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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HOMBAY BENCH, 'GULESTAN', BUILDING NO.6
PRESCOT ROAD, BOMBAY-1

CAMP: NAGPUR

OA No. 435/89

A K Mishra

..Applicant

V/s.

Union of India & Ors.

..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.
Hon. Shri M.R. Kolhathkar, Member (A).

APPEARANCE:

Mr. V S Yawalkar
Counsel
for the applicant

Mrs. Indira Bodade
Counsel
for the respondents

ORAL JUDGMENT:

DATED: 12.1.94

(Per: M.S. Deshpande, Vice Chairman)

The only question which arises here is whether the applicant who was working as P.W.I. and was found fit for being appointed in the year 1983 to the post of Assistant Engineer, Class II, should have ^{got} ~~sought~~ appointment since 1983 if the vacancy to which he was eligible came to be dereserved in 1988. It is obvious that the post would become available for being filled up only in the year 1988 after it came to be dereserved and until it was dereserved the applicant could not have claimed empanelment in the post since the year 1983.

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Applicant however got his promotion in the year 1985. We are clear that the applicant cannot claim to be appointed to the dereserved post of 1983 if the dereservation came in 1988 from the year 1983.

The application is therefore dismissed.

M.R. Kolhatkar

(M.R. Kolhatkar)
Member (A)

M.S. Deshpande

(M.S. Deshpande)
Vice Chairman.