

**Central Administrative Tribunal  
Principal Bench, New Delhi**

CP No.352/2015 in O.A. No.3339/2012

This the 8<sup>th</sup> day of September, 2016

**Hon'ble Mr. Justice M S Sullar, Member (J)  
Hon'ble Mr. K N Srivastava, Member (A)**

1. Smt. Raj Kumari  
W/o Late Ram Sajivan
2. Ms Rashmi Pandey  
D/o Late Ram Sajivan
3. Ms. Ranjana Pandey  
D/o Late Ram Sajivan
4. Ms. Renuka Pandey  
D/o Late Ram Sajivan
5. Ms. Sanjana Pandey  
D/o Late Ram Sajivan
6. Ms. Anushi Pandey  
D/o Late Ram Sajivan

(Petitioners No.3 to 6 are minors through their Mother/Natural Guardian Smt. Raj Kumari)

D-9B , MIG Flats, Mayapuri  
New Delhi – 110064.

..Petitioners

(By Advocate: None)

Versus

1. Mr. Rakesh Garg  
Chairman, Department of Telecommunication  
20, Ashoka Road, Sanchar Bhawan  
New Delhi-110001.
2. Mr. N.K. Ahuja  
Accounts Officer(PFP)  
Department of Telecommunication  
20, Ashoka Road, Sanchar Bhawan  
New Delhi-110001.
3. Mr. K.S. Dahiya  
Under Secretary to the Govt. of India

Department of Telecommunication  
20, Ashoka Road, Sanchar Bhawan  
New Delhi-110001.

4. Ms. Tripti P. Ghosh, Director  
Department of Telecommunication  
3<sup>rd</sup> Floor, Lok Nayak Bhawan  
Khan Market, New Delhi-110003.

... Respondents

(By Advocate: Shri Rajnish Prasad)

### **O R D E R (ORAL)**

**Mr. Justice M.S. Sullar, M(J)**

As is evident from the record that the Original Application(OA) bearing No.3339/2012, filed by petitioners, was disposed vide Order dated 21.04.2014 of this Tribunal. The operative part of which is as under:-

"11. In view of the Memorandum of Understanding arrived at between the alleged first wife and the applicants (ibid), the plea regarding the existence of the alleged first wife and children of applicant should not come in the way of candidature of Ms Rashmi Pandey for employment on compassionate ground. Also in order dated 1.09.2006 passed by Division Bench of this Tribunal in Subhash Singh S/o late Sugar Singh Vs. Northern Railway through General Manager (ibid), this Tribunal viewed that even the child born out of void marriage needs to be considered as legitimate in terms of the provisions of Hindu Marriage Act is entitled to be considered for employment on compassionate ground. In the circumstances, official respondents would consider the candidature of Ms. Rashmi Pandey (applicant no.2) for her appointment on compassionate ground within eight weeks from the date of receipt of a copy of this order. No costs. It is made clear that nothing observed hereinabove would have any bearing on the claim of applicant No.1 and respondent No.3 before the Civil Court regarding their status as widow of deceased employee."

2. According to the petitioners, the respondents have not complied with the directions of this Tribunal and they have preferred the instant Contempt Petition(CP).

3. In the wake of notice, the respondents appeared through their counsel. Learned counsel has submitted that the respondents have already complied with the indicated directions of the Tribunal and compassionate appointment has already been given to Ms. Rashmi Pandey vide order dated 23.06.2015 (Annexure R-V).

4. Meaning thereby, the respondents have substantially complied with the indicated directions. Perhaps that was the reason that nobody is appearing on behalf of the petitioner in the court for the last two dates.

4. In this view of the matter, the CP has become infructuous and it is, hereby, dismissed as such.

**( K N Srivastava )**  
**Member (A)**

**( Justice M S Sullar )**  
**Member(J)**

/vb/