

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

Ex. A. No. 107 of 2019 Inre : O.A. No. 226 of 2014

Ex. Sub. Radhey Shyam Upadhya
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>12.08.2021</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>Affidavit of compliance filed by the respondents is taken on record.</p> <p>Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>In Original Application applicant had stated that he had never submitted commutation certificate dated 01.02.2009 for commutation of 50% pension rather he had intended to withdraw the option certificate dated 22.07.2008 under Regulation 160 (1) of the Pension Regulations for the Army, 1961 so as to get full value of pension after recommendations of VI CPC.</p> <p>In view of aforesaid contention the Tribunal directed respondents to hold an inquiry into the matter whether commutation certificate dated 01.02.2009 was submitted by the applicant or not and to record findings with regard to applicant's grievances and to take action in accordance with law. With this, the Original Application was disposed off. Accordingly, a Court of Inquiry was held into the matter and concluded that option certificate dated 01.02.2009 did not bear signature of the applicant.</p> <p>The submission of Ld. Counsel for the respondents is that since there was a direction to hold inquiry in the matter which was held and concluded also, the order passed in Original Application stood implemented, therefore, Execution Application be dismissed.</p> <p>In response, the submission of applicant's learned Counsel is that as applicant has taken a specific case in the Original Application that in view of Regulation 161 (1) of Pension Regulations for the Army, 1961, applicant was entitled to withdraw the commutation certificate he had submitted at the time of discharge and he had also made an application dated 14.02.2012 to Principal Controller of Defence Accounts (Pension), Allahabad and filed its copy along with Original Application, therefore, in view of the aforesaid, respondents were under obligation to restore full value of pension to the applicant after taking refund of the amount paid to him.</p>

Having heard the respective submissions of Ld. Counsel of the parties and gone through the record of the case we find that in view of the provisions laid down in Regulation 160 (1) of Pension Regulations for the Army, 1961 applicant was entitled to withdraw the option certificate he had submitted at the time of discharge so as to get full value of pension. We also find that applicant had submitted an application dated 14.02.2012 in this regard to Principal Controller of Defence Accounts (Pension), Allahabad also but no action was taken thereon rather acting upon a fake commutation certificate his 50% pension stood commuted which is wrong.

Respondents are, therefore, directed to issue a Corrigendum P.P.O. restoring full value of pension to the applicant within two months from today after taking refund of the amount of commutation along with interest at admissible rate.

Execution Application stands disposed off accordingly.

Let copy of this order be provided to the Ld. Counsel of both sides within two days.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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

O.A. No. 366 of 2020

Ex. MWO (Hony. Flt. Lt.) Sarvesh 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>12.08.2021</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 Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p style="text-align:center">Original Application is allowed.</p> <p style="text-align:center">For order, see our Judgment passed on separate sheets.</p> <p style="text-align:center">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 455 of 2021

Ravi Shankar 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>12.08.2021</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 G.S. Sikarwar, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">Heard Shri Ravi Shankar Singh, the applicant in person and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The matter needs adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Notice need not be issued to the respondents as they have put in their appearance through Shri G.S. Sikarwar, Advocate. They are directed to file Counter Affidavit within four weeks.</p> <p style="text-align: justify;">Rejoinder Affidavit, if any, may be filed within two weeks next thereafter.</p> <p style="text-align: justify;">List the matter before Registrar on 28.10.2021 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 22.11.2021.</p> <p style="text-align: justify;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: justify;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 456 of 2021

Rect. Satyendra Kumar Dwivedi
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>12.08.2021</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 Arun Kumar Sahu, Advocate on behalf of the respondent Nos. 1 to 3 is taken on record.</p> <p style="text-align: center;">Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondent Nos. 1 to 3.</p> <p style="text-align: center;">The matter needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Respondent Nos. 1 to 3 may file Counter Affidavit within four weeks.</p> <p style="text-align: center;">Issue notice to respondent Nos. 4 and 5 returnable within four weeks.</p> <p style="text-align: center;">List on 28.10.2021.</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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Court No.1 (E. Court)

O.A. No. 457 of 2021 with M.A. No. 478 of 2021

Ex. Cfn. Mahak Singh Malik
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>12.08.2021</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 Namit Sharma, Advocate on behalf of the respondents is taken on record.</p> <p>On the case being taken up for hearing Shri Ashok Singh and Shri Vikas Singh Chuahan, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>There is a delay of 49 years, 03 months and 10 days in filing of Original Application.</p> <p>Ld. Counsel for the respondents intends to file objection in writing which is allowed.</p> <p>Let objection be filed within two weeks.</p> <p>List on 22.09.2021.</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. 36 of 2021 Inre : O.A. No. 751 of 2020

Sub. Abdhesh Kumar Giri
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>12.08.2021</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 Yogesh Kesarwani, 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 K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This is a fresh Execution Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks time to seek instructions.</p> <p style="text-align: center;">Let instructions be sought within four weeks.</p> <p style="text-align: center;">List on 27.09.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 101 of 2017 with M.A. No. 16 of 2018
Inre : Ex. A. No. 40 of 2013 and O.A. No. 332 of 2012

Ram Saiwan 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>12.08.2021</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 Shyam Bihari Tiwari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that affidavit of compliance annexing with P.P.O. shall be filed in the registry during the course of the day.</p> <p style="text-align: center;">List on 01.09.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 52 of 2018 Inre : O.A. No. 189 of 2010

Shiv Kumar Joshi
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>12.08.2021</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 Bhanu Pratap Singh Chuahan, Ld. Counsel for the applicant and Shri Kaushikk Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents again seeks a week time to file affidavit of compliance which, as a last chance, is allowed.</p> <p>List on 01.09.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">AKD/-</p>

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Ex. A. No. 33 of 2019 Inre : T.A. No. 92 of 2011

Ex. Sigm. Jayant Bagchi
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>12.08.2021</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 Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Affidavit of compliance dated 15.07.2021 filed by the respondents is taken on record.</p> <p>Objection against affidavit of compliance, if any, may be filed within two weeks.</p> <p>Respondents are also directed to deposit entire costs due against them by the next date fixed.</p> <p>List on 07.09.2021.</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. 101 of 2019 Inre : O.A. No. 34 of 2016

Ex. Nb. Sub. (DSC) Sabhajit 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>12.08.2021</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Major Tejas, Departmental Representative of the respondents are present.</p> <p>On the request of Major Tejas, Departmental Representative three weeks further time is granted to file affidavit of compliance.</p> <p>Respondents are also directed to deposit entire costs due against them by the next date fixed.</p> <p>List on 15.09.2021.</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. 3 of 2021 Inre : O.A. No. 550 of 2018

Brij Kishor 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>12.08.2021</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;">Affidavit of compliance filed by the respondents is taken on record. Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During the course of hearing Ld. Counsel for the applicant submitted that in compliance of order passed in Original Application arrears have been credited in applicant's account. He also submitted that order has been complied with.</p> <p style="text-align: center;">In view of above, Execution Application has rendered infructuous and is accordingly dismissed.</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. 7 of 2021 Inre : T.A. No. 1283 of 2010

Ex. Sep. Inderjeet Kumar	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>12.08.2021</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-indent: 40px;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-indent: 40px;">Ld. Counsel for the applicant submitted that respondents have not paid interest on AFPF amount and even no interest has been paid on credit balance which is Rs.60,114/-. They have also not paid the entire costs due against them.</p> <p style="text-indent: 40px;">In regard to above, Ld. Counsel for the respondents is directed to seek instructions and file affidavit of compliance within three weeks.</p> <p style="text-align: center;">List on 22.09.2021.</p> <table style="width: 100%; margin-top: 20px;"> <tr> <td style="text-align: center;">(Vice Admiral Abhay Raghunath Karve)</td> <td style="text-align: center;">(Justice Umesh Chandra Srivastava)</td> </tr> <tr> <td style="text-align: center;">Member (A)</td> <td style="text-align: center;">Member (J)</td> </tr> </table> <p>AKD/-</p>	(Vice Admiral Abhay Raghunath Karve)	(Justice Umesh Chandra Srivastava)	Member (A)	Member (J)
(Vice Admiral Abhay Raghunath Karve)	(Justice Umesh Chandra Srivastava)				
Member (A)	Member (J)				

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M.A. No. 16 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Sep. Pappu 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>12.08.2021</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Notice issued to respondent No. 6 has been received back undelivered with remark "recipient does not reside at the address given nor it is known where does he presently reside".</p> <p>Applicant to furnish present address of respondent No. 6 and to file discharge order also within two weeks.</p> <p>List on 22.09.2021.</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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M.A. No. 37 of 2021 with M.A. No. 126 of 2021 Inre : O.A. No. (Nil) of 2021

Hav. Joshi Suryakant Rama Rao
By Legal Practitioner for the Applicant

Applicant

Versus

Col. Sumeet Vashishth, CO TB 2 BEG & Centre Dighi Camp Pune-15
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Shiv Sinha and Shri Pankaj Kumar Tiwari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 126 of 2021</u></p> <p style="text-align:center">In view of averments made in affidavit filed in support of impleadment application, the application is allowed.</p> <p style="text-align:center">Let amendment be incorporated within a week.</p> <p style="text-align:center">Ld. Counsel for the respondents seeks and is allowed two weeks time to file objection against maintainability of Original Application.</p> <p style="text-align:center">List on 27.09.2021.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align:center">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 308 of 2017

Col. V.K. Tiwari
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>12.08.2021</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 Virat Anand Singh and Shri Indra Sen Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the applicant two weeks time is granted to file Rejoinder Affidavit to the Counter Affidavit filed by the respondent No. 4.</p> <p style="text-align: center;">List on 22.09.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 94 of 2020 with M.A. No. 810 of 2019

Ex. ME-I Krishan 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>12.08.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The Original Application has been filed with delay of 39 years, 02 months and 25 days.</p> <p style="text-align: center;">Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p style="text-align: center;">Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 94 of 2020</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is partly allowed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 154 of 2020 with M.A. No. 150 of 2020

Ex. Nk. Sandeep Singh 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>12.08.2021</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 Ashok Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>During the course of hearing Ld. Counsel for the applicant submitted that Original Application may be dismissed being not pressed.</p> <p>In view of above, Original Application is dismissed being not pressed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 73 of 2021

Ex. Hav. Harbans Singh (DSC)
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>12.08.2021</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.N. Tripathi, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 127 of 2021

Ex. Sub. Hari 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>12.08.2021</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit has already been filed by the respondents.</p> <p>On the request of Ld. Counsel for the applicant two weeks time is granted to file Rejoinder Affidavit.</p> <p>List on 23.09.2021 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 138 of 2016

V.K. Prajapati & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Rajeev Srivastava, Ld. Counsel for the applicants and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">As prayed by the Ld. Counsel for the respondents, list on 25.08.2021.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 182 of 2016

Lt. Col. Manish 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>12.08.2021</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 Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>List on 26.08.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 118 of 2018 Inre : O.A. No. 302 of 2011

Brijendra Kumar Singh	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>12.08.2021</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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">During the course of hearing Shri Virat Anand Singh, Ld. Counsel for the applicant submitted that no further action is needed in the matter as order has been complied with.</p> <p style="text-align: center;">Accordingly, Execution Application is dismissed in full satisfaction.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 220 of 2016

Radhey Shyam
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>12.08.2021</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>During the course of hearing learned counsel for the applicant submitted that applicant has filed a supplementary affidavit annexing therewith copy of letter dated 27.12.2018 issued by Senior Record Officer for OIC Records. He further submitted that directions issued by Senior Record Officer vide this letter have still not been complied with.</p> <p>In regard to above, the submission of learned counsel for the respondents is that he has no idea about supplementary affidavit. He is directed to seek instructions in respect of directions issued within two weeks.</p> <p>Applicant to supply copy of supplementary affidavit alongwith annexure to Shri Ashish Kumar Singh, learned counsel for the respondents within 03 days.</p> <p>List on 23.09.2021 for hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 262 of 2017

Sub Sanjay Kumar Kushwaha
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>12.08.2021</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 22.10.2021 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 276 of 2017

Lt Col Kamal Singh (Retd) & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Shailendra Kumar Singh, learned counsel for the applicants and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 25.08.2021 for hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 260 of 2018

Satendra 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>12.08.2021</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, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents are present.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Rejoinder affidavit, if any, may be filed by applicant within two weeks.</p> <p>List on 10.11.2021 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 469 of 2018

Govind Singh Rautela Applicant
By Legal Practitioner for the applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Ashok Kumar and Shri KKS Bisht, learned counsel for the applicant and Dr. Chet Narayan Singh, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 29.10.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 543 of 2018

Ex Hav Vijay Malik

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Sunil Sharma, learned counsel for the respondents is present.</p> <p style="text-align: center;">Shri Rohit Kumar, learned counsel for the applicant is reported to be out of station.</p> <p style="text-align: center;">The case is adjourned.</p> <p style="text-align: center;">List on 08.09.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>rathore</p>

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

O.A. No. 508 of 2019

Smt Kalinder Devi alias Kalindi Devi
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>12.08.2021</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 Manoj Kumar Singh, learned counsel for the applicant and Mrs. Anju Singh, learned counsel for the respondents are present.</p> <p>As prayed by learned counsel for the applicant, the case is adjourned for the day.</p> <p>List on 25.08.2021 for hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 176 of 2020 with M.A. No. 212 of 2020

Gnr (DMT) Manpreet Singh 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>12.08.2021</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 Ashok Singh Shri Vikas Singh Chauhan, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>As prayed by learned counsel for the applicant, the case is adjourned today.</p> <p>List on 07.09.2021 for hearing.</p> <p>In the meantime applicant may file supplementary affidavit annexing therewith documents previously filed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

O.A. No. 748 of 2020

Smt Sushila Chauhan W/O Late
Lt Col Ranjit Singh Chauhan (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Shailendra Kumar Singh and Shri Ravi Kumar Yadav, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>Learned counsel for the applicant intends to file rejoinder affidavit, which is allowed.</p> <p>Let the rejoinder affidavit be filed by the date fixed.</p> <p>List on 25.08.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

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

O.A. (A) No. 549 of 2017

Om Prakash
By Legal Practitioner for the Appellant

Appellant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Om Prakash, appellant in person and Shri Asheesh Agnihotri, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 17.11.2021 for hearing.</p> <p align="center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

T.A. No. 1053 of 2010

Pitambar Datt Nainwal (Deceased)
Through His Wife Smt Kalawati Devi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 SK Singh, learned counsel for the petitioner and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 03.09.2021 for hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

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

T.A. No. 41 of 2017

Sushil Kumar Rangawa

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.08.2021</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 Rohit Kumar, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 27.10.2021 for hearing.</p> <p>On the date fixed learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p>

