O.A. No. 619 of 2021

Brig. Javed Iqbal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Union of India & Others Respondents		
By Legal F	By Legal Practitioner for Respondents	
Notes of the Registry	Orders of the Tribunal	
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)	
	Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. Heard Shri K.C. Ghildiyal and Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Applicant has filed this Original Application seeking quashing of order dated 22.07.2021 issued by respondent No. 3 regarding holding meeting of Selection Board in respect of the Judge Advocate General's Department and also for other reliefs.	
	Ld. Counsel for the respondents submits that Original Application	

Ld. Counsel for the respondents submits that Original Application being filed without availing of the remedy of Statutory Complaint, as provided under Section 27 of the Army Act, 1950, should be dismissed under Section 21(1) of the Armed Forces Tribunal, Act, 2007.

Section 21 of the Armed Forces Tribunal Act reads as under :-

- "21. Application not to be admitted unless other remedies exhausted. (1) The Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of the remedies available to him under the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950), as the case may be, and respective rules and regulations made thereunder.
- (2) For the purpose of sub-section (1), a person shall be deemed to have availed of all the remedies available to him under the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950), and respective rules and regulations
 - (a) if a final order has been made by the Central Government or other authority or officer or other person competent to pass such order under the said Acts, rules and

- regulations, rejecting any petition preferred or representation made by such person;
- (b) where no final order has been made by the Central Government or other authority or officer or other person competent to pass such order with regard to the petition preferred or representation made by such person, if a period of six months from the date on which such petition was preferred or representation was made has expired."
- Ld. Counsel for the respondents further submits that Original Application is bad for non-joinder of Officer next to applicant in Judge Advocate General's Department as his right may be adversely affected if interim relief prayed in Original Application is heard and favourably decided without providing opportunity of hearing to him.

In reply, Ld. Counsel for the applicant submits that applicant has been approved for promotion to the post of Major General in Judge Advocate General's Department on 05.05.2021 by Selection Board but has not been issued order of promotion probably due to being in low medical category (Hypertension). Applicant is due for retirement on 28.02.2022. Respondent No.3 has already issued order dated 22.07.2021 for holding meeting of Selection Board for promotion to the post of Major General in Judge Advocate General Department and Board meeting is scheduled in this October only, and if applicant is asked to avail of the remedy of Statutory Complaint before filling Original Application, the purpose of Original Application will be frustrated. He submits that period prescribed for disposal of Statutory Complaint is six months.

He further submits that in the peculiar circumstances like one in hand the Tribunal has power to admit Original Application for hearing. The opening sentence of Section 21(1) that "The Tribunal shall not ordinarily admit an application unless it is satisfied" makes clear that in peculiar circumstances the Tribunal can admit Original Application for hearing to ensure ends of justice even where all remedies available under the respective Act, rules and regulations made thereunder have not been exhausted.

We have read Section 21 of the Armed Forces Tribunal Act, 2007 and we find that normally an application under the Act mentioned above may be filed after exhausting all remedies available to the individual under respective Act, rules and regulations made thereunder. However, there may be odd circumstances also where if individual is asked to exhaust the remedies available the purpose of application may be frustrated. In that situation the Tribunal cannot be treated powerless to entertain the applicant without exhausting the remedies rather it can admit application for hearing.

If we examine the facts of the case, as set in Original Application, we find that applicant is serving on the post of Brigadier in Judge Advocate General's Department since 2014 and is due for retirement on 28.02.2022.

There are two sanctioned posts of Major General in the Department, the Judge Advocate General and the Additional Judge Advocate General (Litigation). The post of Judge Advocate General is occupied and the post of Additional Judge Advocate General (Litigation) is lying vacant since 01.12.2020. The applicant while being in COPE Coding C2 medical category has been approved for promotion for the post of Major General on 05.05.2021 by the Promotion Board. The order for holding the next meeting of Departmental Promotion Board inter alia for JAG Branch has already been issued and meeting is expected to take place in this October. If this DPC is held the prospect of the applicant's promotion may be affected even though he has been already approved for promotion on 05.05.2021. Considering this, if applicant is asked to avail the remedy of Statutory Complaint before filing application then purpose of application may be defeated as in that situation application can be filed only after the expiry of six months from the date Statutory Complaint, and not before. Thus, in given circumstances the Tribunal can admit the application for hearing to meet the ends of justice.

As regards Application being bad for non joinder of the party, we do not find force in submission of learned respondents' Counsel that interest of next junior Officer may be adversely affected if application is heard and decided in his absence. It is not the case that next junior officer has also been empanelled for promotion to the post of Major General in Judge Advocate General's Department and in that case no question of his interest being adversely affected does arise.

Accordingly, Original Application is **admitted** for hearing as it needs adjudication.

At this stage, it is submitted by the Ld. Counsel for the respondents to grant time to seek instructions before hearing the interim relief application which is allowed.

List on 13.10.2021 for hearing on interim relief.

(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)

Member (A) Member (J)

AKD/-

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 493 of 2021 with M.A. No. 516 of 2021

Ex. Sep. Amol Kumar Sukhdev Bhalerao

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes	of
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Orders of the Tribunal

08.10.2021

Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)

On the case being taken up for hearing Shri Nand Kishore, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.

Instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 challenging the order by which applicant has been dismissed from service being deserter with effect from 01.12.2006.

There is a delay of 12 years, 09 months and 13 days in filing Original Application.

Submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate. His further submission is that after order of dismissal being passed against applicant he has preferred reply/objection on 07.06.2018 against show cause notice dated 28.02.2017 which has been received by the applicant on 25.07.2017, but the reply/objection has not been decided by the respondents. His further submission is that due to COVID-19 Pandemic the Hon'ble Apex Court has excluded the period from 15.03.2020 to 14.03.2021 while reckoning limitation. Thus, his submission is that delay in filing Original Application is not deliberate, but for the reasons stated above.

Ld. Counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 12 years has not been properly and satisfactorily explained. His further submission is that the applicant has been declared absentee/deserter with effect from 01.12.2006 vide 1 MAHAR Part II Order No. 0/0054/002/07, as such the original cause of action arose on 01.12.2006. He has relied upon the law laid down by the Hon'ble Apex Court in the case of Balwant singh (dead) Vs. Jagdish Singh and Others, reported in (2010) 8 SCC 685 and He pleaded for dismissal of delay condoantion application as well as Original Application being time barred.

Having heard the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.

In the result, we find that delay is not condonable.

Accordingly, delay condonation application is rejected.

Original Application being time barred is also rejected.

(Vice Admiral Abhay Raghunath Karve) Member (A)

(Justice Umesh Chandra Srivastava) Member (J)

AKD/-

By Circulation

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

R.A. No.51 of 2021 Inre: O.A. No. 20 of 2016 with Ex. A. No. 63 of 2021

Ex. Sgt. Balkrishna M.

Applicant

Versus

Union of India and Others

as under:-

Respondents

	inuia anu Others Respondents
By Legal F	Practitioner for Respondents
Notes of the	Orders of the Tribunal
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Tion ble vice Admiral Abriay Ragifuliatif Raive, Weiliber (A)
	The file has been placed before us by Circulation.
	The Review Applicant has filed this application under Rule 18 of the
	Armed Forces Tribunal (Procedure) Rules, 2008 by which applicant has prayed
	for review and setting aside the order dated 24.09.2021 of this Tribunal passed
	in Execution Application No.63 of 2021 inter alia on the ground that this
	Tribunal fell into error by construing that in the order under execution the
	applicant was compensated and quantified the cost of Rs.2 lacs for wrongfu
	denial of third extension to the applicant, the compensatory cost was in
	addition to the entitled benefits, compensatory cost cannot curtain the entitled
	right of wrongfully terminated aggrieved from consequential entitlements and
	while passing the said order under Review this Tribunal fell into error by
	misconstruing that "except that nothing was ordered" and had not considered
	the Hon'ble Apex Court and Hon'ble High Court Rulings contained in Annexure
	No. 5 and 6 to the Execution Application. Applicant has also stated that this
	Tribunal has fell into error by not considering Para 3.1 of Notes to Rule 12 o
	Manual of Air Force Law, Volume II Chapter III contained in Annexure No. 4 to

"It is admitted fact that respondent No. 5 has paid Rs.2,00,000/- to the applicant in compliance of above order.

the Execution Application. The operating portion of order under review reads

In the order under execution the applicant was compensated and quantified the cost at Rs.2 lacs for wrongful denial of third extension to the applicant. Except that nothing was ordered.

In view of above, we are of the considered opinion that nothing remains for compliance of the order under execution.

In the result, Execution Application deserves to be dismissed being infructuous. Accordingly, Execution Application is **dismissed** being infructuous."

It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.

For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below:-

- "1. Application for review of judgment.- (1) any person considering himself aggrieved-
 - (a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,
 - (b) by a decree or order from which no appeal is allowed, or
 - (c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order."

In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of *Parsion Devi and others vs. Sumitri Devi and others*, reported in (1997) 8 Supreme Court Cases 715, has observed as under:-

"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

We have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is rejected.

(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
Member (A) Member (J)

AKD/-

O.A. No. 602 of 2021 with M.A. No. 656 of 2021

Ex. Hav. Jit Bahadur Thapa

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Kaushik Chatterjee, Advocate on behalf
	of the respondents is taken on record.
	Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Kaushik
	Chatterjee, Ld. Counsel for the respondents.
	The instant Original Application has been filed for grant of disability pension
	with delay of 06 years and 13 days.
	An application supported with affidavit for condonation of delay has been
	moved and it is stated therein that law of limitation is not applicable in pensionary
	matter. It is also stated that delay in filing Original Application is not deliberate.
	Ld. Counsel for the respondents has vehemently opposed the prayer.
	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.
	Accordingly, delay in filing application is condoned. Delay condonation
	application stands decided accordingly.
	O.A. No. 602 of 2021
	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 the matter before Registrar on 29.11.2021 for exchange of pleadings.
	List the matter before Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 603 of 2021 with M.A. No. 657 of 2021

Ex. Hav. (Amb. Asst.) Mahendra Kumar Jena By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the	
Registry	
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Shyam Singh, Advocate on behalf of the
	respondents is taken on record.
	Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam
	Singh, Ld. Counsel for the respondents.
	The Original Application has been filed with delay of 13 years, 07 months
	and 13 days.
	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.
	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.
	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.
	Accordingly, delay in filing application is condoned. Delay condonation
	application stands decided accordingly.
	O.A. No. 603 of 2021
	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 the matter before Registrar on 29.11.2021 for exchange of pleadings.
	List the matter before Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)

O.A. No.604 of 2021 with M.A. No. 658 of 2021

Ex. Hav. Ram Shankar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Major Tarun V. Pillai, Departmental Representative of respondents are present. There is a delay of more than 14 years in filing of Original Application regarding which an application for condonation of delay has been moved. Respondents to file objection, if any, within two weeks. List on 29.11.2021.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 605 of 2021 with M.A. No. 660 of 2021

Ex. Nk. Sardar Alam Khan

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on
	behalf of the respondents is taken on record.
	Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Bipin
	Kumar Singh, Ld. Counsel for the respondents.
	The pertains to grant of disability pension and 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.
	The matter needs adjudication.
	Admit.
	Respondents to file Counter Affidavit within four weeks. Thereafter,
	applicant shall have two weeks time to file Rejoinder Affidavit.
	List the matter before Registrar on 29.11.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 19.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)
	AKD/-

O.A. No. 606 of 2021

Ex. JWO Vinod Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

	Orders of the Tribunal
the Registry	
Registry	
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Ms. Amrita Chakrabotry, Advocate on
	behalf of the respondents is taken on record.
	Heard Shri R. Chandra, Ld. Counsel for the applicant and Ms. Amrita
	Chakraborty, Ld. Counsel for the respondents.
	The matter needs 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 the matter before Registrar on 29.11.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 607 of 2021 with M.A. No. 661 of 2021

Ex. MWO Rajesh Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

	Orders of the Tribunal
the Registry	
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Ms. Prerna Singh, Advocate on behalf
	of the respondents is taken on record.
	Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms.
	Prerna Singh, Ld. Counsel for the respondents.
	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 .
	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 the matter before Registrar on 29.11.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 608 of 2021

Lt. Cdr. Vineet Walia (Retd.)

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

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Notes of the	Orders of the Tribunal
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	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf
	of the respondents is taken on record.
	Heard Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and
	Shri Amit Jaiswal, Ld. Counsel for the respondents.
	The matter pertains to grant of disability pension.
	The matter needs 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 the matter before Registrar on 29.11.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) (Justice Official Grandia Srivastava)
	AKD/-

O.A. No. 609 of 2021 with M.A. No. 662 of 2021

Ex. Sub. Shishu Pal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the	
Registry	
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Tion bie vice Admiral Abriay Ragnanath Raive, Member (A)
	Ms. Kavita Mishra Belaura, Advocate appears on behalf of the
	respondents and submits that she will file Memo of Appearance in the registry
	during the course of the day.
	Heard Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the
	applicant and Ms. Kavita Mishra Belaura, Ld. Counsel for the respondents.
	The matter pertains to grant of disability pension and 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 .
	The matter needs 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 the matter before Registrar on 29.11.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 19.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

M.A. No. 654 of 2021 with M.A. No. 655 of 2021 Inre: O.A. No. 40 of 2012

Ex. Ptr. Mahabir Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
Registry	
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate
	on behalf of the respondents is taken on record.
	Heard Shri Anuj Saini and Shri Govind Kant Sharma, Ld. Counsel for
	the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the
	respondents.
	It is submitted by the Ld. Counsel for the respondents that
	respondents have not received the copy of restoration application, therefore,
	direction be issued to the applicant to provide the same so that they may file
	objection, if any.
	Let copy of restoration application be provided to the Ld. Counsel for
	the respondents by today itself.
	Respondents may file objection, if any, within two weeks.
	List on 23.11.2021.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 71 of 2019 with M.A. No. 631 of 2021 Inre: O.A. No. 591 of 2018

Ex. Gnr. Ratan Maity

Applicant

By Legal Practitioner for the Applicant

Versus

The CO & Others

Respondents

Notes of	Orders of the Tribunal	
the		
Registry		
	08.10.2021	
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)	
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)	
	Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri	
	Ashish Kumar Singh, Ld. Counsel for the respondents.	
	M.A. No. 631 of 2021	
	Applicant has made this application to implead Manager, State Bank	
	of India, Khejuri Branch, Village – Khejuri, West Medinipur, West Bengal which	
	is allowed.	
	Let amendment be made by today itself and thereafter notice be	
	issued to the newly made party returnable within four weeks.	
	Steps for notice be taken within a week.	
	List on 02.12.2021 .	
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)	
	AKD/-	

Ex. A. No. 112 of 2019 Inre: O.A. No. 87 of 2016

Ex. Nk. (TS) Diwan Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Assistant Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj (Allahabad). It is submitted by the Ld. Counsel for the respondents that in terms of R.S.M.B. proceedings Corrigendum P.P.O. has been issued on 07.10.2021. He further submits to some time to bring the said P.P.O. on record. Let Corrigendum P.P.O. be brought on record within two weeks. List on 03.12.2021.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

Ex. A. No. 12 of 2020 Inre: O.A. No. 457 of 2019

Ex. Nk. Hira Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the	
Registry	
_	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Col. H.M. Maheshwari (Retd.),
	Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the
	respondents along with Shri Rajiv Tiwari, Assistant Accounts Officer, Principal
	Controller of Defence Accounts (Pension), Prayagraj (Allahabad) are present.
	Shri Rajiv Tiwari, Assistant Accounts Officer, Principal Controller of
	Defence Accounts (Pension), Prayagraj (Allahabad) submits that in compliance
	of P.P.O. arrears Rs.7,92,000/- has been credited in applicant's account on
	24.09.2021. He also submits that applicant has been allowed to get disability
	element @Rs.11,056/- per month.
	In view of the aforesaid, the order under execution appears to have
	•
	been complied with.
	Accordingly, Execution Application is dismissed being infructuous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 10 of 2021 Inre: T.A. No. 39 of 2016

Ex. Naik Shiv Sewak

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant, Shri Bipin Kumar Singh, Ld. Counsel for the respondents and Shri Anil Kumar Mishra, Ld. Counsel for the Bank of Baroda, Kakuni Branch, Kanpur are present. On the request of Shri Anil Kumar Mishra, Ld. Counsel appearing on behalf of the Bank of Baroda a week time is granted to file calculation sheet. List on 22.11.2021.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

Ex-A No.19 of 2021 Inre O.A. No. 553 of 2018

Ex Sep Ram Otar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri R.K. Sharma , Ld.
	Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the
	respondents are present.
	Ld. Counsel for the respondents submits that 10 days time be granted
	to file affidavit of compliance which is allowed.
	Respondents are also directed to deposit the cost due against them, if
	any, by the next date fixed.
	List on 25.11.2021 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A No.24 of 2021 Inre: O.A. No. 42 of 2019

Ex Hav Jaya Nand Upadhyay

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the	
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Parijaat Belaura , Ld. Counsel for the applicant and Shri
	R.C, Shukla, Ld. Counsel for the respondents.
	Compliance report dated 03.09.2021 and 30.09.2021 filed by the
	respondents are taken on record.
	It is submitted by the Ld. Counsel for the respondents that in
	compliance of the order P.PO. has been generated today. It is further
	submitted to grant some more time to bring the said P.P.O. on record which is
	allowed.
	Let P.P.O. be brought on record by way of affidavit within two weeks.
	List on 26.11.2021 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 25 of 2021 Inre: O.A. No. 536 of 2019

Ex Sep Kamlesh Chaudhary

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri
	Anurag Mishra, Ld. Counsel for the respondents.
	On the request of Ld. Counsel for the respondents, two weeks further
	time is granted to file affidavit of compliance.
	List on 30.11.2021 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 17 of 2020 with M.A. No. 3 of 2020

Hony. Nb. Sub. Shyam Singh & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

the Registry

Notes of Orders of the Tribunal

08.10.2021

Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)

Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicants and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.

The Original Application has been filed for grant of pensionary benefit with delay of 27 years, 07 months and 25 days.

Submission of learned counsel for the applicants 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.

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.

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.

Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.

O.A. No. 17 of 2020

Counter Affidavit filed by the respondent No. 3 is taken on record.

Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicants and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.

Shri Veer Raghav Chaubey, Ld. Counsel for the applicants submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicants 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 Ld. Counsel for the respondents has no objection.

With the consent of Ld. Counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to revise the pension of applicants in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020 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.

Let a copy of this order be provided to the learned Counsel for the parties.

Member (J)

(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A)

AKD/-

O.A. No. 305 of 2020

Ex. Hav. (Hony. Nb. Sub.) Sone Lal Pal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

	India & Others Practitioner for Respondents
	Orders of the Tribunal
the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri J.N. Misrha, Ld. Counsel for the applicant and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	Shri J.N. Mishra, Ld. Counsel for the applicant submits tha
	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-Servicement
	Welfare, New Delhi, to which Ld. Counsel for the respondents has no
	objection.
	With the consent of Ld. 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 21.02.2020 issued by Government o
	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.

Let a copy of this order be provided to the learned Counsel for the parties.

(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

AKD/-

O.A. No. 465 of 2020

Baban Prasad Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Yashpal Singh, Ld.
	Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the
	respondents are present.
	On the request of Shri Sunil Sharma, Ld. Counsel appearing on behalf
	of the respondents, four weeks and, no more, time is granted to file Counter
	Affidavit.
	List on 28.01.2022 for final hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 629 of 2020

Ex. Cfn. Bhupendra Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	<u>08.10.2021</u>	
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)	
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)	
	Heard Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and	
	Ms. Appoli 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.	
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)	
	AKD/-	

O.A. No. 198 of 2021

Ex. Hav. Suresh Chadnra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal		
	<u>08.10.2021</u>		
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)		
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)		
	Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri		
	Namit Sharma, Ld. Counsel for the respondents.		
	Original Application is allowed.		
	For order, see our Judgment passed on separate sheets.		
	Misc. Application, if any, pending for disposal, shall be treated to have		
	been disposed of.		
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)		

O.A. No. 261 of 2021

Ex. Hav. Hemraj Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Counter Affidavit filed by the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and
	Ms. Anju Singh, Ld. Counsel for the respondents. Original Application is allowed.
	For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 95 of 2021

Smt. Asha Shukla Wife of Ex. N. Late Ram Milan Shukla

am Milan Shukla Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Vivek Kumar Pandey, Ld. Counsel for the applicant and
	Shri Jai Narayan Mishra, Ld. Counsel for the respondents.
	Original Application is dismissed.
	For order, see our Judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 260 of 2021

Wg. Cdr. Upendra Thakur (Retd.)

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	Original Application is allowed.
	For order, see our Judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 56 of 2019

Ex. Spr. Bharat Chadnra Bisws

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the	
Registry	
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Counter Affidavit filed by the respondents and Rejoinder Affidavit filed
	by the applicant are taken on record.
	Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri
	Yogesh Kesarwani, Ld. Counsel for the respondents.
	Original Application is allowed.
	For order, see our Judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (A) Member (B)
	AKD/-

O.A. No. 427 of 2017

Prem Kumar Yadav Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Court No. 1

By Legal F	ractitioner for Respondents
Notes of	Orders of the Tribunal
the	
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Order pronounced today in the open Court.
	O.A. No. 427 of 2017, Prem Kumar Yadav vs. Union of India and
	Others is allowed.
	For order, see our judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 616 of 2021 with M.A. No. 669 of 2021

Ex Sub Jitendra Prasad Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo filed by Shri Somesh Singh, Advocate on behalf of the
	respondents today in Court is taken on record.
	On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld.
	Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the
	respondents are present.
	The subject matter of AGIF is subjudiced before the Hon'ble Apex Court.
	List the matter alongwith bunch cases on 27.10.2021.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)

M.A. No. 266 of 2021 Inre O.A. No. Nil of 2021

Ex Sub Umesh Chandra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms.
	Appoli Srivastava, Ld. Counsel for the respondents.
	There is a short delay of 14 years, 04 months and 13 days in filing
	Original Application.
	The submission of Ld. Counsel for the applicant is that delay caused
	in filing of Original Application is not deliberate but for the reasons stated in
	affidavit filed in support of the application.
	Upon hearing submissions of both sides and considering the facts
	and circumstances of the case we find that cause shown is sufficient.
	Accordingly, we condone the delay.
	Let Original Application be registered.
	O.A. No. 620 of 2021
	It is a fit case for adjudication.
	Admit.
	Ld. Counsel for the respondents is allowed four weeks time to file
	Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks
	thereafter.
	List on 29.11.2021 before the Registrar for exchange of pleadings.
	List before the Tribunal on 19.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 759 of 2020

Prashant Singh Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal
Registry	
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	<u> </u>
	On the case being taken up for hearing Shri Yashpal Singh, Ld.
	Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the
	respondents are present.
	It is submitted by learned counsel for the applicant that he has received
	copy of counter affidavit on 22.09.2021, therefore, sometime be granted to him
	to file rejoinder affidavit.
	On the request of learned counsel for the applicant two weeks time is
	granted to file rejoinder affidavit. It is clarified that if rejoinder affidavit is not
	filed within the given time the opportunity to file rejoinder affidavit shall stand
	closed.
	List on 21.01.2022 for hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A.No.206 of 2021 with M.A. No. 499 of 2021

Ex Lance Nk Konda Anja Goud

Applicants

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Rohit Kumar, Advocate holding brief of Shri R. Chandra, Ld.
	Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the
	respondents.
	By means of this application applicant wants to amend relief clause of
	O.A. i.e. regarding discharge order.
	The amendment being necessary for disposal of application, the same is
	allowed.
	Let amendment be incorporated within three days after serving
	amended copy to learned counsel for the respondents who may file
	supplementary counter affidavit to the amended pleadings within two weeks.
	List on 13.12.2021 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 282 of 2021

Ex POLOG (MAT) Ranjan Kumar MishraBy Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Om Prakash Kushwaha,
	Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the
	respondents are present.
	On the request of learned counsel for the respondents a week further
	time is granted to file counter affidavit.
	List on 27.12.2021 for hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. 478 of 2021 with M.A. No. 497 of 2021

Ex MEI Anuj Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.
	On the request of learned counsel for the respondents a week further time is granted to file objection against delay condonation application. List on 01.11.2021 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No.493 of 2021 with M.A. No. 516 of 2021

Ex Sep Amol Kumar Sukhdev Bhalerao

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Nand Kishore, Ld. Counsel for the applicant and Shri GS
	Sikarwar, Ld. Counsel for the respondents.
	Original Application is dismissed.
	For order, see our judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. 22 of 2018

Jeet Singh Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Ashish Kumar Singh, Ld.
	Counsel for the respondents is present.
	Shri Om Prakash Kushwaha, learned counsel for the applicant is
	reported to be ill, hence, the case is adjourned.
	List on 03.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 265 of 2018

Deo Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>08.10.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Col Ashok Kumar (Retd) and
	Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani,
	Ld. Counsel for the respondents are present.
	As prayed by learned counsel for the respondents, list on 03.01.2022 for
	hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)

O.A. No. 298 of 2019 alongwith M.A. No. 2041 of 2016 Inre O.A. (A) No. (Nil) of 2016 (Decided)

Ex Nk Ram Kar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Col YR Sharma (Retd), Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the
	respondents are present. List on 10.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No.483 of 2020

Ex Opr Rajeev Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Col AK Srivastava (Retd), Shri Dharam Raj Singh and Shri
	Shyam Sunder Bajpai, Ld. Counsel for the applicant and Dr Shailendra Sharma
	Atal, Ld. Counsel for the respondents.
	Original Application is dismissed.
	For order, see our judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 686 of 2020

Smt Soma Kumari W/o Late Ex Sep Jagdish Babu

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents are
	present.
	List on 10.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A.(A) No. 290 of 2015

Kaptan Singh Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri SK Singh, Ld. Counsel for the applicant and Shri Ashash Agnibatri. Ld. Counsel for the respondents
	for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.
	List on 24.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A.(A) No. 422 of 2020

Smt Alka Bhadauria W/o

Ex Spr Devesh Singh Bhadauriya

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Col YR Sharma (Retd), Ld.
	Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the
	respondents are present.
	List on 25.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

T.A. No. 19 of 2017 with M.A. No. 799 of 2017

Sepoy Vinod Kumar

Petitioner

By Legal Practitioner for the petitioner

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri DS Kauntae, Ld. Counsel for the petitioner and Dr Shailendra Sharma Atal, Ld. Counsel for the
	respondents are present.
	List on 27.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)

T.A. No. 13 of 2018

Petitioner

Ex Sep Sanjay KumarBy Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	08.10.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the case being taken up for hearing Shri Yashpal Singh, Ld.
	Counsel for the petitioner and Dr Shailendra Sharma Atal, Ld. Counsel for the
	respondents are present.
	List on 28.01.2022 for hearing.
	On the date fixed, learned counsel for the respondents shall produce
	original records pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)