

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

O.A. No. 350 of 2021

Shree Kant
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>21.09.2021</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>Objection against maintainability of Original Application filed by the respondents is taken on record.</p> <p>Heard Shri Ajay Pratap Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed by the applicant for setting aside the impugned order dated 05.02.2021 by which his candidature for the post of Soldier General Duty has been rejected. Applicant's further prayer is to issue direction to the respondent No. 3 to issue election/ appointment letter to the post of Soldier General Duty according to his merits, secured by the applicant in pursuance of the notification dated 31.08.2018.</p> <p>Learned Counsel for the respondents has raised a preliminary objection and has submitted that the applicant is neither enrolled nor attested as such he not subject to the provisions of the Army Act, 1950, and hence, the instant Original Application is not maintainable in this Tribunal and it is liable to be dismissed on this very ground.</p> <p>His further submission is that in the instant Original Application the applicant has raised his grievances that his candidature has been rejected vide order dated 05.02.2021 for the reasons that he had failed to submit the police verification by 31.01.2021 and that when the applicant's application for his candidature has been rejected by the impugned order, he cannot be termed as complainant for the adjudication regarding service as he is not subject to Army Act, 1950. He pleaded for dismissal of the Original Application being not maintainable.</p> <p>In reply to above, Ld. Counsel for the applicant submits that the applicant in pursuance of notification dated 31.08.2018, appeared in selection, declared successful in selection for the post of Soldier General Duty and submitted all the requisite documents / certificates before respondent No. 3</p>

twice. His further submission is that prior to issuance of impugned order the respondent No. 3 has neither issued any show cause notice nor afforded any opportunity of hearing to produce said verification letter issued by Police Superintendent. He pleaded that since the applicant was selected for the post of Soldier General Duty, he is to be treated as subject to Army Act, 1950.

Heard Ld. Counsel of both sides and perused the record.

Section 2 of the Armed Forces Tribunal Act, 2007, enumerates the persons, to whom the provisions of the said Act are applicable. It may be reproduced as follows :-

“2. Applicability of the Act. - (1) The provisions of this Act shall apply to all persons subject to the Army Act, 1950 (46 of 1950), the Navy Act, 1957 (62 of 1957) and the Air Force Act, 1950 (45 of 1950).

(2) This Act shall also apply to retired personnel subject to the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950), including their dependants, heirs and successors, in so far as it relates to their service matters”.

Section 14 of the Armed Forces Tribunal Act, 2007, in so far as it is relevant for the instant case, is reproduced as under :-

“14. Jurisdiction, powers and authority in service matters .- (1) Save as otherwise expressly provided in this Act, the Tribunal shall exercise, on and from the appointed day, all the jurisdiction, powers and authority, exercisable immediately before that day by all courts (except the Supreme Court or a High Court exercising jurisdiction under article 226 and 227 of the Constitution) in relation to all service matters.

(2) Subject to the other provisions of this Act, a person aggrieved by an order pertaining to any service matter may make an application to the Tribunal in such form and accompanied by such documents or other evidence and on payment of such fee as may be prescribed.

(3) On receipt of an application relating to service matters, the Tribunal shall, if satisfied after due inquiry, as it may deem necessary, that it is fit for adjudication by it, admit such application; but where the Tribunal is not so satisfied, it may dismiss the application after recording its reasons in writing.

(4).....

(5) The Tribunal shall decide both questions of law and facts that may be raised before it.”

The “service matters” as defined in Section 3(o) of the Armed Forces Tribunal Act, 2007, in so far as it is relevant for the instant case, is reproduced as under :-

“3(o) “service matters”, in relation to the persons subject to the Army Act, 1950 (46 of 1950), the Navy Act, 1957 (62 of 1957) and the Air Force Act, 1950 (45 of 1950), mean all matters relating to the conditions of their service and shall include –

(i) remuneration (including allowances), pension and other retirement benefits;

(ii) tenure, including commission, appointment, enrolment, probation, confirmation, seniority, training, promotion, reversion, premature retirement, superannuation, termination of service and penal deductions;
(iii) summary disposal and trials where the punishment of dismissal is awarded;

(iv) Any other matter, whatsoever,

but shall not include matters relating to -

Section 2 of the Army Act, 1950 enumerates the persons, to whom the provisions of the said Act are applicable. It may be reproduced as follows:

“2. Persons subject to this Act.- (1) The following persons shall be subject to this Act wherever they may be, namely:-

- (a) *officers, junior commissioned officers and warrant officers of the regular army;*
- (b) *persons enrolled under this Act;*
- (c) *persons belonging to the Indian Reserve Forces;*
- (d) *persons belonging to the Indian Supplementary Reserve Forces when called out for service or when carrying out the annual test;*
- (e) *officers of the Territorial Army, when doing duty as such officers, and enrolled persons of the said Army when called out or embodied or attached to any regular forces, subject to such adaptations and modifications as may be made in the application of this Act to such persons under sub-section (1) of Section 9 of the Territorial Act, 1948 (56 of 1948);*
- (f) *persons holding commissions in the Army in India Reserve of Officers, when ordered on any duty or service for which they are liable as members of such reserve forces;*
- (g) *officers appointed to the Indian Regular Reserve of Officers, when ordered on any duty or service for which they are liable as members of such reserve forces;*
- (h) *omitted.*
- (i) *persons not otherwise subject to military law who, on active service, in camp, or on the march or at any frontier post specified by the Central Government by notification in this behalf, are employed by, or are in the service of, or are followers of, or accompany any portion of, the regular army.*

(2) Every person subject to this Act under clauses (a) to (g) of sub-section (1) shall remain so subject until duly retired, discharged, released, removed, dismissed or cashiered from the service.”

A person aggrieved by an order pertaining to any service matter, may make an application to the Tribunal in view of Section 14(2) of the Armed Forces Tribunal Act, 2007. It clearly shows that the Original Application cannot be moved in the Armed Forces Tribunal, unless, the concerned person is aggrieved by an order pertaining to any service matter. The service matter has been defined in Section 3 (o) of the said Act. A bare perusal of the definition of “service matters” indicates that the concerned person must be subject to the Army Act, 1950, the Navy Act, 1957 or the Air Force Act, 1950, as the case may be. Section 2 of the Army Act, 1950, as referred to above, provides about the persons, who are subject to the provisions of the Army Act, 1950. It has not

been disputed by learned Counsel for the applicant that the applicant has not been enrolled as yet under the provisions of the Army Act, 1950. Learned Counsel for the applicant has not been able to show us that the case of the applicant comes within the purview of any of the clauses of section 2 of the Army Act, 1950. Thus, it is clear that the applicant is not subject to the provisions of the Army Act, 1950.

Since the applicant is not subject to the provisions of the Army Act, 1950, he is not entitled to file the Original Application under Section 14 of The Armed Forces Tribunal Act, 2007, in the Armed Forces Tribunal, because, he is not aggrieved by any order pertaining to any service matter. The service matters, as defined above, clearly indicates that it is a condition precedent that the concerned person must be subject to the Army Act, 1950, the Navy Act, 1957 or the Air Force Act, 1950, as the case may be. If the aggrieved person is not subject to the provisions of any of the said Acts, he cannot be said to be aggrieved by any order pertaining to any service matter.

In view of the aforesaid discussion, we are of the considered view that the applicant is not subject to the provisions of the Army Act, 1950, and hence, the instant Original Application for adjudication of controversy involved in the present matter, is not maintainable and cannot be admitted for hearing, and it deserves to be dismissed at the admission stage itself. The objection raised by the Registry, with regard to lack of jurisdiction of this Tribunal, is perfectly valid.

Accordingly, the Original Application No. 350 of 2021, is **dismissed**.

It is made clear that we have not entered into the merits of the case.

(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

O.A. No. 544 of 2021

Ex. Sep/Chef (C) Lokesh 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>21.09.2021</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 Kaushik Chatterjee, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Col. Ashok Kumar (Retd.) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>Shri Rohit Kumar, Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to decide the applicant's Statutory Petition dated 30.11.2020, which is pending with the respondents, to which Ld. Counsel for the respondents has no objection.</p> <p>With the consent of Ld. Counsel for the parties, we hereby dispose off the Original Application finally with the direction to the respondents to decide the applicant's Statutory Petition dated 30.11.2020, contained as Annexure No. A-1 (from page No. 21 to 45) of Original Application, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p>Let a copy of this order be provided to the learned Counsel for the parties.</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

O.A. No. 545 of 2021

Ex. Hav. Chandrama Ram	Applicant
By Legal Practitioner for the Applicant	
Versus	
First Appellate Committee, Addl. DPGS-4, AG's Branch	
Army HQ, New Delhi & Others	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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;">Memo of Appearance filed by Shri Somesh Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-indent: 40px;">Heard Col. Ashok Kumar (Retd) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents.</p> <p style="text-indent: 40px;">Shri Rohit Kumar, Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to decide the applicant's Statutory First Appeal dated 30.09.2020, which is pending with the respondents, to which Ld. Counsel for the respondents has no objection.</p> <p style="text-indent: 40px;">With the consent of Ld. Counsel for the parties, we hereby dispose off the Original Application finally with the direction to the respondents to decide the applicant's Statutory First Appeal dated 30.09.2020, contained as Annexure No. A-1 (page 16 to 23) of Original Application, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p style="text-indent: 40px;">Let a copy of this order be provided to the learned Counsel for the parties.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> </div> </div> <p style="margin-top: 10px;">AKD/-</p>

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

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

O.A. No. 546 of 2021 with M.A. No. 578 of 2021

Ex. Nk. Itlesh Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>There is a delay of 03 years and 13 days in filing of Original Application regarding which an application supported with affidavit for condonation of delay has been made.</p> <p>We have gone through the facts averred in affidavit filed in support of application for condonation of delay and we are of the view that law of limitation is not applicable in pensionary matter. We are further of the view that delay has satisfactorily been explained.</p> <p>Accordingly, delay, if any, in filing Original Application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 546 of 2021</u></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 08.12.2021 for exchange of pleadings.</p> <p>List the matter before Tribunal on 30.12.2021.</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

O.A. No. 547 of 2021 with M.A. No. 579 of 2021

Ex. Sep. Babu Lal
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>21.09.2021</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 Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 36 years, 08 months and 21 days.</p> <p style="text-align: justify;">Applicant has filed the instant Original Application for the grant of disability element. He has submitted that applicant was enrolled in the Army on 14.06.1971 and was invalided out from service on 22.01.1983 after having put in 11 years, 05 and 08 days of service. He has further submitted that while being invalided out from service he has only been allowed service element and his claim in regard to disability element has been dismissed by Principal Controller of Defence Accounts (Pension), Prayagraj (Allahabad) on unjustifiable ground. He has further submitted that law of limitation is not applicable in pensionary matter and that delay in filing Original Application is not deliberate.</p> <p style="text-align: justify;">We have gone through the affidavit filed in support of application for condonation of delay and are of the view that delay is liable to be condoned.</p> <p style="text-align: justify;">Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 547 of 2021</u></p> <p style="text-align: justify;">It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: justify;">List the matter before Registrar on 08.12.2021 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 30.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">AKD/-</p>

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

O.A. No. 548 of 2021 with M.A. No. 580 of 2021

Ex. Sep. Suraj 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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Ms. Appoli Srivastava, 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 Rohit Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits to grant time to file objection against delay condonation application which is allowed.</p> <p style="text-align: center;">Let objection be filed within two weeks.</p> <p style="text-align: center;">List on 25.11.2021.</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)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex. A. No. 60 of 2021 Inre : O.A. No. 466 of 2019

Ex. Hav. Muneshwar 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>21.09.2021</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 Shyam Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">On the case being taken up for hearing Shri Rahul Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">It is submitted by the Ld. Counsel for the respondents that in compliance of order passed by this Tribunal P.P.O. has been issued in July, 2021. The said P.P.O. has not been brought on record.</p> <p style="text-align: justify;">Respondents are directed to bring the P.P.O. on record by way of affidavit within two weeks.</p> <p style="text-align: center;">List on 11.10.2021.</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

M.A. No. 577 of 2021 Inre : T.A. No. 48 of 2017 along with T.A. No. 98 of 2016

Union of India & Others	Applicants
By Legal Practitioner for the Applicants	
Versus	
Smt. Laxmi Devi W/o Late Surendra Singh Saxena	Respondent
By Legal Practitioner for Respondent	

Notes of the Registry	Orders of the Tribunal
<p><u>21.09.2021</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 Ashish Kumar Singh, Ld. Counsel for the applicants – Union of India & Others is present.</p> <p style="text-align: center;">No one is present on behalf of respondents as the name of Counsel for the respondents is not reflecting in the cause list.</p> <p style="text-align: center;">List the matter on 28.10.2021.</p> <p style="text-align: center;">Registry is directed to reflect the name of Shri Bachchan Singh, Advocate as Counsel for the respondents when the case is listed next.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> </div> </div> <p style="margin-top: 20px;">AKD/-</p>	

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

O.A. No. 106 of 2020 with M.A. No. 964 of 2019

Ex. Sub. Maj. (Hony. Lt.) Udayavir 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>21.09.2021</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 Arun Kumar Sahu, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of the applicant nor is there any mention to pass over the case. Rejoinder Affidavit has also not been filed despite time being granted for the same. This shows that applicant has no interest in prosecuting the case.</p> <p>Accordingly, Original Application No. 106 of 2020 along with Misc. Application No. 964 of 2019 is dismissed for non-prosecution.</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

O.A. No. 244 of 2020

Ex. Nb. Sub. Radhe 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>21.09.2021</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 Parijaat Belaura, 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 27.10.2021.</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

O.A. No. 306 of 2020

Smt. Akhtarul Nisha Wife of Gnr. (Late) Mohd. Aneesh Khan	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>21.09.2021</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;">On the case being taken up for hearing Shri Dharam Raj Singh, Advocate holding brief of Dr. Ashish Asthana, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">Shri Dharam Raj Singh holding brief of Dr. Ashish Asthana, Ld. Counsel for the applicant submits that hearing of the case be adjourned today as father of the Ld. Counsel for the applicant is ill and admitted in Hospital.</p> <p style="text-align: justify;">Accordingly, hearing of the case is adjourned today.</p> <p style="text-align: justify;">List on 13.12.2021.</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

O.A. No. 16 of 2021

Ex. Hav. Satish 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>21.09.2021</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 D.K. Sharma is present. No one is present on behalf of respondents nor the Counter Affidavit has been filed despite opportunity being granted time and again. Major Tejas Waghchoure, Departmental Representative is present in the Court and he submits that para-wise comments have been submitted to the Ld. Counsel for the respondents twice i.e. on 24.05.2021 and 23.07.2021. In the circumstances, the opportunity of filing Counter Affidavit is closed. Heard Shri D.K. Sharma, Ld. Counsel for the applicant and Major Tejas Waghchoure, Departmental Representative of the respondents. Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 120 of 2021

Ex. JWO Bharat Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Shri V.P. Pandey, Ld. Counsel for the applicant submits that applicant does not want to file Rejoinder Affidavit.</p> <p>List on 22.09.2021 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

O.A. No. 201 of 2021

Ex. Hav. Ajay Kumar Maurya
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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Rejoinder Affidavit filed by the applicant is taken on record. Heard Shri Manoj Kumar Awasthi and Shri Anshuman Srivastava, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 326 of 2021

Ex. Sub. Shioji 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>21.09.2021</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 Kushwaha, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>On the request of Shri Arun Kumar Shau, Ld. Counsel for the respondents and, as a last chance, three weeks time is granted to file Counter Affidavit.</p> <p>List on 09.11.2021.</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

O.A. No. 327 of 2021

Smt. Kanti Devi W/o Late Ex. Hav. Suresh 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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant submitted that two weeks time be granted to him to file Rejoinder Affidavit which is allowed.</p> <p>List on 14.12.2021.</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

O.A. No. 328 of 2021

Ex. Nk. Manoj 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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Shri R.C. Shukla, Ld. Counsel for the respondents and, as a last chance, three weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 25.10.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">AKD/-</p>

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

O.A. No. 329 of 2021

Ex. Hav. Basdeo Ram 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><u>21.09.2021</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 Ms. Amrita Chakraborty, Ld. Counsel for the respondents is present and she submits that Counter Affidavit has been filed yesterday in the registry.</p> <p style="text-align: center;">The said Counter Affidavit has also been placed on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant to file Rejoinder Affidavit, if any, within three weeks.</p> <p style="text-align: center;">List on 15.12.2021.</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)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 445 of 2021

Ex. Sub. (Hony. Sub. Maj.) Ansuya Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 Kaushik Chatterjee, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">No one is appears on behalf of the applicant to represent his cause nor is there any mention to pass over the case.</p> <p style="text-align: center;">Original Application is, therefore, dismissed in default.</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)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 461 of 2021 with M.A. No. 483 of 2021

Ex. Nk. Santosh Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Vijay Kumar Pandey, 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 11 months and 13 days.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 461 of 2021</u></p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents submits that in regard to grievance raised in Original Application P.P.O. has been issued on 30.04.2019 for payment of pension with effect from 01.10.2018. He further submits that even after issuance of P.P.O. if pension is not credited or has been credited with delay, then this being dispute between the Pension Disbursing Authority and applicant, notice is required to be issued to the said authority.</p> <p>In view of aforesaid submissions, issue notice to respondent No. 5 returnable within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>Respondent Nos. 1 to 4 may also file Short Counter Affidavit within the aforesaid period.</p> <p>List on 01.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>

AKD/-

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

O.A. No. 386 of 2017

Ashok Kumar Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 Rohit Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the applicant, the case is adjourned. List on 13.12.2021.</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

T.A. No 2 of 2021 with T.A. No 1230/2010

Ex Hav Suresh Chandra
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>21.09.2021</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 R Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Learned counsel for the respondents submitted that paper book of the counter affidavit is not available with him, therefore, a direction be issued to applicant to provide copy of the paper book.</p> <p style="text-align: center;">Applicant is directed to provide copy of the paper book of the TA to learned counsel for the respondents within a week.</p> <p style="text-align: center;">After receipt of the copy of paper book respondents shall have three weeks time to file counter affidavit.</p> <p style="text-align: center;">List on 23.11.2021 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

T.A. No 1230 of 2010 with T.A. No 2 of 2021

Ex Hav Suresh Chandra

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>21.09.2021</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 is present.</p> <p>List along with T.A. No 02 of 2021 on 23.11.2021 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

O.A No. 219 of 2016

Gp Capt Ajay Gaur 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>21.09.2021 <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 A K Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents, list on 01.12.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A. No. 302 of 2017 alongwith O.A. No. 148 of 2017 (Decided)

Nb Sub Devendra Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on 07.12.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A No. 386 of 2017

Ashok Kumar Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Col. Ashok Kumar (Retd) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 13.12.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A No. 548 of 2017

Satyapal 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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri KKS Bisht, Ld. Counsel for the applicant and Shri Anurag Mishra, learned counsel for respondent No 1 to 4 and Shri DC Lohumi, Ld. Counsel for the respondent No 5 and 6.</p> <p style="text-align: center;">Supplementary affidavit of compliance, filed by respondent No 5 and 6 is taken on record.</p> <p style="text-align: center;">Learned counsel for the applicant submitted that so far as arrears of disability element @ 60% for the period from 08.11.2005 to 07.11.2007 and @ 30% for the period from 08.11.2007 to 07.11.2010 is concerned, the same has been credited in applicant's account. However, he submitted that disability element has been stopped since 08.11.2010 due to disability percentage being below 20% whereas the instant case being a case of invalidation, applicant is entitled to disability element @ 20% to be rounded of to 50% w.e.f. 08.11.2010 till life even if the disability is below 20%.</p> <p style="text-align: center;">We have gone through the RSMB report as well as PPO issued by the respondents and we find that applicant being invalided out from service and disability being attributable to military service, applicant is entitled to disability element @ 20% to be rounded of to 50% w.e.f. 08.11.2010 till life despite disability being below 20%.</p> <p style="text-align: center;">Respondents are therefore directed to issue corrigendum PPO entitling applicant to disability element @ 20% to be rounded of to 50% from 08.11.2010 till life.</p> <p style="text-align: center;">List on 02.12.2021.</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>UKT/-</p>

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

O.A No.88 of 2019

Surendra 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>21.09.2021</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 AK Singh and Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents, list on 03.12.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A No. 182 of 2018

Nk Girraj Singh Tomar 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>21.09.2021</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 Maj RD Singh (Retd), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 06.12.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <table style="width: 100%;"><tr><td style="width: 50%; text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="width: 50%; text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p>UKT/-</p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

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

O.A No. 369 of 2018

Rakesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.09.2021</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 Kushwaha, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 07.12.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A No. 323 of 2019

Ex Sep Bhopal 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>21.09.2021</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, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>It is stated in counter affidavit that copy of the representation dated 12.12.2017 submitted by the applicant has not been received by ASC Records, (South), Bangalore.</p> <p>Learned counsel for the applicant is directed to provide a copy of the representation to learned counsel for the respondents who will submit it to ASC, Records, Bangalore.</p> <p>On receipt of the copy of representation, competent authority of ASC Records, Bangalore, shall decide the representation by a reasoned and speaking order and communicate the decision to the applicant as well as to this Tribunal within four months from the date of receipt.</p> <p>O.A. is finally disposed of.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A No. 723 of 2020

Ex Swr Navinder 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>21.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Applicant does not intend to file rejoinder affidavit.</p> <p style="text-align: center;">List on 22.10.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) Member (A) </p> <p style="text-align: center;"> (Justice Umesh Chandra Srivastava) Member (J) </p> <p>UKT/-</p>

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

O.A No. 782 of 2020 with M.A. No.520 of 2021

Col Soumen Kar (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>21.09.2021</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 KK Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on 30.09.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to 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>UKT/-</p>

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

O.A No. 110 of 2021

Ex Gnr Pawan 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>21.09.2021</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 Bhanu Pratap Singh, Shri KKS Bisht and Shri Vishwas Shukla, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 22.10.2021 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. (A) No. 474 of 2018

Mukesh Kumar through his wife Smt. Pooja 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>21.09.2021</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 Vijay Kumar Pandey, 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 13.12.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>