

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00475/2015

Jodhpur, this the 18th February, 2019

CORAM

**Hon'ble Smt Hina P. Shah, Judicial Member
Hon'ble Ms Archana Nigam, Admn. Member**

R.K. Arya son of Shri Ganesh Ram Arya, aged about 53 years, resident of 18 'E' 174 CHB, Jodhpur, at present employed on the post of Stock Verifier in the office of Senior Divisional Finance Manager, N W Railway, Jodhpur.

.....Applicant

By Advocate : Mr J.K. Mishra.

Versus

1. Union of India, through General Manager, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur.
2. Financial Advisor and Chief Accounts Officer, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur.
3. Senior Divisional Finance Manager, Traffic Accounts Office, North Western Railway, Jodhpur.

.....Respondents

By Advocate : Mr Kamal Dave.

ORDER (Oral)

Per Smt. Hina P. Shah

1. Heard learned counsels for both the parties.
2. 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 Accounts 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 said order.

3. 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.

4. 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 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.

**[Archana Nigam]
Administrative Member**

**[Hina P. Shah]
Judicial Member**

Ss/-