

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

**Ex. A. No. 51 of 2019 Inre : O.A.No. 198 of 2016**

**Ex. Sep. (DSC) Hardayal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Shailendra Sharma, Ld. Counsel appearing on behalf of applicant filed a Calculation Sheet and submitted that as per sheet Rs.16,32,649.20 is payable to the applicant as on May, 2020 as against which the Pension Disbursing Authority has credited Rs.10,52,335.00 only. Thus he submitted that Bank has yet to credit the balance amount for which it is to be made a party by way of impleadment.</p> <p style="text-align: center;">Let impleadment application be filed within two weeks.</p> <p style="text-align: center;">List on <b>25.10.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 371 of 2020**

<b>Ex. Sgt. Pramod Kumar Upadhyay</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u><b>16.09.2021</b></u>  <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u>  <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p style="text-align: center;">Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</div> <div style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</div> </div> <p style="font-size: small;">AKD/-</p>

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

**O.A. No. 269 of 2020**

**Ex. Hav. (MACP Nb. Sub.) Shivanand Tiwari** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>



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

**O.A. No. 522 of 2021 with M.A. No. 543 of 2021**

**Ex. Sub. Vijay Kumar Dubedi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Virat Snand Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 05 years, 01 month and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 522 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>02.12.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>15.12.2021</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

O.A. No. 526 of 2021 with M.A. No. 552 of 2021

Ex. Sgt. Gopinder Singh Yadav  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Manu Kumar Srivastava, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri D.S. Tiwari, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 04 years, 03 months and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 526 of 2021</u></b></p> <p>It is a fit case for adjudication. Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>02.12.2021</b> for exchange of pleadings. List the matter before Tribunal on <b>15.12.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 532 of 2021 with M.A. No. 561 of 2021**

**Ex. MWO Awadhesh Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Deepti Prasad Bajpai, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri R. Chandra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 01 year, 05 months and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 532 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>01.12.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>15.12.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**M.A. No. 533 of 2021 with M.A. No. 564 of 2021**

**Ex. Sgt. Bramha Lal Sharma** 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><b><u>16.09.2021</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Abhishek Singh and Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 04 years.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 533 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>02.12.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>15.12.2021</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>



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

**O.A. No. 534 of 2021**

**Hav. Dharmendra Kumar Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>02.12.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>15.12.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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

O.A. No. 535 of 2021

**Ex. Sep. Vijay Shankar Singh Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Jai Narayan Mishra, Advocate on behalf of the respondent Nos. 1 to 4 is taken on record.</p> <p>Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondent Nos. 1 to 4.</p> <p>The matter needs adjudication.</p> <p>Admit.</p> <p>Respondent Nos. 1 to 4 to file Counter Affidavit within four weeks. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>Issue notice to respondent Nos. 5 and 6 returnable within four weeks.</p> <p>Steps be taken within a week.</p> <p>List the matter before Registrar on <b>02.12.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>15.12.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 52 of 2021 Inre : O.A. No. 476 of 2018**

**Ex. SWR Chandra Bhan Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Memo of Appearance filed by Shri D.K. Pandey, 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 V.P. Pandey, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri D.K. Pandey, Ld. Counsel for the respondents submits that in compliance of order passed by this Tribunal in Original Application the P.P.O. has been issued. He further submits that four weeks time be given to him to file affidavit of compliance which is allowed.</p> <p style="text-align: center;">Respondents are directed to send copy of P.P.O. to the Ld. Counsel for the applicant, who after going through the same may file objection, if any, by the next date fixed.</p> <p style="text-align: center;">List on <b>25.10.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**M.A. No. 558 of 2021 with M.A. No. 559 of 2021 Inre : O.A. No. 625 of 2020**

**Union of India & Others**  
By Legal Practitioner for the Applicants

Applicants

**Versus**

**Ex. Nk. Kadam Tukaram Akaram**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:center">Heard Shri Yogesh Kesarwani, Ld. Counsel for the applicants – Union of India &amp; Others.</p> <p style="text-align:center">As per office note, there is no delay in filing Leave to Appeal, delay condonation application is <b>dismissed</b> being not required.</p> <p style="text-align:center">This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p style="text-align:center">Accordingly, Leave to Appeal is <b>dismissed</b>.</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)}**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**M.A. No. 560 of 2021 Inre : O.A. No. 64 of 2019**

<b>Union of India &amp; Others</b> By Legal Practitioner for the Applicants	Applicants
<b>Versus</b>	
<b>Ex. Sgt. Om Prakash Ojha</b> By Legal Practitioner for Respondent	Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Yogesh Kesarwani, Ld. Counsel for the applicants – Union of India &amp; Others.</p> <p><b><u>M.A. No. 560 of 2021</u></b></p> <p style="text-align: center;">For the reasons stated in affidavit filed in support of application, modification application is allowed.</p> <p style="text-align: center;">In the order dated 08.04.2021 passed by this Tribunal in Original Application No. 64 of 2019, date of invalidation of applicant be corrected as '<b>25.12.1994</b>' in places of '24.12.1994'.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p>AKD/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)		

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

**Ex. A. No. 60 of 2018 Inre : O.A. No. 262 of 2012**

**Mahesh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Supplementary Affidavit of Compliance has been filed by the respondents and the same is taken on record.</p> <p>Shri Shailendra Kumar Singh, Ld. Counsel appearing on behalf of the applicant submits that he has not received the copy of Supplementary Affidavit of Compliance.</p> <p>Let copy of Supplementary Affidavit of Compliance be given to the Ld. Counsel for the applicant by today itself.</p> <p>The applicant after receipt of the copy may file objection, if any, within two weeks.</p> <p>List on <b>28.10.2021</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 95 of 2018 Inre : O.A. No. 143 of 2015**

**Shaikh Ibrahim**

Applicant

By Legal Practitioner for the Applicant

**Versus**

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Shri Amit Jaiswal, Ld. Counsel appearing on behalf of respondents submits that Government sanction has been accorded on 14.09.2021. He further submitted that time be granted to file affidavit of compliance which is allowed.</p> <p>Let affidavit of compliance be filed within four weeks.</p> <p>List on <b>10.11.2021</b>.</p> <p style="text-align:right">(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)    Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 193 of 2018 Inre : O.A. No. 145 of 2013**

**Satendra Singh Pal**  
 By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant, Shri Namit Sharma, Ld. Counsel for the respondents as also Major Tarun V. Pillai, Departmental Representative of the respondents are present.</p> <p>Name of Shri Bachchan Singh, Advocate be deleted as Counsel for the applicant when this case is next listed.</p> <p>It is submitted by Major Tarun V. Pillai, Departmental Representative that as regard compliance of the order the matter is seized with the Chief of the Army Staff. He also submitted that draft of Special Leave Petition has been prepared and it is now ready for filing. He also submitted that costs imposed upon the respondents have not been deposited and made request to adjourn the hearing saying that in the circumstances referred to above four weeks further time be granted to bring stay order.</p> <p>Considering the facts and circumstances of the case, the case is adjourned for four weeks on payment of Rs.20,000/- as cost to the applicant and respondents are directed to either bring stay order or ensure compliance of the order in the given time failing which the matter shall be seriously viewed.</p> <p>While passing the order on 09.08.2021 a direction was issued to registry to report the matter to the Chief of the Army Staff. However, it is not reflected that Chief of the Army Staff has been apprised the matter.</p> <p>Registry to report the matter forthwith and also explain within a week why matter was not reported to the Chief of the Army Staff.</p> <p>List on <b>25.11.2021</b>.</p> <p style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)</b>  <b>Member (A)</b> </p> <p style="text-align: center;"> <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (J)</b> </p>





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

**Ex. A. No. 204 of 2018 Inre : O.A. No. 204 of 2015**

**Rajendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submitted that affidavit of compliance filed by the respondents be taken on record.</p> <p>Accordingly, affidavit of compliance is taken on record.</p> <p>We have gone through the affidavit of compliance and also the copy of P.P.O. annexed thereto and we find that order under execution has been complied with.</p> <p>Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 32 of 2019 Inre : O.A. No. 685 of 2017**

**Ex. Hav. Ramesh Chand**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri B.B. Tripathi, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Shri Bipin Kumar Singh, Ld. Counsel appearing on behalf of respondents submitted that in compliance of the order under execution Corrigendum P.P.O. has been issued. He also submitted that three days time be given to bring the said P.P.O. on record which is allowed.</p> <p>It is directed that the said Corrigendum P.P.O. be brought on record within three days and also furnish a copy of the said P.P.O. to the Ld. Counsel for the applicant who can file objection, if any, within three weeks.</p> <p style="text-align: center;">List on <b>26.10.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 108 of 2019 Inre : O.A. No. 182 of 2019**

**Ex. Gdr. Narendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shiv Dayal Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>Affidavit of compliance has been filed by the respondents and the same is taken on record.</p> <p>We have gone through the affidavit of compliance as well as copy of P.P.O. annexed therewith and we find that order under execution has been fully complied with.</p> <p>Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>



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

**M.A. No. 432 of 2021 Inre : M.A. No. 42 of 2020 Inre : O.A. No. (Nil) of 2020**

**Sep. Sunil Kumar 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><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>An affidavit in support of recall application has been filed by the applicant and with this the defects pointed out by the registry stands removed.</p> <p>Heard Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents on delay condonation application as well as on recall application.</p> <p>The applicant has filed recall application with delay of two years and 29 days and in regard to which an application supported with affidavit for condonation of delay has been moved.</p> <p>In view of facts averred in affidavit filed in support of application for condonation of delay, the delay in filing recall application is <b>condoned</b>.</p> <p>We have also gone through the reasons cited for recall of the order and find that they are genuine, accordingly, recall application is <b>allowed</b> subject to payment of Rs.1,000/- as cost payable to AFT Bar Association, Lucknow.</p> <p>On coast being paid, let Original Application be restored to its number. List on <b>11.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 217 of 2020**

**Hony. Nb. Sub. Laxman Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, to which Ld. Counsel for the respondents has no objection.</p> <p style="text-align: center;">With the consent of Ld. Counsel for the parties, we hereby <b>dispose off</b> 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 of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, within a period of three months from the date of receipt of copy of this order and communicate to the applicant accordingly after verifying the documents.</p> <p style="text-align: center;">Let a copy of this order be provided to the learned Counsel for the parties.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 235 of 2020 with M.A. No. 76 of 2020**

**Pradeep Kumar S/o Late Ex. Hav. Gopal Das**  
 By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>During the course of hearing Ld. Counsel for the applicant submitted that three weeks time be given to him to file Rejoinder Affidavit annexing therewith certificate issued by a Medical Board that applicant is unable to earn livelihood due to disability he is suffering with which is allowed.</p> <p>Let Rejoinder Affidavit be filed within three weeks, as said.</p> <p>List on <b>28.10.2021</b>.</p> <p style="display: flex; justify-content: space-around;"><span data-bbox="370 1620 914 1688"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span><span data-bbox="963 1620 1466 1688"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>AKD/-</p>



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

O.A. No. 228 of 2021

**Dfr. Shiv Chand Singh Chauhan**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Prabhat Kumar Tripathi, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Shri Yogesh Kesarwani, Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit. It is clarified that in the event of Counter Affidavit being not filed within the time given, the opportunity of filing the same shall stand closed.</p> <p style="text-align: center;">List on <b>24.11.2021</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 297 of 2021**

**Ex. Sub. Kedar Datt**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**R.A. No 1 of 2020 with M.A. No 31 of 2020 Inre O.A. No 495 of 2017**

**Ex Hav Ram Naresh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Virat Anand Singh and Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No 31 of 2020</u></b></p> <p>This is an application for condonation of delay in filing review application in O.A. No. 495 of 2017. Admittedly, the application is delayed by 08 months and 12 days and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving review application.</p> <p>Accordingly application for condonation of delay in moving review application is <b>rejected</b>.</p> <p><b><u>R.A. No 1 of 2020</u></b></p> <p>The applicant has filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicant has prayed for following reliefs:-</p> <ol style="list-style-type: none"><li>(i) To review the order dated 27.03.2019 and redirect the respondents to conduct RSMB for all disabilities as stated above.</li><li>(ii) To review the part of Order dated 27.03.2019 and review the points as above stated, allow the application as prayed in the original application.</li><li>(iii) To pass orders which their lordships may deem fit and proper in the existing facts and circumstances of the case.</li></ol> <p>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.</p>

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."*

Learned counsel for the applicant has submitted in his review application that RMB ignored the two more disabilities (i) Acute Bronchitis and (ii) Epididymorchis. On perusal of record, it transpires that these disabilities were cured. Moreover, 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 also **dismissed** .

**(Vice Admiral Abhay Raghunath Karve)**

**Member (A)**

**(Justice Umesh Chandra Srivastava)**

**Member (J)**

UKT/-

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

**M.A. No 38 of 2020 Inre O.A. (A) (Nil) of 2020**

**Ex Nk Subhash Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>We have gone through copy of amended O.A. and have no hesitation to say that page Number 46, 47, 48, 49, 50, 51, 52 and 53 annexed with Original Application are not legible at all.</p> <p>Applicant is directed to file legible copy of the annexure after serving its copy to learned counsel for the respondents within three days.</p> <p><b><u>M.A. No 38 of 2020</u></b></p> <p>There is delay of 2 years, 7 months and 29 days in filing of O.A. for which application for condonation of delay supported with affidavit has been made.</p> <p>Respondents have already filed their counter affidavit and the same has been taken on record and now only supplementary counter affidavit in regard to amended pleadings has to be filed. Looking to this, delay in filing application is liable to be condoned.</p> <p>Accordingly the delay in filing application is <b>condoned</b>.</p> <p>Let O.A. be registered.</p> <p><b><u>O.A. No 540 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Respondents to file supplementary counter affidavit in regard to amended pleadings within three weeks failing which opportunity of filing the same shall be closed.</p> <p>List on <b>08.12.2021</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>UKT/-</p>

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

**O.A. No 252 of 2014**

**Md Samsul Haque**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Heard arguments of learned counsel of the parties.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>UKT/-</p>

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

**O.A. No 294 of 2015**

**Yogendra Kumar Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Dr Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Shri Om Prakash Kushwaha, learned counsel for the applicant is reported to be ill.</p> <p style="text-align: center;">List on <b>10.11.2021</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>UKT/-</p>

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

O.A. No 218 of 2016

**Shitla Prasad Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Ms. Deepti P Bajpai, Ld. Counsel for the respondents is present.</p> <p>On call of the case, Shri Manoj Kumar Awasthi, learned counsel for the applicant appeared and submitted that he will file vakalatnama in the case today in the Registry. He also submitted that 10 days time be given to file rejoinder affidavit which is allowed and it is clarified that if the rejoinder affidavit is not filed within the time given, the opportunity to file the same shall stand closed.</p> <p>List on <b>21.10.2021</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>UKT/-</p>



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

**O.A. No 30 of 2017**

**PK Mahapatra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on <b>11.11.2021</b> for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)    Member (J)</p> <p>UKT/-</p>

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

**O.A. No 130 of 2017**

**Ashok Kumar Kushwaha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Sachindra Pratap Singh and Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the applicant, the case is adjourned today.</p> <p style="text-align: center;">List on <b>03.12.2021</b> for hearing.</p> <p style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p>UKT/-</p>

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

**O.A. No 388 of 2017**

**Gagan Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal , Ld. Counsel for the respondents are present.</p> <p>List on <b>12.11.2021</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)          (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    Member (J)</b></p> <p>UKT/-</p>

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

**O.A. NO 549 of 2018**

**Ex Hav Suryabhan**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Shri Om Prakash Kushwaha, learned counsel for the applicant is reported to be ill.</p> <p style="text-align: center;">List on <b><u>29.10.2021</u></b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>UKT/-</p>

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

**O.A. No 471 of 2019**

**Nk (TS) Pradeep Kumar Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Sudhir Kumar Singh and Shri Praveen Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on <b>24.09.2021</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>UKT/-</p>



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

**O.A. NO 475 of 2020**

**Pramod Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Col BP Singh (Retd), Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on <b>22.11.2021</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>UKT/-</p>

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

**O.A. No 622 of 2020**

**Smt Dulari Devi, Mother of (Late) Gnr Virendra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b>  <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During course of hearing learned counsel for the applicant submitted that his representation dated 01.08.2018 has not been decided by the competent authority. He further submitted that the matter for division of pension as directed by PCDA (Pension), Allahabad vide letter dated 17.01.2019 is also under consideration with respondent No 3.</p> <p style="text-align: center;">Competent authority is directed to decide the representation of the applicant dated 01.08.2018 within three months from today by a speaking and reasoned order and communicate the decision to the applicant.</p> <p style="text-align: center;">Further Respondent No 3, (OIC Record, Army Air Defence Records) is directed to investigate the matter in the light of Rule 130 of PR Pt I- 2008 edition regarding division of Special Family Pension or PCDA (Pension), Allahabad Circular No 484 dated 11.07.2012 regarding grant of family pension to dependent parents of deceased armed forces personnel, as the case may be which is pending with them within two months and intimate the outcome to this Tribunal as well as the applicant.</p> <p style="text-align: center;">With these directions, the Original Application is <b>disposed of</b> without entering into the merit of the case.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>      <b>Member (J)</b></p> <p>UKT/-</p>





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

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

**Ex Hav Raghubansh Chandra Verma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.09.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Jai Narayan Mishra, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of applicant in substitution application.</p> <p>On perusal of record it transpires that Ex Hav Raghubansh Chandra Verma who had filed the original application for setting aside his dismissal order and for grant consequential benefits died during pendency of original application. Thereafter Ms. Nisi Kumari filed a substitution application for being substituted herself in place of the applicant claiming she is the widow of the deceased soldier. This application was filed through Shri KK Seth, Advocate.</p> <p>Since no one is present today on behalf of the applicant to press the substitution application, the same is <b>dismissed</b> in default.</p> <p>O.A. is also dismissed being abated.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>UKT/-</p>