

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 15-7-87

Application No. 534/87(T) / 86()

W.P. No 17925/82 /

Applicant

A. Muniyappa V/s. Director, Central Poultry Breeding Farm, Hessarghatta, B'lore & anr.

1. Dr. M.S. Nagaraja, Advocate
No.35, (Above Hotel Swagath),
1st Main Road,
Gandhinagar,
Bangalore - 560 009.
2. The Director,
Central Poultry Breeding Farm,
Hessarghatta,
Bangalore North.
3. Under Secretary,
Ministry of Agriculture,
(Dept. of Agriculture & Co-operation),
Krishi Bhavan,
New Delhi.

4. Sri. M.S. Padmarajaiah,
Sr. Central Govt. Standing Counsel,
High Court Buildings,
B'lore - 1.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN
APPLICATION NO. 534/87(T)

16/7/87
Please find enclosed herewith the copy of the Order/~~XXXXXXXXXXXX~~
passed by this Tribunal in the above said Application on, 10-7-87.

Hari
SECTION OFFICER
(JUDICIAL)

OK.

MR
16/7/87

Balu*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE TENTH DAY OF JULY 1987

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

Hon'ble Shri L.H.A.Rego .. Member (A)

APPLICATION NO. 534/87 (P)

A. Muniyappa
Central Poultry Breeding Farm
Quarters, Hessaraghatta,
Bangalore.

... Applicant

(Dr. M. S. Nagaraja .. Advocate)

v.

The Director
Central Poultry Breeding Farm
Hessaraghatta,
Bangalore North.

Government of India
by its Under Secretary,
Ministry of Agriculture,
(Department of Agriculture & Cooperation),
Krishi Bhavan, New Delhi

... Respondents

(Shri M. S. Padmarajaiah . Advocate)

This application has come up for hearing before this
Tribunal today. 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 Adminis-
trative Tribunals Act, 1985.

2. Prior to 23.4.1982, the applicant was working as a Poultry
Assistant at Central Poultry Breeding Farm (CPB Farm),
Hesarghatta. On 23.4.1982, Government of India in Ministry
of Agriculture had transferred the applicant from CPB Farm,
Hesarghatta to CPB Farm, Bhuvaneshwar, Orissa State. On 12.5.82,
the applicant approached the High Court of Karnataka under
Article 226 of the Constitution in W.P. No.17925/82 challenging
the said order.



3. Before the High Court the applicant was represented by one Shri V.S. Hegde, Advocate and respondents were represented by Shri M.S. Padmarajaiah, who is present today before this Tribunal. Dr. M.S. Nagaraja, learned Advocate appearing for Shri Hegde submits that the applicant had died in 1984 itself.

4. On the death of the applicant in 1984 the cause of action in the case does not survive to the legal representative of the applicant. On this short ground this application, which had otherwise also had abated and become infructuous, is liable to be dismissed. We, therefore, dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.



VICE CHAIRMAN

18/7/87
"True copy"

MEMBER (A) 17-7-87

bsv

Hegde
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE