 submits that the Standing Counsel is not available today. Further, he indicates that in the letter dated 24.1.2019, the Secretary of the respondent No.3 has intimated the counsel that finalization of the draft Rules/procedure of the Commission will be completed in due course as the Commission has to be busy with pre-fixed examination/interview.

Learned counsel for the petitioner would, however, point out that the order sheets maintained by this Court would disclose that on every occasion, the respondents have taken such reason that the Rules, 2017, which is said to be under process of finalization, has not been finalised till date.

Though that appears to be the position, keeping in view that the learned counsel for the respondent Nos.3, 4 and 5 is not present today and an opportunity is sought, the instant petition is adjourned, however, by indicating that if by the next date the finalization of the Rules is not completed, this Court will be constrained to secure for the personal presence of the Secretary (respondent No.4) to explain the position.

Hence, the said process be completed to enable this Court to further proceed with the matter.

List after four weeks.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**