Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 401 of 2021

Ex. Sgt. Harendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Abhay Kant Upadhyay, Shri Karuna Kant Upadhyay and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Ram Saran Awasthhi, Ld. Counsel for the respondents. Original Application is **allowed.** For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 510 of 2021

Brig. Rajiv Narain Mathur (Retd.) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri S.G. Singh and Shri Anand Yadav, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents. Original Application is **allowed.** For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A. No.716 of 2021 with M.A. No. 827 of 2021

Ex Rect Pooran Sharma Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Sunil Sharma, on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. **M.A. No. 827 of 2021** Heard Shri Om Prakash, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents. This Original Application has been filed with delay of three years, four months and twenty seven days regarding which application for condonation of delay has been moved. Submission of learned counsel for the respondents is that since the matter pertains to fraudulent enrolment in service, respondents wish to file objection against delay condonation application. Let objection be filed within two weeks. List this case on **06.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A. No. 772 of 2021 with M.A. No. 915 of 2021

Ex Nb Sub Sheo Sagar Singh Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Dr. Shailendra Sharma Atal, on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. **M.A. No. 915 of 2021** Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. This Original Application has been filed with delay of seven years, ten months and thirteen days. It is submitted that disability claim of the applicant has been wrongly denied by the respondents. It is further submitted that in pensionary matter, bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned. Ld. Counsel for the respondents has vehemently opposed the prayer and submitted that disability pension has rightly been rejected. His First Appeal was dismissed by the respondents and applicant was advised to file Second Appeal but the same was not done. Regarding delay submission of learned counsel for the respondents is that delay has not been explained satisfactorily by the applicant. Upon hearing submissions of learned counsel of both the parties, we are of the view that bar of limitation is not applicable in pensionary matters. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned. In the result, delay condonation application is allowed. **O.A. No. 772 of 2021** Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List this case on **27.01.2022** before the Registrar Court for exchange of pleadings. List before this Court on **11.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)**

	UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 774 of 2021 with M.A. No. 917 of 2021

Ex PO LOG (MAT) Rahul Dev Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Amit Jaiswal, on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. **M.A. No. 917 of 2021** Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. Applicant has filed this application for grant of service pension. Though he has filed application seeking condonation of delay, however there is no delay. Application is dismissed being not required. **O.A. No. 774 of 2021** Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List this case on **27.01.2022** before the Registrar Court for exchange of pleadings. List before this Court on **11.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 775 of 2021 with M.A. No. 924 of 2021

Hav / Clk (SD) Sunil Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Dr. Gyan Singh, on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. **M.A. No. 924 of 2021** Heard Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents. Applicant has filed this application against order dated 01.03.2021 of the respondents from which applicant's request for premature discharge has been denied. As per office report there is no delay in filing O.A., however applicant has filed application for condonation of delay, which is not required. Application is dismissed being not required. **O.A. No. 775 of 2021** Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List this case on **27.01.2022** before the Registrar Court for exchange of pleadings. List before this Court on **11.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A. No. 776 of 2021

Ex Nk Suresh Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Ms. Appoli Srivastava, on behalf of respondents is taken on record. Registry is directed to show her name as learned counsel for the respondents on the next date of listing. Heard Shri KP Datta, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents. Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List this case on **27.01.2022** before the Registrar Court for exchange of pleadings. List before this Court on **11.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A. No. 777 of 2021 with M.A. No. 925 of 2021

Neeraj Kumar Gupta MCEA(R)-II (Retd) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Kaushik Chatterjee, on behalf of respondents is taken on record. Registry is directed to show her name as learned counsel for the respondents on the next date of listing. **M.A. No. 925 of 2021** Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents. This Original Application has been filed with delay of seven months and thirteen days. It is submitted that disability pension claim of the applicant has been wrongly denied by the respondents. It is further submitted that in pensionary matter, bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and in view of this, delay is liable to be condoned. Ld. Counsel for the respondents has vehemently opposed the prayer and submitted that disability pension has rightly been rejected. Regarding delay submission of learned counsel for the respondents is that delay has not been explained satisfactorily by the applicant. Upon hearing submissions of learned counsel of both the parties, we are of the view that bar of limitation is not applicable in pensionary matters. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned. In the result, delay condonation application is allowed. **O.A. No. 777 of 2021** Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List this case on **27.01.2022** before the Registrar Court for exchange of pleadings. List before this Court on **11.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 908 of 2021 Inre O.A. No. 104 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicant

Versus

Ex Shiv Shankar Chaubey Respondent
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri RC Shukla, Ld. Counsel for the applicant/respondent is present. This correction application has been filed by the applicant/respondent for correcting the judgment and order dated 19.07.2021 passed in O.A. No 104 of 2020, Ex Nb Sub Shiv Shanker Chaubey. Applicant by means of this correction application has prayed that judgment dated 19.07.2021 be corrected and disability pension be granted to the applicant three years prior to filing of O.A. and not from the date of discharge. The judgement was passed after considering all facts of the matter. In medical board proceeding disability of the applicant was assessed @ 30% for two hears from the date of discharge, hence order was passed to grant disability pension @ 30% rounded of to 50% for two years from the date of discharge and respondents were directed to conduct Resurvey Medical Board for further entitlement of disability pension. Prayer made by the applicant/ respondent has no substance as applicant was found 30% disable at the time of discharge and not three years prior to filing of O.A., hence order was passed to grant disability pension @ 30% rounded of to 50% for two years from the date of discharge. Accordingly, correction application is **rejected**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. 919 of 2021 with M.A. No. 920 of 2021 Inre O.A. No. 471 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex Rect Rupendra Prasad Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Ms. Anju Singh , Ld. Counsel for the applicant/respondents. O.A. No 471 of 2020, Rect Rupendra Prasad, was filed by the applicant for grant of disability pension. O.A. was dismissed being devoid of merit vide order dated 26.08.2021 of this Tribunal. By means of instant correction application, applicants/respondent has prayed that Page No 4, Para No 7, Line No 3, of the order dated 26.08.2021 be corrected as under:- For - 'military training on 08.07.1995'. Read as - 'military training on 15.07.1995'. Correction application is allowed and order is corrected accordingly. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 928 of 2021 Inre O.A. No. 255 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex Rect Anuj Pratap Singh Respondent
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicants who was respondent in O.A. Learned counsel for the applicants (Respondents in O.A.) submitted that applicants (Respondents in O.A.) has filed this application seeking modification of order dated 02.07.2021 passed in O.A. No 255 of 2020 by which, while allowing the O.A. applicants (Respondents in O.A.) were directed to reinstate the respondent (applicant in O.A.) in service and it was also provided that if the order is not complied with within four months from the date of production of its certified copy, the respondent (applicant in O.A.) shall also be paid interest @ 8% per annum till the date of actual payment. Learned counsel for the applicants herein further submitted that when no back wages has been allowed to the respondent (applicant in O.A.) the question for payment of interest @ 8% per annum till date of actual payment does not arise as this could be possible only when back wages would have been allowed. We have gone through the order dated 02.07.2021 passed in O.A. No 255 of 2020 and we find that O.A. has been allowed directing the applicants (Respondents in O.A.) to reinstate the respondent (Applicant in O.A.) in service without back wages. Back wages being not allowed to respondent (Applicant in O.A.), the question of payment of interest @ 8% per annum does not arise and, therefore, order needs to be modified. However, it is also true that there was no hurdle in the way of the applicants (Respondents in O.A.) to reinstate respondent (Applicant in O.A.) in service within four months from the date of order, as directed, but as the same was not done in the garb of modification of the order, the order needs to be modified to the effect that if respondent (Applicant in O.A.) is not reinstated in service within two months from today then he shall be entitled to pay and allowances along with interest @ 8% per annum from the date the O.A. was allowed i.e. 02.07.2021 till the date of actual

	payment. Accordingly, modification application is allowed and it is directed that if the order dated 02.07.2021 is not complied with within 2 months from today, the applicants (Respondents in O.A.) shall pay the pay and allowance to the respondent (Applicant in O.A.) along with interest @ 8% per annum till the date of actual payment Modification application stands decided, accordingly. Let copy of this order be provided to Officer In Charge, Legal Cell for compliance within 48 hours. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

DY-No. 2544 of 2021 Inre O.A. No. (Nil) of 2021

Ex Hav Ashok Kumar Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing no one is present on behalf of applicant to press this case nor the defects have been removed. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present. Applicant is directed to remove the defects within two weeks failing which application shall be dismissed. List on **17.12.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 116 of 2017 Inre O.A. No. 21 of 2013

Pramod Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. It is submitted by learned counsel for the applicant that he has received copy of compliance report today only. He prayed that reasonable time be given to him to file objection. He also submitted that cost has also not been paid till date. Let objection, if any, be filed within two weeks. As per office note, cost of Rs. 25,000/- imposed on the respondents has not been paid by the respondents. Respondents are directed to deposit the entire cost immediately. It is submitted by learned counsel for the respondents that entire order of the execution has been implemented except arrears of leave encashment. He submitted that Rs. 2,98,771/- as arrears of leave encashment will also be paid to the applicant by end of this month. Respondents are directed to file supplementary affidavit regarding compliance of the order by the next date fixed. List on **13.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex.A No. 202 of 2017 Inre T.A. No. 15 of 2014 &
Inre T.A. No. 1368 of 2010

Maj Kunwar Ambreshwar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rahul Kapoor, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. Objection to affidavit of compliance filed by learned counsel for the applicant is taken on record. Learned counsel for the applicant submitted that though applicant is entitled pay and allowance to the post of substantive rank of Lt Col wef 01.07.1997 but he has been paid arrears of pay from January 2008 and not from 01.07.1997. However, he submitted that PPO issued by the respondents is in terms of order for back wages. This shows that so far as order of compliance is concerned, the same has been done but the order has not been complied with by the Bank concerned. He submitted that he will make concerned Bank a party in the petition. Submission of learned counsel for the applicant is that reasonable time be given to him to implead Bank as party which is allowed. Let steps to impleadment be taken within two weeks. List on **18.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex- A.No.26 of 2018 Inre T.A. No. 178 of 2009

Sriram Pandey Applicant
By Legal Practitioner for the Applicant

Versus

Defence Secretary Ministry of Defence
Govt. of India Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh and Shri Sachindra Pratap Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. It is submitted by learned counsel for the respondents that in compliance of the order of this Tribunal, Govt sanction has been obtained on 08.10.2021. He further submitted that since the Govt sanction has been accorded in the matter order dated 15.09.2021 imposing the cost of Rs. 10,000/- be recalled. Learned counsel for the applicant has vehemently opposed the submission of learned counsel for the respondents stating that since order of this Tribunal was not complied within time, the cost should not be waved off. Considering that Govt sanction has been accorded and time is consuming in generation of PPO, three weeks further time is granted to respondents to file complete compliance of the order. The payment of cost imposed on the respondents shall be subject to compliance of order within four weeks from today. List on **04.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 137 of 2018 Inre 170 of 2011

Lekh Raj Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. It is submitted by learned counsel for the applicant that he received a whatsapp message today from Shri SP Shehrawat, learned counsel for respondent No 5 and 6 that an amount of Rs, 5,54,039/- has been granted to the applicant as arrears of interest and after deducting Rs, 54,146/- as TDS from the same, Rs. 4,99,893/- has been credited in applicant's bank account. It is further submitted that there was no direction to deduct TDS, therefore, act of Bank of deducting TDS from the arrears is bad. Considering that arrears have been credited in the applicant's account, order seems to have been complied with. Therefore, application deserves to be dismissing being infructuous. As regards deduction of TDS, applicant can claim the amount of TDS from the IT Department, if not payable. With the above observations, execution application stands **disposed of** with full and final satisfaction. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 101 of 2019 Inre O.A. No. 34 of 2016

Ex Nb Sub (DSC) Sabhajit Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Maj Tarun, Departmental Representative for the respondents. Maj Tarun, Departmental Representative on the instructions received, submitted that matter regarding implementation of the order under execution is presently pending in Min of Def, therefore, some more time be given to file affidavit of compliance. The order under execution was passed in the year 2017. Considering that order of compliance was passed more than four years back and no justifiable reason has been given by the respondents for not implementing the order, we direct the respondents to make compliance of the order within four weeks, otherwise DDG, DSC, Army Headquarters shall remain present in the Court to explain why order is not complied with. List on **12.01.2022**. Copy of this order be provided to Departmental Representative for the respondents within 48 hours for necessary action. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex. A. No 206 of 2017 Inre O.A. (A) No 314 of 2015

Shiv Ram Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.12.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents, list on **10.12.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-