

Heard Mr. SP Das, learned counsel for the petitioners. Also heard Mr. C Barua, learned Standing counsel, APSC and Mr. TC Chutia, learned State counsel.

The petitioners states that they have been working as District Engineering Consultants in the Fishery Department since the year 2006. The appointments of the petitioners were made after due advertisement and selection but not in the manner as required under the law, meaning thereby the selection was not made by the APSC. The petitioners refer to a clause in the advertisement that preference would be given to those candidates having experience in execution/supervision of civil works under the Fishery Department.

By referring to the said clause, the petitioners state that during the selection conducted by the APSC, the petitioners were not given the required preference.

Mr. C Barua, learned Standing counsel, APSC, on the other hand, submits that there are decisions of this Court which provides that the preference factor would come only upon the respective candidates being selected in the written test and after the viva voce process is over.

Mr. Barua, contends that in the instant case, the petitioners have not qualified the written test and, therefore, they are not entitled to the preference clause. In order to substantiate his case, the learned Standing counsel, APSC shall produce the records of the case which would indicate the performances of the petitioners in the written test.

List again on 10.11.2017.

Till the next date fixed, the respondent authorities shall not fill up 7 (seven) posts which were under consideration in the advertisement referred above