

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

O.A. No. 338 of 2021

Ex. Sgt. Jayant Kumar 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, 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.</p> <p style="text-align: center;">(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

O.A. No. 518 of 2021

Ex. Gnr. Pramod Kumar
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Wg. Cdr. Ajeet Kakkar, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed.</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;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</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. 238 of 2021

Ex. Nb. Ris. Ram Lakhan Mishra
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Supplementary Counter Affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Shashank Kumar and Shri Prashant Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is dismissed.</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;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) 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. 524 of 2021

Smt. Hem Lata W/o Rfn Puran Bahadur
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Prakhar Kankan and Shri KKS Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents three weeks further time is granted to file counter affidavit.</p> <p style="text-align: center;">List on 18.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 569 of 2021 with M.A. No. 614 of 2021

Ex Sub (Nur Tech) Murali N	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
	<p><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Maj Sini Thomas, Departmental Representative for the respondents are present.</p> <p>Maj Sini Thomas, Departmental Representative for the respondents submits that she has received parawise comments from the Records and since the respondents wish to contest the case on merit therefore, further time be granted to file counter affidavit.</p> <p>As prayed, let counter affidavit be filed within three weeks.</p> <p>List on 10.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 356 of 2019 Inre O.A. No. 152 of 2016

Arbind Kumar Dubey
By Legal Practitioner for the Applicant

Applicant

Versus

Lt. Col. Anirban Deka
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent Nos. 1 to 3 are present.</p> <p style="text-align: center;">No one is present on behalf of respondent No. 4 despite notice being held deemed sufficient on him. The case shall proceed ex parte against him.</p> <p style="text-align: center;">Respondent No. 1 to 3 wish to file reply of the application filed under Section 340 of Cr.PC. Let reply be filed within four weeks.</p> <p style="text-align: center;">List on 06.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 129 of 2013 with M.A. No. 593 of 2019

Rajendra 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri VP Pandey, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submitted that he had filed GCM proceedings in Registry in 2 volumes out of which only 1 volume is available and placed on record. So far as 2nd volume is concerned the same is not available and placed on record.</p> <p style="text-align: center;">Applicant to file 2 volumes of GCM proceedings in two sets within two weeks. 1 set of first volume be also filed within the same period, thereafter case may be listed for hearing.</p> <p style="text-align: center;">Shri Sunil Sharma, Ld. Counsel for the respondents submits that entire GCM proceedings is available with the respondents.</p> <p style="text-align: center;">List on 28.01.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 211 of 2017

Bhupendra Gavar
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Dr. Chet Narayan Singh, Ld. Counsel for the respondents is present. Col. Y R Sharma (Retd), Ld. Counsel for the applicant is still not well. The case is adjourned. List on 21.03.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 341 of 2020

Ex Nb Sub Ram Raj Maurya
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is dismissed.</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;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 456 of 2020

Ex Sep Anil Kumar Sharma
 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Neeraj Pandey, Advocate holding brief of Shri SG Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">No rejoinder affidavit has been filed.</p> <p style="text-align: center;">List on 08.02.2022 for hearing.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>SB</p>

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

O.A. No. 411 of 2021

Sub Ginesh Kochukuttan Kurup
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Maj Sini Thomas, Departmental Representative for the respondents are present.</p> <p style="text-align: center;">As prayed, list tomorrow (03.12.2021) for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

T. A. No. 64 of 2016

Ex L Hav Surendra Vavu

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Mohd Shariq Khan, Ld. Counsel for the petitioner and Maj Sini Thomas, Departmental Representative for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 03.02.2022 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 779 of 2021 with M.A. No. 926 of 2021

Anuj Kumar ME-II (Retd)
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of appearance filed by Shri AK Sahu, 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.</p> <p><u>M.A. No. 926 of 2021</u></p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri AK Sahu, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed with delay of three years, six months and sixteen 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 for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>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.</p> <p>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.</p> <p>In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 779 of 2021</u></p> <p>Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing.</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 this case on 13.01.2022 before the Registrar Court for exchange of pleadings.</p> <p>List before this Court on 11.03.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 780 of 2021 with M.A. No. 927 of 2021

Ex Sigman Surya Bhan 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>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.</p> <p><u>M.A. No. 927 of 2021</u></p> <p>Heard Shri Ved Prakash Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed with delay of twenty years and four 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 for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>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.</p> <p>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.</p> <p>In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 780 of 2021</u></p> <p>Points raised in O.A. needs consideration, therefore, O.A. is admitted for hearing.</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 this case on 11.01.2022 before the Registrar Court for exchange of pleadings.</p> <p>List before this Court on 11.03.2022 for hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex-A No.155 of 2017 Inre T.A. No. 1288 of 2010

Chandra Bhushan Yadav
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri KKS Bisht and Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submitted that in compliance of the order of this Tribunal, arrears Rs. 3,21,790 for the period from 24.01.2002 to 31.01.2008 have been paid to the applicant vide cheque dated 26.03.2021. He further submitted that as regards leave encashment is concerned, the same is subject to audit verification and as soon as it is done, payment of leave encashment would also be done.</p> <p style="text-align: center;">On perusal of record, it appears that order was passed in the year 2017 and the same has not been complied with in toto in the garb of audit verification which is not appropriate.</p> <p style="text-align: center;">Respondents are, therefore, directed to make compliance of the order within three weeks otherwise Joint CDA, Air Force, New Delhi shall remain present in the Court and explain why the order has not been complied with.</p> <p style="text-align: center;">List on 04.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

Ex-A No.71 of 2019 Inre O.A. No. 591 of 2018

Ex Gnr Ratan Maity By Legal Practitioner for the Applicant	Applicant
Versus	
The Commanding Officer 152 A.D Regt & Other By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by learned counsel for the applicant that despite notice being served to Respondent No 6, neither the payment has been made nor any body is present from his side.</p> <p style="text-align: center;">In the circumstances stated above, We direct that Branch Manager, State Bank of India, West Midinipur, West Bengal shall remain present in the Court on the date fixed to explain why he has not complied with the order.</p> <p style="text-align: center;">List on 14.01.2022.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="width: 50%; text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p>UKT/-</p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

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

Ex-A No.41 of 2021 Inre O.A. No.291 of 2020

Ex Sub Sarfaj Khan
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">No one is present on behalf of the applicant.</p> <p style="text-align: center;">An Affidavit of compliance has been filed by the respondents which shows that order has been fully complied with. Copy of PPO is annexed with compliance report in compliance of order.</p> <p style="text-align: center;">In view of order of this Tribunal has been complied with, Execution Application has rendered infructuous.</p> <p style="text-align: center;">Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex-A No. 56 of 2021 Inre O.A. No. 359 of 2019

Ex Hav Suresh Kumar Yadav
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by learned counsel for the respondents that in compliance of order of this Tribunal, PPO has been issued. He further submitted that two weeks time be granted to him to bring PPO on record which is allowed.</p> <p style="text-align: center;">List on 17.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex-A No. 57 of 2021 Inre O.A No. 719 of 2020

Ex Hav Surendra Singh Sengar
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of appearance filed by Shri DC Lohumi on behalf of respondents No 5 is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for respondents No 1 to 4 and Shri DC Lohumi, learned counsel for respondent No 5 are present.</p> <p>It is submitted by Shri DC Lohumi, learned counsel for respondent No 5 that two weeks time be granted to him to file affidavit of compliance which is allowed.</p> <p>List on 17.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex-A No. 58 of 2021 Inre 368 of 2019

Ex Hav Ajeet Kumar
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></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>Affidavit of compliance has been filed today in the Court and the same is taken on record.</p> <p>We have gone through the affidavit of compliance and we find that it is not in terms of order passed by this Tribunal as no mention of interest in it. It shows that PAO (ORs), Army Medical Corps has not paid amount of interest due to the applicant in terms of order of this Tribunal and as per Govt sanction.</p> <p>PAO (Ors) is directed to pay the amount to the applicant in terms of order of this Tribunal and as per Govt sanction, failing which matter will be viewed seriously.</p> <p>List on 03.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex-A No. 77 of 2021 Inre O.A. No. 329 of 2019

Ex Sep Vijay Kumar 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Compliance report filed by the respondents is taken on record.</p> <p style="text-align: center;">Learned counsel for the respondents submitted that in compliance of the order of this Tribunal, PPO has been issued and order of this Tribunal has been fully complied with.</p> <p style="text-align: center;">Learned counsel for the applicant submitted that he has received copy of PPO.</p> <p style="text-align: center;">In view of order of this Tribunal has been complied with, Execution Application has rendered infructuous.</p> <p style="text-align: center;">Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 603 of 2020

Sudhir 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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Vakalatnama filed by Shri Avadhesh Shukla, on behalf of respondent No 4 is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Shri Ashish Kumar Singh and Shri Avadhesh Shukla, Ld. Counsel for the respondents are present.</p> <p>No one is present on behalf of applicant.</p> <p>Learned counsel for respondent No 4 seeks and is granted four weeks time to file counter affidavit.</p> <p>List on 10.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 523 of 2021

Ex Nb Sub / SKT Ramanand 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><u>02.12.2021</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Maj Tarun, Departmental Representative, Legal Cell for the respondents are present.</p> <p style="text-align: center;">Departmental Representative submitted that parawise comments in the case were received and forwarded to learned counsel for the respondents on 16.11.2021.</p> <p style="text-align: center;">He further submitted that three weeks further time be granted to file counter affidavit which is allowed subject to condition that if the counter affidavit is not filed within the time given, the opportunity to file the same shall close.</p> <p style="text-align: center;">List on 18.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 778 of 2021

Hony Nb Sub Devi Prasad Verma (Retd)
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><u>02.12.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align:center">Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, learned counsel for the respondents.</p> <p style="text-align:center">Learned counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicant in terms of letter No 1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex Servicemen Welfare, New Delhi, to which learned counsel for the respondents has no objection.</p> <p style="text-align:center">With the consent of learned counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to revise the pension of applicant in terms of letter No 1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex Servicemen Welfare, New Delhi, within a period of three months from the date of receipt of copy of this order and communicate to the applicant accordingly, after verifying the documents.</p> <p style="text-align:center">Let a copy of this order be provided to the learned counsel for the parties.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>