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

O.A. No. 76 of 2020 with M.A. No. 892 of 2019

Ex. Dafedar Vijay Pal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 1. Heard Shri R.N. Tripathi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. 2. The Original Application has been filed with delay of 36 years, 11 months and 27 days. 3. 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. 4. 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. 5. 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. 6. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 76 of 2020** 1. Heard Shri R.N. Tripathi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. 2. The instant Original Application has been filed on behalf of the applicant under Section 14 of the Armed Forces Tribunal Act, 2007, whereby the applicant has sought following reliefs:- *"(a) An order or direction quashing the order of the OP No. 2 enumerated in Annexure No. A-1 and directing the respondents to re-compute/round off the disability pension of the applicant from 20% to 50%.* *(b) To allow the OA with costs.*

(c) Any other or further order or direction which this Hon'ble Court may deem just, fit and proper in the circumstances of the case."

3. Briefly stated facts of the case are that the applicant was enrolled in Armoured Corps of Indian Army on 06,.05.1964 and was discharged from service on 02.05.1982 (AN) in low medical category at his own request on compassionate ground under Rule 13(3) Item III(iv) of the Army Rules, 1954. The Release Medical Board held at Military Hospial, Patiala on 29.12.1981 identified his disability **"TEAR MEDIAL MENISCUS LT KNEE JOINT"** and assessed it @ 40% for two years, attributable to military service. Accordingly, P.P.O. was issued by the Principal Controller of Defence Account (Pension), Allahabad. Thereafter, Re-Survey Medical Board (RSMB) was held on 27.08.1984 wherein the disability has been assessed @40% permanent. Accordingly, P.P.O. was issued by the Principal Controller of Defence Account (Pension), Allahabad. Again Re-Survey Medical Board was held on 20.08.1994 wherein the disability has been assessed @30% permanent. Thereafter, again Re-Survey Medical Board was held on 26.09.1996 wherein the disability has been assessed @20% for five years. After five years again Re-Survey Medical Board was carried out on 28.08.2001 and disability was assessed @ 20% for life. Accordingly, P.P.O. were issued by the Principal Controller of Defence Account (Pension), Allahabad from time to time. Presently the applicant is in receipt of 20% disability pension for life and has moved this Original Application for grant of benefit of rounding off of disability pension from 20% to 50% for life.

4. Ld. Counsel for the applicant argued that since the applicant is already in receipt of 20% disability element for life, therefore, in view of the Hon'ble Apex Court judgment in the case of ***Union of India and Ors vs Ram Avtar & ors*** (Civil appeal No. 418 of 2012 decided on 10th December 2014), the applicant is also entitled to benefit of rounding off of disability element @ 50% for life.

5. On the other hand, though Ld. Counsel for the respondents conceded receipt of 20% disability pension by the applicant but contended that the applicant is not entitled to the benefit of rounding off of disability pension on the ground that the applicant's services were not cut short as he was not invalided out on account of his disability. In the instant case the applicant was discharged from service at his own request on compassionate ground, therefore, the Ld. Counsel claimed that he is not eligible for the benefit of rounding off.

6. The law on the point of rounding off of disability pension is no more RES INTEGRA in view of the Hon'ble Supreme Court judgment in the case of ***Union of India and Ors vs Ram Avtar & ors*** (Civil appeal No 418 of 2012 decided on 10th December 2014) wherein the Hon'ble Apex Court has nodded in disapproval of the policy of the Government of India in granting the benefit of rounding off of disability pension only to the personnel who have been

invalided out of service and denying the same to the personnel who have retired on attaining the age of superannuation or on completion of their tenure of engagement. The relevant portion of the decision is excerpted below:-

> *"4. By the present set of appeals, the appellant (s) raise the question, whether or not, an individual, who has retired on attaining the age of superannuation or on completion of his tenure of engagement, if found to be suffering from some disability which is attributable to or aggravated by the military service, is entitled to be granted the benefit of rounding off of disability pension. The appellant(s) herein would contend that, on the basis of Circular No 1(2)/97/D (Pen-C) issued by the Ministry of Defence, Government of India, dated 31.01.2001, the aforesaid benefit is made available only to an Armed Forces Personnel who is invalidated out of service, and not to any other category of Armed Forces Personnel mentioned hereinabove.*
> *5. We have heard Learned Counsel for the parties to the lis.*
> *6. We do not see any error in the impugned judgment (s) and order(s) and therefore, all the appeals which pertain to the concept of rounding off of the disability pension are dismissed, with no order as to costs.*
> *7. The dismissal of these matters will be taken note of by the High Courts as well as by the Tribunals in granting appropriate relief to the pensioners before them, if any, who are getting or are entitled to the disability pension.*
> *8. This Court grants six weeks' time from today to the appellant(s) to comply with the orders and directions passed by us."*

7. In the instant case, there is no dispute that applicant is in receipt of 20% disability element for life as this fact has been accepted by the respondents. In view of the settled law on this matter, we are of the considered opinion that the applicant is entitled to the benefit of rounding off to 50% for life with effect from 01.01.2006, however, arrears shall be restricted from 01.01.2016 in terms of PCDA (P), Allahabad Circular No. 596 dated 09.02.2018.

8. In view of the above, the Original Application No. 76 of 20 is allowed. The applicant is held entitled to the benefit of rounding off of disability element from 20% for life to 50% for life with effect from 01.01.2016 in terms of PCDA (P), Allahabad Circular No. 596 dated 09.02.2018. The respondents are directed to give effect to this order within a period of four months from the date applicant submits mandatory documents alongwith certified copy of this order. Defaults will invite interest @ 9% per annum from the due date till actual payment.

9. No order as to costs.

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

AKD/-

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

O.A. No. 532 of 2019 with M.A. No. 824 of 2019

Ex. Sgt. Nitendra Pratap Singh Rana 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. The Original Application has been filed with delay of 02 years, 02 months and 28 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 532 of 2019** Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 385 of 2021

Ex. L/Nk Clk (IM) Amit Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Shri Devesh Kumar, Advocate filed Memo of Appearance today in Court on behalf of the respondents which is taken on record. Heard Shri Ashok Singh, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents. Admit. Ld. Counsel for the respondents may seek instructions within two weeks with regard to Statutory Appeal preferred by the applicant. List on **24.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 386 of 2021 with M.A. No. 394 of 2021

Cpl. Chandan Yadav 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Shri Kaushik Chatterjee, Advocate filed Memo of Appearance today in Court on behalf of the respondents which is taken on record. Heard Shri Ram Bachan Yadav, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents. As per office note, there is no delay in filing Original Application, therefore, delay condonatoin application filed by the applicant is dismissed. It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **22.09.2021** for exchange of pleadings. List the matter before Tribunal on **12.10.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 387 of 2021

Col. Kush Kumar Sharma (Retd.) 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Shri Rajesh Shukla, Advocate filed Memo of Appearance today in Court on behalf of the respondents which is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents. It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **22.09.2021** for exchange of pleadings. List the matter before Tribunal on **12.10.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 31 of 2021 Inre: O.A. No. 340 of 2019

Ex. HFO Sureshwari Prasad Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present. It is a fresh Execution Application. Respondents to seek instructions in respect of R.S.M.B. within two weeks. List on **24.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Diary No. 1115 of 2021 Inre : O.A. No. 13 of 2019

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

Versus

Ex. Nb. Sub. Durgesh Kumar Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Anurag Mishra, Ld. Counsel for the applicants-Union of India and Others and Shri V.P. Pandey, Ld. Counsel for the respondent are present. Applicant is directed to remove the defects pointed out by the registry during the course of the day. List on **30.07.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 30 of 2018 Inre: O.A. No. 119 of 2017

Smt. Rajwati Yadav 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. As prayed, respondents are permitted to file affidavit of compliance during the course of the day. List on **26.07.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 487 of 2018

Col. Rajendra Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Col. H.M. Maheshwari (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. Pleadings are complete and the case is ripe for hearing. List on **27.09.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

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

Ex. ME-I Krishan Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents two weeks and, no more time, is granted to file Counter Affidavit. List on **12.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 95 of 2020 with M.A. No. 979 of 2019

Ex. Sep. Arbind Rai Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present. Ld. Counsel for the applicant submits that he is going to file amendment application in the registry during the course of the day in respect of discharge order, therefore, matter be listed after some time. Let amendment application be filed, as said. List on **13.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 273 of 2020

Ex. Nk/Clk Rakesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the applicant and, as a last chance, a week time is granted to file Rejoinder Affidavit, failing which opportunity to file the same shall stand closed. List on **13.08.2021** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 298 of 2020 with M.A. No. 349 of 2021

Ex. Sgt. Pramod Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shiv Kant Pandey, Ms. Nisha Pandey and Shri Amit Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. **M.A. No. 349 of 2021** Heard Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. By means of this application applicant wants to amend relief clause of the Original Application. Amendment application is allowed. Let amendment be incorporated within a week. Respondents to file Counter Affidavit within three weeks. List on **24.08.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Ashish Asthana and Shri Prabhav Srivastava, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Despite Counter Affidavit filed in the month of January, 2021 no Rejoinder Affidavit has been filed. On the request of Ld. Counsel for the applicant and, as a last chance, two weeks time is granted to file Rejoinder Affidavit, failing which opportunity to file the same shall stand closed. List on **18.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 676 of 2020

Ex. Nk. Dhan Pal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. Due to defects pointed out by the registry the Counter Affidavit filed by the respondents could not be taken on record. Respondents are, therefore, directed to remove the defects within a week. List on **10.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 704 of 2020

Smt. Jafrul Nisha, W/o Late Ex. Nb. Sub. Mohd. Hassan 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Major Sini Thomas, Departmental Representative are present. Major Sini Thomas, Departmental Representative submitted that respondents Counsel is not feeling well, therefore, hearing be adjourned. List on **18.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 288 of 2021
Along with
O.A. No. 96 of 2021

Sep. Sachin Singh Tomar 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Ms. Ruby Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. There is no urgency in the matter as applicant has already retired with effect from 01.07.2021. Pleadings are complete and the case is ripe for hearing. List on **21.09.2021** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 96 of 2021
Along with
M.A. No. 288 of 2021

Sep. Sachin Singh Tomar 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Ms. Ruby Singh and Ms. Hemlata, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. List on **21.09.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 238 of 2021 with M.A. No. 239 of 2021

Ex. Sgt. Radha Krishna Tiwari 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri T.N. Tiwari, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present. List on **17.09.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. (A) No. 373 of 2019

Ex. Hav./SKT. Kanhaiya Singh Appellant
By Legal Practitioner for the Appellant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the appellant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. List on **04.10.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 263 of 2014

Ishwar Prasad 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Kunwar Bahadur Singh, Shri Umesh Singh and Shri Yashpal Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present. List on **24.08.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 214 of 2016

Smt. Rajni Verma 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Col. B.P. Singh (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Shri Himanshu Vaish and Shri Alok Saxena, Ld. Counsel for the respondents are present. List on **26.07.2021 at 02.30 PM** for physical hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 264 of 2017

Devendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Mukesh Kumar and Shri S.S. Rajawat, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present. List on **21.09.2021**. On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 298 of 2017

Gyan Prakash Gupta 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri K.K. Misra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present. List on **22.09.2021**. On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 447 of 2017

Vikas Pandey 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. No Supplementary Counter Affidavit has been filed in terms of order dated 09.10.2020. List on **23.08.2021** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 3 of 2018

Vijay Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. List on **31.08.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 22 of 2018

Jeet Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present. Shri Om Prakash Kushwaha, Ld. Counsel for the applicant is reported to be ill. List on **28.07.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 59 of 2018

Faujdar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present. Shri Om Prakash Kushwaha, Ld. Counsel for the applicant is reported to be ill. List on **27.07.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No 356 of 2021 with M.A. No 359 of 2021

Ex Rect Vishnu Prashad Gautam 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shiv Kant Pandey, Amit ZPandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. Objection filed by the respondents against application for condonation of delay is taken on record. This Original Application has been filed with delay of 30 years, 01 month and 13 days. Submission of learned counsel for the applicant is that applicant was enrolled in the Army on 30.05.1988 and was discharged from service on 07.08.1989 without following due procedure. No Invaliding Medical Board (IMB) was held despite being discharged in low medical category. Further submission is that applicant has filed this application for the grant of ordinary service pension as well as disability pension. Hon'ble the Apex Court has held in number of cases that law of limitation is not applicable in pensionary matters. Further submission is that delay, if any, in filing of O.A. is not deliberate. Per contra, learned counsel for the respondents has vehemently opposed the above submissions on the ground that present O.A. being filed after more than 30 years of discharge without sufficient explanation deserves to be dismissed being time barred. He submitted that all documents relating to applicant's service record except Long Roll, have been destroyed as per rule after expiry of 25 years which the applicant has not challenged in the present case. He further submitted that it is being wrongly claimed by the applicant that no IMB was held in his matter. As a matter of fact, applicant was invalided out from service and copy of Medical Board Proceedings was also given to him. He further submitted that if no copy was given, as applicant claims, he should have demanded the same then and there. Thus, he submitted that

	explanation offered by the applicant being not sufficient application should be rejected. Upon hearing submissions of learned counsel of both sides and considering the facts and circumstances of the case, we are of the view that in pensionary matters bar of limitation is not applicable, as cause of action in such matters accrues every month. An application for condonation application of delay cannot be rejected on the reason that concerned documents have been destroyed as per rules. We have gone through averments made in affidavit filed in support of application and find that cause shown is sufficient. Accordingly, delay, if any, is condoned. Delay condonation application stands decided accordingly. **<u>O.A. No. 356 of 2021</u>** It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **22.09.2021** for exchange of pleadings. List the matter before Tribunal on **12.10 .2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 320 of 2017

Smt Saroj Tiwari 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents, list on **29.07.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 67 of 2018

Sep Arun Kumar Misra 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Maj RD Singh (Retd), Ld. Counsel for the applicant and Shri Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. No supplementary counter affidavit has been filed in terms of order dated 15.12.2020. Learned counsel for the respondents prays for and is granted four weeks further time to file the same. List on **04.09.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 458 of 2018

Ex hav Bhanu Pratap Rajak 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. List on **28.07.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 571 of 2018

Ganga Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri DS Kauntae, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. List on **28.08.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 2 of 2019

Naik (Chef/ Hosp) Vijay Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present. List on **30.09.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 34 of 2019

Sub Clk (SD) S Gulam Nabi 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Ms. Tanya holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. In this case rejoinder affidavit has been filed after opportunity of filing the same being closed. In the interest of justice, delay in filing of rejoinder affidavit is condoned and rejoinder affidavit is taken on record. List on **06.10.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 308 of 2019 with M.A. No 433 of 2019

Hav Didar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present. Rejoinder affidavit filed by the applicant is taken on record. List on **06.10.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 420 of 2019

Nk Clk (SD) Mukesh Kumar Hans 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri BB Tripathi and Shri Dharmendra Awasthi, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents. This Original Application has been filed by the applicant with the prayer to decide his non statutory complaint dated 12.09.2018 which is pending with the respondents. With the consent of learned counsel for the parties, we hereby dispose of the O.A. finally with the direction to the respondents to decide the representation / non statutory complaint of the applicant dated 12.09.2018 by a speaking and reasoned order in accordance with law, if not already decided, within a period of three months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly. With the aforesaid direction, the Original Application is **disposed of** finally. Let a copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 444 of 2019

Ex MWO Hari Narayan Shukla 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present. List on **11.10.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 74 of 2020 with M.A. No 223 of 2021

Ex Sep Rajvir Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Om Prakash Kushwaha and Shri KP Datta, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present. Heard learned counsel for the parties on substitution application. Ms. Dwrpadi Devi wife of deceased soldier has filed application for substitution of her name in the O.A. Application is within time hence allowed. Let amendment be incorporated within a week. List on **20.08.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 579 of 2020

Smt Nafiro Nisa Widow of Latw Sep Rasul 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
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Rejoinder affidavit filed by the applicant is taken on record. Learned counsel for the respondents is directed to seek instructions with regard to publication of part II order within two weeks. List on **25.08.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. 14 of 2021

Hav Rajeev Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vishal Bhatnagar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. List on **11.10.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. (A) No 191 of 2014

Ravi Shankar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	22.07.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KK S Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnohotri, Ld. Counsel for the respondents are present. List on **12.10.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-