

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, NEAR RAJASTHAN HIGH COURT, POST BOX NO. 619  
JODHPUR**

**ORDER SHEET**

COURT NO. : 1

16/11/2018

O.A./290/472/2015

[REJOINDER NOT FILED][FOR  
I.R.CONTINUE]

ITEM NO:95

FOR APPLICANTS(S) Adv. :

M S PATHAN

-V/S-

M/O RAILWAYS

Mr. J.K. Mishra

FOR RESPONDENTS(S) Adv.:

Mr. Kamal Dave and Mr. D. Pandey

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsels for both sides.</p> <p>It is submitted by the learned counsel for the respondents that as per order No.RBE No.156/2016 dated 19.12.2016, the respondents have since taken a decision not to construe the appointment from Accounts Assistant to Account Stock Verifier as promotion and as such it would not be reckoned for the purpose of MACP benefits. It is submitted that the OA may be disposed of in the light of the said order.</p> <p>The learned counsel for the applicant submits that the applicant is satisfied with the said decision, but action is yet to be taken to repay the amount recovered from him in the light of the said order.</p> <p>In view of the above submission, this OA is disposed of with a direction to the respondents to decide applicant's claim, including his claim for refund of recovery from him in the light of order No.RBE No.156/2016 dated 19.12.2016 as</p>

well as withheld amount to be released within a period of six weeks' from the date of receipt of a copy of this order. No costs.

( HINA P. SHAH)  
MEMBER (J)

( A MUKHOPADHAYA)  
MEMBER (A)

rss