

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCHAPPLICATION No. 1442/86(T)

(WP. NO. 6315/85)

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

DATED: 9-6-87

APPLICANT

Vs

Smt T. Jayalakshmi

TO

1. Shri M. Raghavendra Achar
Advocate
1074-1075, Banashankari I Stage
Sreenivasa Nagar 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

RESPONDENTS

The GM, Telephones, B'lore

Janus
*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

2-6-87ENCL: As above.*AR*
DEPUTY REGISTRAR
(JUDICIAL)

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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,
Kempegowda 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:

D 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-promotion 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/-

Sd/-

VICE CHAIRMAN

MEMBER (A)

2/6/1987
- True COPY -

bsv

R. H. 9/6/87
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE