

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

**O.A. No. 113 of 2021**

**Ex. Nk. Yatendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 22 of 2020 with M.A. No. 86 of 2019**

<b>Smt. Phoolwati Devi W/o Sep. Mohan Singh</b> By Legal Practitioner for the Applicant	Applicant
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard arguments of Col. R.C. Dixit (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Judgment reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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

O.A. No. 479 of 2021 with M.A. No. 498 of 2021

**Ex. Hav. Uday Pratap Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:center">Memo of Appearance filed by Shri Rajesh Shukla, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align:center">Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p style="text-align:center">The matter pertains to pensionary benefits in regard to which an application supported with affidavit has been filed for condonation of delay as there is a delay of more than ten years in filing of Original Application.</p> <p style="text-align:center">It is submitted that law of limitation is not applicable in pensionary matter. It is further submitted that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p style="text-align:center">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align:center">Having heard submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case we are of the view that law of limitation is not applicable in pensionary matter. We are further of the view that cause shown for delay, if any, in filing Original Application is sufficient. Accordingly, delay condonation application is <b>allowed</b> and delay is <b>condoned</b>.</p> <p><b><u>O.A. No. 479 of 2021</u></b></p> <p style="text-align:center">It is a fit case for adjudication. Admit.</p> <p style="text-align:center">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.</p> <p style="text-align:center">List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings.</p> <p style="text-align:center">List the matter before Tribunal on <b>22.11.2021</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align:center"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

O.A. No. 488 of 2021 with M.A. No. 512 of 2021

<b>Smt. Dilmani W/o Late Nk. Mohd. Saheed</b> By Legal Practitioner for the Applicant	Applicant
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<p><b>Orders of the Tribunal</b></p> <p><u><b>02.09.2021</b></u>  <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u>  <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p style="text-indent: 40px;">Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-indent: 40px;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-indent: 40px;">The Original Application has been filed for grant of Special Family Pension with delay of 24 years, 11 months and 24 days.</p> <p style="text-indent: 40px;">Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p style="text-indent: 40px;">Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p style="text-indent: 40px;">Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p style="text-indent: 40px;">Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u><b>O.A. No. 488 of 2021</b></u></p> <p style="text-indent: 40px;">It is a fit case for adjudication.</p> <p style="text-indent: 40px;">Admit.</p> <p style="text-indent: 40px;">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.</p> <p style="text-indent: 40px;">List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings.</p> <p style="text-indent: 40px;">List the matter before Tribunal on <b>22.11.2021</b>.</p> <p style="text-align: center; margin-top: 20px;"> <span style="margin-right: 100px;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span> <b>(Justice Umesh Chandra Srivastava)</b> Member (J)                 </p> <p style="margin-top: 10px;">AKD/-</p>
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Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.1 (E. Court)

O.A. No. 489 of 2021 with M.A. No. 513 of 2021

Ex. Sqn. Ldr. Mahendra Pal Singh  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri S.N. Singh Gaherwar and Shri Ajit Singh Gaherwar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 16 years, 08 months and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 489 of 2021</u></b></p> <p>It is a fit case for adjudication. Admit.</p> <p>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.</p> <p>List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings. List the matter before Tribunal on <b>22.11.2021</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 490 of 2021 with M.A. No. 514 of 2021**

**Ex. L/Nk Mukesh Kumar Ravi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Memo of Appearance filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">Heard Shri Himanshu and Shri Hemant Gupta, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The instant Original Application has been filed for grant of service pension with delay of 02 months and 13 days.</p> <p style="text-align: justify;">In regard to delay the applicant has filed an application for condonation of delay supported with affidavit.</p> <p style="text-align: justify;">In view of facts averred in affidavit filed in support of delay condonation application, delay is <b>condoned</b>. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 490 of 2021</u></b></p> <p style="text-align: justify;">It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">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.</p> <p style="text-align: justify;">List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on <b>22.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

O.A. No. 491 of 2021 with M.A. No. 515 of 2021

**Ex. Sgt. Shyam Prakash Srivastava**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed for grant of disability pension with delay of 01 year, 09 months and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 491 of 2021</u></b></p> <p>It is a fit case for adjudication. Admit.</p> <p>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.</p> <p>List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings. List the matter before Tribunal on <b>22.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

O.A. (A) No. 487 of 2021

**Ex. Wg. Cdr. Sushil Bajpai**  
By Legal Practitioner for the Appellant

Appellant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri S.G. Singh and Shri Anand Yadav, Ld. Counsel for the appellant are present.</p> <p>Shri Namit Sharma, Advocate appeared on behalf of the respondents and he submits that he will file the Memo of Appearance today during the course of the day.</p> <p>The matter needs adjudication, hence <b>admitted</b> for hearing.</p> <p>Respondents to file Counter Affidavit within four weeks. Rejoinder Affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List the matter before Registrar on <b>29.10.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>22.11.2021</b>.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

















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

**Ex. A. No. 82 of 2019 Inre : O.A. No. 258 of 2018**

**Ex. Gnr. Ashish Kumar Pandey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>02.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by Ms. Anju Singh, Ld. Counsel appearing on behalf of the respondents that though Government sanction has been accorded in the matter, but no P.P.O. has been issued. She sought and is allowed four weeks time to ensure that Corrigendum P.P.O. is issued and get the same file on record.</p> <p style="text-align: center;">List on <b>11.10.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>





























































