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REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

APPLICATION No. 1442/86(T)

(WP.NO. 6315/85 )

COMMERCIAL COMPLEX, (BDA)  
INDIRANAGAR,  
BANGALORE-560 038.

DATED: 9-6-87

APPLICANT

Vs

RESPONDENTS

Smt T. Jayalakshmi  
TO

The GM, Telephones, B'lore

1. Shri M. Raghavendra Achar  
Advocate  
1074-1075, Banashankari I Stage  
Sreenivasanagar II Phase  
Bangalore - 560 050
2. The General Manager  
Telephones  
Kempegowda Road  
Bangalore - 560 009
3. Shri D.V. Shailendra Kumar  
Addl Central Govt. Stng Counsel  
High Court Buildings  
Bangalore - 560 001

*Immsl*  
*28*  
*10/6/87*

SUBJECT: SENDING COPIES OF ORDER PASSED BY THE  
BENCH IN APPLICATION NO. 1442/86(T)

....

Please find enclosed herewith the copy of the Order  
passed by this Tribunal in the above said Application on

2-6-87

ENCL: As above.

*Dr* DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE SECOND DAY OF JUNE, 1987

Present : Hon'ble Justice Shri K.S. Puttaswamy .. Vice-Chairman

Hon'ble Shri P. Srinivasan .. Member (A)

APPLICATION NO. 1442/86 ( T )

Smt. T. Jayalakshmi,  
Telephone Supervisor,  
Bangalore Telephones,  
Bangalore.

.. Applicant

(Shri M.R. Achar ... Advocate)

V.

The General Manager,  
Telephones,  
Kempagowda Road,  
Bangalore-560 009.

.. Respondent

(Shri D.V. Shailendra Kumar .. Advocate)

This application came up before this Tribunal today for  
hearing. Hon'ble Vice-Chairman made the following:

O R D E R

This is a transferred application and is received from the  
High Court of Karnataka under Section 29 of the Administrative Tribunals  
Act 1985 (the Act).

2. In her application the applicant had challenged her non-promo-  
tion and her consequent seniority in the relevant cadre. When this  
application was pending, the applicant approached the competent authority  
to permit her to voluntarily retire from service from 17.5.1987 which  
was allowed by that authority. In pursuance of the same, the applicant  
retired from service on 17.5.1987 and thereafter she had also died.  
On these facts that are not disputed by Shri M.R. Achar, learned counsel  
for the applicant, Shri D.V. Shailendra Kumar, learned counsel for the  
Respondents urges for the dismissal of this application on the ground  
that the cause of action of the applicant does not survive to her



legal representatives. We are of the view that the submission of Shri Shailendra Kumar is well founded and this application is liable to be dismissed without examining any of the questions. We accordingly dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.



Sd/-  
VICE CHAIRMAN

Sd/-  
MEMBER (A)

bsv

- True copy -

*P. Hing 9/6/87*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE