

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

O.A. No. 791 of 2021 with M.A. No. 939 of 2021

Rect. Gaurav
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>07.12.2021</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;">Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The Original Application has been filed with delay of 11 months and 20 days.</p> <p style="text-align: center;">The submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate, but on account of facts stated in affidavit filed in support of application.</p> <p style="text-align: center;">Ld. Counsel for the respondents has opposed the prayer on the ground that explanation offered for condonation of delay is not satisfactory.</p> <p style="text-align: center;">We have gone through affidavit filed in support of application for condonation of delay and find that grounds stated therein are genuine and sufficient.</p> <p style="text-align: center;">As such, delay in filing application is condoned. Application stands decided accordingly.</p> <p><u>O.A. No. 791 of 2021</u></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 19.01.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 16.03.2022.</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>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 792 of 2021 with M.A. No. 943 of 2021

Ex. Nk. Hukam 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>07.12.2021</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 Rajesh Kumar Singh Chauhan, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajesh Kumar Singh Chauhan, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 15 years, 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><u>O.A. No. 792 of 2021</u></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 19.01.2022 for exchange of pleadings. List the matter before Tribunal on 16.03.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Court No.1

O.A. No. 793 of 2021

Ex. Sub. Pyar Chand
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>07.12.2021</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;">Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri K.P. Datta, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</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 19.01.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 16.03.2022.</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>AKD/-</p>

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

O.A. No. 797 of 2021 with M.A. No. 945 of 2021

Ex. Hony. Nb. Sub. Ramesh Singh Chauhan
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>07.12.2021</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: justify;">Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondent Nos. 1 to 4 is taken on record.</p> <p style="text-align: justify;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 4.</p> <p style="text-align: justify;">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 dismissed.</p> <p style="text-align: justify;">The Ld. Counsel for the applicant submits that matter pertains to grant of pension of Honorary Naib Subedar to the applicant in terms of Government of India, Ministry of Defence letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020. His further submission is that despite the issuance of above letter and same being forwarded to all Pension Disbursing Authorities respondent Nos. 5 and 6 are not complying with the same, with the result the applicant is not able to get the pension of Honorary Naib Subedar till date.</p> <p style="text-align: justify;">In reply, the submission of Ld. Counsel for the respondent Nos. 1 to 4 is that since the applicant's grievance is against the respondent Nos. 5 and 6 and not against the answering respondents, therefore, notice be issued to respondent Nos. 5 and 6.</p> <p style="text-align: justify;">Issue notice to respondent Nos. 5 and 6 returnable within four weeks.</p> <p style="text-align: justify;">List on 09.02.2022.</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>AKD/-</p>

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Ex. A. No. 99 of 2021 Inre : O.A. No. 88 of 2020

Ex. Hav. Rakshpal 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>07.12.2021</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;">Memo of Appearance filed by Ms. Anju Singh, 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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is a fresh Execution Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instructions in the matter.</p> <p style="text-align: center;">List on 10.02.2022.</p> <table style="width: 100%; border: none; 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 style="margin-top: 20px;">AKD/-</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)		

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Ex. A. No. 101 of 2021 Inre : O.A. No. 267 of 2021

Smt. Ramwati W/o Late Reservist Virender 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>07.12.2021</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;">Memo of Appearance filed by Dr. Gyan Singh, 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. Chandra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is a fresh Execution Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instructions in the matter.</p> <p style="text-align: center;">List on 17.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 4 of 2018 Inre : O.A. No. 212 of 2015

Ex. Hav. Jugendra 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>07.12.2021</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>Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that in compliance of the order dated 28.07.2017 in Original Application No. 212 of 2015 Re-Survey Medical Board (RSMB) was held on 06.12.2017 and despite disability being found 30% for life no Corrigendum P.P.O. has been issued. He further submits that applicant had the same disability with same percentage when the Original Application was allowed and in view of which respondents have no reason to not issue Corrigendum P.P.O.</p> <p>In reply, Ld. Counsel for the respondents submits that applicant's disability being Nil for life in RSMB held on 06.12.2017 applicant is not entitled to disability pension any further.</p> <p>We have gone through the order dated 28.07.2017 in Original Application No. 212 of 2015 and also the RSMB report dated 06.12.2017 wherein applicant's disability being 30% has been treated Nil for life by the RSMB. On perusal of order it appears that applicant had the same disability with same percentage when he was discharged from service and being denied disability pension on the reason disability being not attributable to or aggravated by military service he had filed Original Application for the grant of disability pension which was allowed and respondents were directed to grant disability pension to the applicant @30% to be rounded off to 50% for a period of two years with direction to hold fresh RSMB to assess further disability, if any. We are surprised to note that despite same disability being found in RSMB with same percentage the medical board has treated disability Nil for life with the result Corrigendum P.P.O. has not been issued. This act of the respondents treating applicant's disability Nil for life despite the same being found @30% in RSMB is highly improper. Therefore, respondents are directed</p>

to issue Corrigendum P.P.O. to the applicant granting him disability pension @30% to be rounded off to 50% for life within two weeks from today failing which OIC Records, AMC shall remain physically present in Court on the next date fixed to explain the reason for non-compliance.

Respondents are further directed to deposit the cost due against them by the next date fixed failing which they shall be liable to pay Rs.5,000/- as additional cost to the applicant.

List on **06.01.2022**.

Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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Ex. A. No. 59 of 2019 Inre : O.A. No. 182 of 2017

Ex. Sep. Neeraj Bhatt By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2021</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 R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, four weeks further time is granted to file affidavit of compliance.</p> <p>List on 18.01.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 95 of 2019 Inre : O.A. No. 209 of 2019

Satyendra Kumar Singh By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2021</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">While drawing our attention to the copy of P.P.O. annexed with objection filed against affidavit of compliance, the Ld. Counsel for the respondents submits that it is clear from the P.P.O. itself that order has been complied with by granting arrears of service element to the applicant from three years prior to the date of filing of Original Application which is 23.07.2018. He further submits that order being complied with in letter and spirit the Execution Application should be dismissed being infructuous.</p> <p style="text-align: center;">We have perused the copy of P.P.O. filed along with objection and we find that service element has been granted to the applicant with arrears for a period from three years prior to the date of filing of Original application i.e. 23.07.2015. The date of filing of Original Application was 23.07.2018.</p> <p style="text-align: center;">In view of above, the order seems to have been complied with, therefore, Execution Application deserves to be dismissed being 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) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 1 of 2021 Inre : O.A. No. 403 of 2018

Ex. Sub. Chandreshwar 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>07.12.2021</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>Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that vide order dated 31.08.2021 in Original Application No. 403 of 2018 the applicant has been allowed disability pension @20% for life to be rounded off to @50% for life from the date of discharge i.e. 01.04.2013, however, in P.P.O. generated in compliance of the order, the disability pension has been restricted to three years from the date of filing of Original Application which is incorrect.</p> <p>Respondents are, therefore, directed to make compliance of the order in letter and spirit and not at their own within four weeks from today.</p> <p>List on 19.01.2022.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 43 of 2021 Inre : O.A. No. 80 of 2020

Ex. Sep. Jeewan Chandra Pandey
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>07.12.2021</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 K.K. Singh Bisht, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submitted that in compliance of the order under execution Corrigendum P.P.O. has been issued. He further submits to grant two weeks time to bring the said P.P.O. on record which is allowed.</p> <p>List on 07.01.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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Court No.1

Ex. A. No. 66 of 2021 Inre : O.A. No. 48 of 2021

Sub. Kuldeep

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>07.12.2021</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 R. Chandra, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align: center;">During the course of hearing, Ld. Counsel for the applicant submitted that order under execution has been implemented in letter and spirit and, Execution Application may be dismissed being 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>AKD/-</p>

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Court No.1

Ex. A. No. 67 of 2021 Inre : O.A. No. 21 of 2020

Ex. Sub. Subhash Chandra 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>07.12.2021</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>During the course of hearing, Ld. Counsel for the respondents submits that in compliance of the order under execution the P.P.O. has been generated on 06.12.2021. He further submits that copy of P.P.O. has been forwarded to the Ld. Counsel for the applicant also.</p> <p>Let affidavit of compliance be filed within two weeks.</p> <p>List on 04.01.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex. A. No. 71 of 2021 Inre : O.A. No. 309 of 2018

Jamil Ahamad By Legal Practitioner for the Applicant	Versus	Applicant Respondents
Union of India & Others By Legal Practitioner for Respondents		

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2021</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 Satendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>In the cause list the name of respondents' Counsel has been wrongly shown as Shri Amit Chandra.</p> <p>Registry is directed to reflect the correct name of the respondents Counsel (Shri Amit Jaiswal) when the case is listed next.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance of the order under execution Government Sanction has been accorded on 23.06.2021. He further submitted that applicant has been approached vide letter Bombay Engineer Group letter dated 06.11.2021 to furnish Bank details for issuance of P.P.O. However, the same has not been furnished by the applicant, hence, P.P.O. could not be generated. He further submitted that as soon Bank details are submitted by the applicant, P.P.O. would be generated.</p> <p>Applicant is directed to furnish Bank details within two weeks in terms of letter dated 06.11.2021 of Bombay Engineer Group.</p> <p>After Bank details being furnished, respondents shall ensure that P.P.O. shall be generated within three weeks.</p> <p>List on 21.01.2022.</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>AKD/-</p>

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

O.A. No. 115 of 2021

Ex. Nk. Surendra Kumar By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2021</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;">Rejoinder Affidavit filed by the applicant is taken on record. Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, 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>

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Court No.1

O.A. No. 314 of 2021

Gp. Capt. Ramesh Chandra Prasad
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>07.12.2021</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 Raj Kumar Mishra, Dr. Abhay Kant Upadhyay and Shri Gopal Dwivedi, Ld. Counsel for the applicant and Ms. Kavita 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.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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O.A. No. 250 of 2021 with M.A. No. 325 of 2021

Ex Hav Raghubansh Chandra Verma
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>07.12.2021</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>Heard Shri Dharmesh Sinha, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents.</p> <p>Applicant has filed this application seeking substitution of her name in place of the original applicant being legally wedded wife of the applicant.</p> <p>Learned counsel for the respondents has serious objection regarding substitution of the application inter alia on the ground that having contacted plural marriage original applicant was dismissed from service. The original applicant has filed this O.A. against order of dismissal and the present applicant is his legally wedded wife.</p> <p>Considering the same and also that present application for substitution has been filed within 90 days of the death of original applicant, substitution application is allowed.</p> <p>Let amendment be carried out within a week and thereafter, rejoinder affidavit, if any, be filed within two weeks.</p> <p>List on 24.01.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(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. 648 of 2021 with M.A. No. 733 of 2021

Smt. Archana Rai W/o Late Dep Surya Prakash Rai 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>07.12.2021</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><u>M.A. No. 733 of 2021</u> Objection on application for condonation of delay filed by the respondents is taken on record. Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. The applicant has filed this application for grant of disability pension due to death of her husband and also for grant of family pension. The Original Application has been filed with delay of 30 years and 07 months and 16 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which 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 saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed. Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. 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.</p> <p><u>O.A. No. 648 of 2021</u> Heard. It is a fit case for adjudication. Admit. 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 19.01.2022 before the Registrar Court for exchange of pleadings. List on 16.03.2022 before this Court for hearing.</p> <p style="text-align: right;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: right;">(Justice Umesh Chandra Srivastava) Member (J)</p>
	UKT/-

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

O.A. No. 302 of 2017 along with O.A. No. 146 of 2017 (Decided)

Nb Sub Devendra Prasad By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>07.12.2021</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 24.01.2022.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="text-align: center; width: 50%;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="text-align: center; width: 50%;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p style="margin-top: 20px;">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

O.A.No. 369 of 2018

Rakesh 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>07.12.2021</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 RC Shukla, Ld. Counsel for the respondents is present. Shri Om Prakash Kushwaha, learned counsel for the applicant is ill. List on 18.02.2022.</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. 445 of 2019 with M.A. No. 312 & 209 of 2021 alongwith
O.A. 361 of 2019 (decided)

Col. RK Gupta
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>07.12.2021</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 Praven Tripathi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Objection against maintainability of the O.A. filed by the respondents is taken on record.</p> <p style="text-align: center;">Learned counsel for the applicant does not intend to file reply.</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>UKT/-</p>

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

O.A. No. 261 of 2020

Ram Nath 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>07.12.2021</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 Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 14.03.2022.</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.391 of 2020

Ex Rect Jitendra 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>07.12.2021</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 Col. Y R Sharma (Retd) , Ld. Counsel for the applicant and ShriRC Shukla , Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 16.03.2022.</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. 768 of 2020

Vijay 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>07.12.2021</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, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by learned counsel for respondent No 1 to 5 that Respondent No 6 and 7 are required to be heard in the matter, therefore, notice be issued to them.</p> <p style="text-align: center;">Issue notice to respondent No 6 and 7 returnable within three weeks.</p> <p style="text-align: center;">Steps be taken within a week.</p> <p style="text-align: center;">List on 25.02.2022.</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

RA No. 58 of 2021 Inre O.A. No. 129 of 2020

Hav Lalendra Kumar Choudhary
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>07.12.2021</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 Shaileendra Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>List on 27.01.2022.</p> <p>(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

T.A. No. 6 of 2019

Ex Nk Bishram Singh Rajput
By Legal Practitioner for the petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2021</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 Om Prakash Kushwaha, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 09.03.2022.</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. 582 of 2019

Smt. Kalindi Devi

W/O Late Ex Gdsm Manoj Kumar Chaturvedi
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>07.12.2021</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 Col. Ashok Kumar (Retd) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 17.02.2022.</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. 399 of 2020

Ex Sep Akhil DJ

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>07.12.2021</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 Abhishek Dwivedi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 21.03.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>