

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

**Original Application Nos.258/2012 & 211/2013
with
MA Nos.290/00447/2014 & 290/00141/2015**

Jodhpur, this the 02nd day of February, 2016

CORAM

Hon'ble Dr. K.B. Suresh, Judicial Member

(1). OA No.258/2012

1. Miss Vandana Hans Daughter of Late Shri Punam Chand Hans, age about 20 years, by caste Harijan residing at Bandra Bas, Goga Mandi, Harijan Basti, Bikaner.

2. Varun Hans Son of Late Shri Punam Chand Hans, age about 17 years, by caste Harijan minor through guardian maternal grand father Dayal Ram S/o Shri Shankarlal Pandit, residing at Bandra Bas, Goga Mandi, Harijan Basti, Bikaner.

3. Miss Vinita Hans Daughter of Late Shri Punam Chand Hans, age about 13 years, by caste Harijan minor through guardian maternal grand father Dayal Ram S/o Shri Shankarlal Pandit, residing at Bandra Bas, Goga Mandi, Harijan Basti, Bikaner.

Father of applicants was working on the post R.M. before respondent No.4.

.....Applicants

Mr. S.P. Sharma, counsel for applicant.

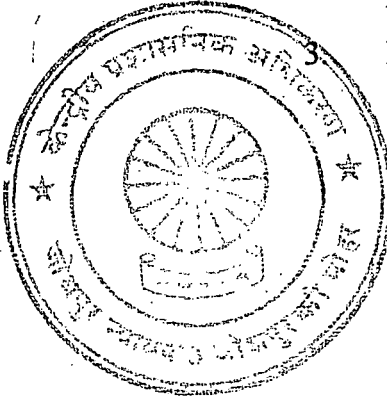
Versus

1. Union of India through Secretary, Department of Telecommunication, Sanchar Bhawan, New Delhi.

2. The Chief Managing Director, Bharat Sanchar Nigam Ltd., Stateman House 12 Khamba Road, Janpath, New Delhi.

3. The Chief General Manager, Bharat Sanchar Nigam Ltd., Rajasthan Circle, Jaipur.

4. The General Manager, Telecommunication District, Bharat Sanchar Nigam Ltd., Subhash Nagar, Jodhpur.



[Handwritten signature]

.....respondents

Mr. K.S. Yadav, counsel for respondent No.1.
Mr. S.K. Mathur, counsel for respondents No.2 to 4.

(2). OA No.211/2013

Smt. Pooja Hans W/o Late Shri Poonam Chand Hans, aged about 32 years, by caste Harijan, residing at Quarter No.10 Type II, BSNL Colony, Kamla Nehru Nagar, Jodhpur.

.....Applicant

Mr. Anil Parihar, counsel for applicant.

Versus

1. Union of India through Secretary, Department of Telecommunication, Sanchar Bhawan, New Delhi.
2. The Chief Managing Director, Bharat Sanchar Nigam Ltd., Stateman House Barah Khamba Road, Janpath, New Delhi.
The Chief General Manager, Bharat Sanchar Nigam Ltd., Rajasthan Circle, Jaipur.
4. The General Manager, Telecommunication District, Bharat Sanchar Nigam Ltd., Subhash Nagar, Jodhpur.

.....respondents

Mr. K.S. Yadav, counsel for respondent No.1.
Mr. S.K. Mathur, counsel for respondents No.2 to 4.

ORDER (Oral)

I have heard the matter in great detail. It appears that there is another case i.e. bearing OA No.108/2012 which was decided on 16.10.2014.

2. As part of agreement between the applicants in OA No.258/2012 and OA No.211/2013 entered into open Court, the following orders are issued. It is made clear that all other orders issued earlier will have submerged into this agreement between the parties. It has been noted that deceased employee, Shri Poonam Chand Hans was working in the respondent department and in the first wife there are two unmarried daughters and a son, who is less than 25 years,

and therefore eligible for certain benefits. They challenge Smt. Pooja's marriage and would say that she may not be considered as a widow but all that we now settled today with the following directions:-

(i) Miss Vandana Hans and others with her will collectively get 90% of the DCRG and included with in it the bank loan which was disbursed with these amounts. They will also get 100% of the family pension in accordance with rules.

(ii) Smt. Pooja Hans on the other hand will be entitled to get compassionate appointment and Vandana Hans and others will not raise any objection to it.

(iii) The matter relating to the quarters now which in occupation of Smt. Pooja Hans may be settled by respondents with some relaxation of the rules, so that she will not unduly suffer.

(iv) Ten per cent of the DCRG will immediately be given to Pooja Hand in order to begin a new life.

(v) This order may be implemented within the two months next. But, it must be as expeditiously as possible as there is diminishment of life and livelihood as each day progress.

(vi) It is made clear that the earlier orders passed in OA No.108/2013 decided on 16.10.2014 have by agreement between both the parties, merged in this order, as a part of practical solution.

The OA is thus allowed as stated above. Accordingly the MAs are disposed of. No order as to costs.


[Dr. K.B. Suresh]
Judicial Member

CERTIFIED TRUE COPY

Dated 05/2/2016

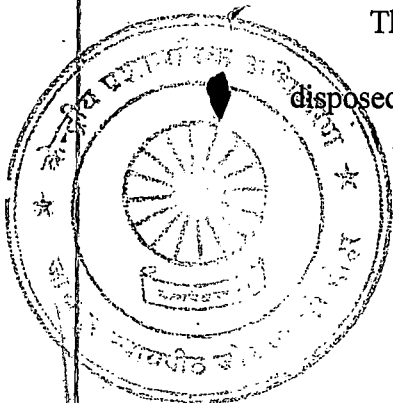


Section Officer (Judl.)

Section Officer (Judl.)

Section Officer (Judl.)

Central Adm. Serv. Bd.



COMPARED^{RSS}
&
CHECKED

