

Hasmukh Gordhan Joshi

.. Applicant

Versus

Union of India & Ors.

.. Respondents

CORAM : Hon'ble Mr. G.S. Nair .. Vice Chairman

Hon'ble Mr. M.M. Singh .. Administrative Member

Counsel for Applicant : Mr. J.J. Yajnik

Counsel for Respondent: Mr. N.S. Shevde

O R D E R

Date : 20.3.1990

Per : Hon'ble Mr. G.S. Nair .. Vice Chairman

Heard Mr. J.J. Yajnik and Mr. N.S. Shevde, learned counsel on either side. The applicant, casual labour under the respondents has prayed for a direction to the respondents, ^{to absorb him under the scheme} of 40% construction reserve post, with effect from the date his juniors have been given the benefits. The applicant ~~pressed~~ relied on the statement showing the details of service (Annexure A) wherein he is credited with a service of 10 years, 3 months and 2 days. Reference is made to the statement showing the names of the staff who have been required for the screening test (Annexure B) wherein the person at sr. No. 8 as per statement at Annexure A, has only put in less service. ^{places} ~~for the applicant~~

2. Though the respondents have filed the reply resisting the application, at the time of hearing, advocate Mr. N.S. Shevde fairly submitted that in computing the length of service of the applicant, ^{by mistake} the period of one year has been left out. As such the non-consideration of the applicant for absorption

has to be strucked down, and we do so.

3. We hereby direct the respondents to consider the case of the applicant for absorption under the scheme of 40% construction reserve post, immediately. If on such consideration, the applicant is found suitable, he shall be absorbed with effect from the date on which his immediate junior was so absorbed.

The application is disposed of as such. *above*

M M L
(M M Singh)

Administrative Member

20.3.90
(G S Nair)
Vice Chairman

*Mogera