



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

**O.A. No. 596 of 2021 with M.A. No. 649 of 2021**

**Ex. Rect. Mohd. Dilwan Ali**  
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>06.10.2021</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 Sunil Sharma, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">There is a delay of 03 months and 01 day in filing of Original Application regarding which an application for condonation of delay has been moved. In support of delay condonation application an affidavit has also been filed stating therein that delay is not deliberate.</p> <p style="text-align: center;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: center;">Upon hearing submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case we find that cause shown is sufficient. Accordingly, delay is <b>condoned</b>. Delay Condonation Application stands decided accordingly.</p> <p><b><u>O.A. No. 596 of 2021</u></b></p> <p style="text-align: center;">It is a fit case for adjudication.</p> <p style="text-align: center;">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>24.11.2021</b> for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on <b>13.01.2022</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**

**O.A. No. 598 of 2021 with M.A. No. 651 of 2021**

**Ex. Gnr. Santosh Kumar**  
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>06.10.2021</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 J.N. Mishra, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 01 year, 07 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. 598 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>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>24.11.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>13.01.2022</b>.</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. 600 of 2021**

**Ex. Sub. Jawahar Lal Mandal**  
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>06.10.2021</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 Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chadra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is a fit case for adjudication.</p> <p style="text-align: center;">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>24.11.2021</b> for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on <b>13.01.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</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. 601 of 2021 with M.A. No. 653 of 2021**

**Ex. Hav. Ashok 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><b><u>06.10.2021</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 Dr. Shesh Narayan Pandey, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Dr. Amit Asthana, Ld. Counsel for the applicant and Dr. Shesh Narayan Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">As per office note, there is no delay in filing Original Application, however, an application for condonation of delay has been moved which being not required is <b>dismissed</b>.</p> <p style="text-align: center;">It is a fit case for adjudication.</p> <p style="text-align: center;">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>24.11.2021</b> for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on <b>13.01.2022</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**

**O.A. No. 44 of 2020 with M.A. No. 26 of 2020**

**Ex. WO Surendra Pratap Narain 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>06.10.2021</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>Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 14 years, 03 months and 24 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. 44 of 2020</u></b></p> <p>Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>The applicant has filed the instant Original Application for the grant of disability pension.</p> <p>It is submitted that applicant was enrolled in the Indian Air Force on 21.01.1972 and was discharged from service on 14.03.2005 after rendering 33 years, 02 months and 23 days of service. It is further submitted that applicant was discharged from service on his own request in low medical category. However, no medical document has been filed in support of submission.</p> <p>In reply, the Ld. Counsel for the respondents submitted that applicant was discharged from service in medical category "AYE", therefore, he is not entitled to disability pension.</p>



In the circumstances when applicant has not been filed any medical document supporting his contention that he was discharged in low medical category and contrarily the respondents have submitted that he (applicant) was discharged in medical category "AYE", we find that applicant's claim for the grant of disability pension due to being discharged in low medical category is not maintainable.

In the result, Original Application is **dismissed**.

Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

**Form No. 4**  
**{See rule 11(1)}**  
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**Court No.1**

**O.A. No. 714 of 2020**

**Ex. Nk. Devendra Singh**

Applicant

By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>06.10.2021</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 R. Chadra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.</p> <p>List on <b>21.01.2022</b> for final hearing.</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  
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ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.1

O.A. No. 84 of 2021

**Smt. Sonali @ Soni Wife of (Late) Gnr. Rathod Yogesh Prahlad** 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><b>06.10.2021</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>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Despite opportunities being given time and again the applicant has not filed any Rejoinder Affidavit.</p> <p>Ld. Counsel for the applicant prays for to grant a week further time to file Rejoinder Affidavit which is allowed.</p> <p>List on <b>21.01.2022</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)    <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p><small>AKD/-</small></p>

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

O.A. No. 123 of 2021

Smt. Raj Wati  
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>06.10.2021</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>Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>Original Application is <b>dismissed</b>.</p> <p>For order, see our Judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p><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**

**O.A. No. 222 of 2021**

**Ex. Hav. Navin 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><b><u>06.10.2021</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;">Rejoinder Affidavit filed by the applicant is taken on record.            Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>dismissed</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. 265 of 2021

**Ex. Sgt. Ravindra Nath Tiwari**  
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>06.10.2021</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>Counter Affidavit filed by the respondents and Rejoinder Affidavit filed by the applicant are taken on record.</p> <p>Heard Shri Rahul Pandey and Shri Rang Nath Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For order, see our Judgment passed on separate sheets.</p> <p>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. 377 of 2021**

<b>HFO Bacha Prasad</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>06.10.2021</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">On the case being taken up for hearing Shri Raj Kumar Mishra , Shri Gopal Dwivedi and Dr. Abhay Kant Upadhyay Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">On the request of Ld. Counsel for the respondents and, as a last chance, two weeks time is granted to file Counter Affidavit.</p> <p style="text-align:center">List on <b>13.12.2021</b> for final hearing.</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)}**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**O.A. No. 379 of 2021**

**Smt. Sarswari Devi Widow of Late Nb/Sub Digember Singh Kholia**      Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>06.10.2021</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, a week further time is granted to the respondents to file Counter Affidavit.</p> <p>List on <b>13.12.2021</b> for final hearing.</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. 380 of 2021**

**Ex. Sep. Shyam Pal**  
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>06.10.2021</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 Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p>List on <b>14.12.2021</b>.</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. 381 of 2021**

**Ex. Maj. Taj Mohd. Sheikh**  
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>06.10.2021</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 K.K. Misra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Shri Asheesh Agnihotri, Ld. Counsel appearing on behalf of respondents submits that Counter Affidavit which has been taken on record has been erroneously filed as it is not connected with the Original Application. He further submits that Counter Affidavit be returned to him with liberty to file afresh Counter Affidavit which is allowed.</p> <p>The Counter Affidavit taken on record be returned to the respondents. Respondents are permitted to file Counter Affidavit within two weeks. List on <b>24.01.2022</b>.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**O.A. No. 382 of 2021**

<b>Ex. Sep. Sushil Kumar</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>	<b>Orders of the Tribunal</b>		
	<p><b><u>06.10.2021</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;">On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the respondents four weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on <b>13.12.2021</b> for final hearing.</p> <table border="0" style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></td></tr></table> <p style="margin-top: 10px;">AKD/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b>	<b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b>
<b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b>	<b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b>		

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

**O.A. No. 388 of 2021**

**Arvind Kumar**

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>06.10.2021</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 Ram Kumar Verma, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Shri Asheesh Agnihotri, Ld. Counsel appearing on behalf of respondents submits that Counter Affidavit is available with him and will be filed today in the registry during the course of the day.</p> <p>List on <b>28.01.2022</b> for final hearing.</p> <p>In the meantime Rejoinder Affidavit, if any, may be filed.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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**

**O.A. No. 389 of 2021**

**Ex. Gnr. Kaleshwar Sah**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>06.10.2021</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 Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>The Counter Affidavit has been filed today in Court and the same is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.</p> <p>List on <b>28.01.2022</b> for final hearing.</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**

**R.A. No. 1 of 2021 Inre : O.A. No. 160 of 2020**

**Smt. Roopa Singh Teveotia, W/o Late Ex. Hagv. Aman Pal Singh Teveotia** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>06.10.2021</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>Objection filed by the Ld. Counsel for the respondents against Review Application is taken on record.</p> <p>List on <b>30.11.2021</b>.</p> <p><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**

**T.A. No. 52 of 2017**

**Lt. Dharendra Tiwari (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><b><u>06.10.2021</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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the applicant that Rejoinder Affidavit as well as Supplementary Affidavit will be filed today in the registry during the course of the day.</p> <p>List on <b>17.01.2022</b> for final hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <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

O.A. No. 13 of 2018

<b>Shri Pal Singh</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>06.10.2021</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 Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the applicant, the case is adjourned. List on <b>13.10.2021</b> for final hearing.</p> <p>It is clarified that the case shall not be adjourned on the next date on any reason.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) Member (A)</b>                  <b>(Justice Umesh Chandra Srivastava) 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**

**Ex. A. No. 24 of 2017 Inre : T.A. No. 93 of 2010**

**Prayag singh Parihar**  
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>06.10.2021</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;">On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">AS ordered, the Court of Inquiry report in sealed cover filed today by the respondents is taken on record.</p> <p style="text-align: center;">Cost Rs.25,000/- has also been deposited by the respondents.</p> <p style="text-align: center;">List on <b>26.10.2021</b> for final hearing.</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 style="text-align: left;">AKD/-</p>



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

**O.A. No. 396 of 2018**

**Rajendra Prasad**  
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>06.10.2021</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 D.S. Tiwari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents. Arguments concluded. 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**

**O.A. No. 572 of 2018**

**Col. Abhiram Chadnra Misra**  
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>06.10.2021</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 Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that he has just received the copy of Counter Affidavit filed on behalf of respondent Nos. 1 to 3, he needs time to go through it and to file Rejoinder Affidavit, if any.</p> <p style="text-align: center;">The Counter Affidavit filed by respondent Nos. 1 to 3 is taken on record.</p> <p style="text-align: center;">Counter Affidavit on behalf of respondent No. 4 has already been filed and taken on record.</p> <p style="text-align: center;">There is no need to issue notices to respondent Nos. 5 and 6 and the case can be decided on the basis of material available on record without issuing the notice.</p> <p style="text-align: center;">Rejoinder Affidavit, if any, may be filed within two weeks.</p> <p style="text-align: center;">List on <b>15.12.2021</b> for final hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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**

**O.A. No. 34 of 2019**

**Sub/Clk (SD) S. Gulam Nabi**  
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>06.10.2021</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>Heard Ms. Tanya Khurana, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is submitted by Dr. Shailendra Sharma Atal, Ld. Counsel appearing on behalf of respondents that present Original Application may be dismissed being not maintainable as it has been filed against the order of severe reprimand passed in Summary Court Martial. For this, he has relied on the Judgment of Armed Forces Tribunal, Principal Bench, New Delhi in Original Application No. 665 of 2020, <i>Dfr. Shatrughan Singh Tomar Vs. Union of India and Others</i>, decided on 17.04.2021 wherein it has been held that order of Severe Reprimand passed in Summary Court Martial being not included in service matters as defined in Section 3(o) of the Armed Forces Tribunal Act, 2007, the Original Application filed against the same is not cognizable by the Armed Forces Tribunal.</p> <p>We have gone through the judgment referred to above and we find that in view of what has been said in the judgment, the order of Severe Reprimand awarded in Summary Court Martial does not fall in the purview of service matters under Section 3(o) of the Armed Forces Tribunal Act, 2007 and, therefore, Original Application filed against such an order is not maintainable and is liable to be dismissed as such.</p> <p>Accordingly, Original Application is <b>dismissed</b> being not maintainable.</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. 145 of 2019

**Bhagwan 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><u>06.10.2021</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 Vinay Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on <b>21.01.2022</b> for final hearing.</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**

**O.A. No. 345 of 2019**

**Air Vice Marshal Rajesh Isser, AVSM, VM (Gallentary)**  
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><u><b>06.10.2021</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>On the case being taken up for hearing Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on <b>01.02.2022</b> for final hearing.</p> <p><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

O.A. No. 351 of 2019

**Bhopal 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>06.10.2021</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 K.K. Misra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>List on <b>04.01.2022</b> for final hearing.</p> <p><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**

**O.A. No. 675 of 2020**

**Ex. Hav. Surendra Kumar 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>06.10.2021</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.S. Rajawat and Shri Mukesh Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Rejoinder Affidavit, if any, may be filed within three weeks.</p> <p>List on <b>01.02.2022</b> for final hearing.</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>





