

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

O.A. No. 550 of 2021 with M.A. No. 582 of 2021

Ex. Hav. Kailash Chandra Behera
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>22.09.2021</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 Shri Devesh Kumar, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The instant Original Application has been filed for grant of disability pension with delay of 25 years, 01 month and 13 days regarding which an application for condonation of delay has been filed and in support thereof an affidavit has also been filed stating therein that bar of limitation is not applicable in pensionary matter. It is also stated that delay in filing Original Application is not deliberate.</p> <p style="text-align: center;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: center;">Having heard submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case we find that bar of limitation is not applicable in pensionary matter. We further find that cause shown for delay is sufficient.</p> <p style="text-align: center;">Accordingly, delay, if any, in filing Original Application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 550 of 2021</u></p> <p style="text-align: center;">It is a fit case for adjudication. Admit.</p> <p style="text-align: center;">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: center;">List the matter before Registrar on 02.12.2021 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 27.12.2021.</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. 551 of 2021

Ex. Hav. Arun Kumar Roy
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>22.09.2021</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 Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Suresh Chandra Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The matter needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Thereafter, applicant shall have two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List the matter before Registrar on 02.12.2021 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 27.12.2021.</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>AKD/-</p> |

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

O.A. No. 552 of 2021 with M.A. No. 583 of 2021

Ex. Hav. Ram Prasad Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>22.09.2021</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;">Shri Arun Kumar Sahu, Advocate appears on behalf of the respondents and submits that he will file Memo of Appearance today in the registry during the course of the day.</p> <p style="text-align: justify;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The instant Original Application has been filed for grant of disability pension with delay of 01 year, 02 months and 06 days regarding which an application support with affidavit for condonation of delay has been moved.</p> <p style="text-align: justify;">The submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit. His further submission is that law of limitation is not applicable in pensionary matter.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: justify;">Upon hearing submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case we are of the view that cause shown for the delay, if any, is sufficient. Accordingly, delay in filing of Original Application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 552 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 02.12.2021 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 27.12.2021.</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

Ex. A. No. 100 of 2019 Inre : O.A. No. 144 of 2016

Sgt. Rajendra Prasad Pal (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>22.09.2021</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>As prayed by Dr. Shailendra Sharma, Ld. Counsel for the respondents a week further time is granted to file affidavit of compliance.</p> <p>List on 21.10.2021.</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

Ex. A. No. 7 of 2021 Inre : T.A. No. 1283 of 2010

Ex. Sep. Inderjeet Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.09.2021</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 and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>The affidavit of compliance filed by the respondents is taken on record.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance of order dated 07.04.2017 passed in T.A. No. 1283 of 2010 the pensionary benefits have already been issued to the applicant and also the cost of Rs.50,000/- have been paid to the applicant in two parts. Thus, he submitted that order in question has fully complied with.</p> <p>Shri R. Chandra, Ld. Counsel appearing on behalf of applicant has also submitted that in compliance of order P.P.O. has been issued and the applicant is in receipt of service pension regularly.</p> <p>In view of aforesaid, we find that order under execution has fully complied with. Accordingly, Execution Application is dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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

M.A. No. 128 of 2018 Inre : O.A. No. 376 of 2017

Rama 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>22.09.2021</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 Dharmesh Sinha, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Mrs. Appoli Srivastava, Ld. Counsel appearing on behalf of respondents four weeks further time is granted to file affidavit of compliance annexing therewith the copy of P.P.O.</p> <p style="text-align: center;">List on 10.11.2021.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

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

Ex. Sep. Pappu Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|--------------------------------------|---|
| | <p><u>22.09.2021</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondent Nos. 1 to 5 are present.</p> <p>Ld. Counsel for the applicant submits that applicant being not in knowledge of current address of respondent No. 6, respondent Nos. 1 to 5 may be asked to furnish his current address so that notice may be sent to him. Regarding non-submission of copy of discharge order the Ld. Counsel for the applicant submits that discharge order was never served to the applicant, therefore, it is not possible for the applicant to file the same.</p> <p>Respondent Nos. 1 to 5 to seek instructions regarding current status of respondent No. 6 and furnish his present address within three weeks.</p> <p>List on 23.11.2021.</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
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 ORDER SHEET
 ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 308 of 2017

Col. V.K. 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 |
|-----------------------------|--|
| | <p><u>22.09.2021</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 Virat Anand Singh, Ld. Counsel for the applicant is present.</p> <p style="text-align: center;">No one appears on behalf of the respondents.</p> <p style="text-align: center;">Rejoinder Affidavit has already been filed by the applicant and the same is taken on record.</p> <p style="text-align: center;">Original records including ACR Dossiers are required to be perused during the course of hearing.</p> <p style="text-align: center;">List on 10.11.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case including ACR Dossiers for perusal of the Bench.</p> <p style="text-align: center;">Let copy of this order be provided to the Ld. Counsel for the respondents within two days.</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. 499 of 2018

Smt. Anita 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>22.09.2021</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Supplementary Counter Affidavit to amended pleadings has not yet been filed by the respondents.</p> <p>Respondents must file Supplementary Counter Affidavit within three weeks failing which opportunity of filing shall stand closed without any reference.</p> <p>List on 24.11.2021 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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

O.A. No. 420 of 2020

Smt. Kashmira Devi W/o Late Ex. Sep. Paras Nath Ram
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>22.09.2021</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 Ashok Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Shri R.C. Shukla, Ld. Counsel appearing on behalf respondents submitted that four weeks further time be granted to file Counter Affidavit as para-wise comments have not yet been received.</p> <p>Let Counter Affidavit be filed within four weeks, as prayed.</p> <p>List on 12.11.2021.</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. 596 of 2020

Ex. Sub. Ram Fere Shakya
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>22.09.2021</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;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Original Application is dismissed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</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. 196 of 2021

Ex. Hony. Lt. Subhash Prasad Kushwaha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|--------------------------------------|---|
| | <p><u>22.09.2021</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 Shamshad Alam, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is dismissed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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

O.A. No. 222 of 2021

Ex. Hav. Navin 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>22.09.2021</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 Pankaj Kumar Shukla and Shri Rahul Chaurasiya, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant a week further time is granted to file Rejoinder Affidavit.</p> <p style="text-align: center;">List on 06.10.2021.</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. 269 of 2021

Ex. Sub. Manjoor Ali
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>22.09.2021</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;">Counter Affidavit filed by the respondents and Rejoinder Affidavit filed by the applicant are taken on record.</p> <p style="text-align: center;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p> |

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

R.A. No. 38 of 2021 with M.A. No. 475 of 2021 and M.A. No. 476 of 2021
Inre : O.A. No. 37 of 2020

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Ex. Hav. Shiv Saran & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>22.09.2021</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 Amit Jaiswal, Ld. Counsel for the applicants – Union of India & Others and Shri Shailendra Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Objection against review application filed by the respondents – applicants is taken on record.</p> <p style="text-align: center;">List on 24.09.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p> |

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

Court No. 1

O.A. No. 301 of 2018

Manish 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>22.09.2021</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>Order pronounced today in the open Court.</p> <p>O.A. No. 301 of 2018, Manish Kumar vs. Union of India and Others is dismissed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>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>SB</p> |

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

Ex.A. No. 116 of 2018 Inre O.A. No. 137 of 2017

Awadhesh Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>22.09.2021</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 Maj Tejas, Departmental Representative for the respondents are present.</p> <p>Shri Namit Sharma, learned counsel for the respondents is not present.</p> <p>On the last date, learned counsel for the respondents has submitted that Govt. sanction is still under consideration and six weeks further time was granted for compliance of order dated 16.01.2018, failing which cost of Rs. 10,000/- was to be deposited by the respondents.</p> <p>Today, again Departmental Representative for the respondents prayed for further time for compliance of order under execution. Hence, as a last chance, four weeks time is granted to the respondents for compliance of order under execution.</p> <p>List on 22.10.2021.</p> <p>On the date fixed, a concerned responsible officer from Artillery Directorate, IHQ of MoD (Army), New Delhi be physically present before the Court to clarify the reasons for non compliance of order passed by this Tribunal.</p> <p>A copy of the order be provided to learned counsel for the respondents/Departmental Representative within 24 hours for compliance.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>SB</p> |

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

O.A. No. 83 of 2021

Ex Gnr (ACP Nk) Sanjeev 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>22.09.2021</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 Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submitted that grievance raised in O.A. has not only been redressed by the respondents but arrears amounting to Rs. 3,59, 435/- has also been credited in applicant’s account on 04.08.2021. He also submitted that applicant is getting disability element @ Rs. 8888/- per month regularly.</p> <p style="text-align: center;">In view of the aforesaid, Original Application deserves to be dismissed being infructuous. Accordingly, Original Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> |

SB

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

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

| | |
|---|-------------|
| Ex Cfn Mahak Singh Malik | 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>22.09.2021</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 Ashok Singh, Ld. Counsel for the applicant and Maj Tejas, Departmental Representative for the respondents are present.</p> <p>Shri Namit Sharma, learned counsel for the respondents are not present.</p> <p>The Original Application has been filed for grant of disability pension which is delayed by 49 years, 03 months and 10 days regarding which a delay condonation application has been moved against which no written objection has been filed despite time being granted for the same.</p> <p>It is submitted by learned counsel for the applicant that bar of limitation is not applicable in pensionary matters. It is further submitted that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters rise every month and cause shown is sufficient, delay is condoned.</p> <p>Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 457 of 2021</u></p> <p>The mater needs adjudication.</p> <p>Admit.</p> <p>Respondents are granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 02.12.2021 before the Registrar for exchange of pleadings.</p> <p>List before the Tribunal on 27.12.2021.</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;">SB</p> |

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

R.A. No. 46 of 2021 with M.A. No. 535 of 2021 & M.A. No. 536 of 2021
Inre O.A. No. 674 of 2020

Ex JWO Shiv Kant Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>22.09.2021</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 Amit Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submitted that applicant intends to file a supplementary affidavit as certain developments have taken place in between therefore, a reasonable time be given for the same.</p> <p>Let supplementary affidavit be filed within a week after serving its copy to learned counsel for the respondents who shall have a week time to file supplementary counter affidavit, if any.</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>SB</p> |

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

O.A. No. 102 of 2017

Deepu Dwivedi

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>22.09.2021</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 A.K. Singh and Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 09.11.2021 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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 2018

Virender Singh

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>22.09.2021</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 Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 15.12.2021 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

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

O.A. No. 336 of 2018

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| Ram Harsh By Legal Practitioner for the Applicant | Versus | Applicant |
| Union of India & Others By Legal Practitioner for Respondents | | Respondents |

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>22.09.2021</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 Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>List on 16.12.2021 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 1 of 2019

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| Hav (MACP Nb Sub) Mrinal Kanti Dan Poddar 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 |
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| | <p><u>22.09.2021</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;">Present : Dr. Chet Narain Singh, Ld. Counsel for the respondents. Shri Om Prakash Kushwaha, learned counsel for the applicant is still reported to be ill.</p> <p style="text-align: center;">List on 16.12.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 397 of 2019

Sep Sonu 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>22.09.2021</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 Amit Kumar 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 applicant, list on 23.09.2021 for further hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 510 of 2019

Nb Sub (Nur Asst) Pankaj Kumar Jha
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 |
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| | <p><u>22.09.2021</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 and Shri KP Datta, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>List on 16.12.2021 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 128 of 2020

Ex Sub Maj (RT) Ran Bahadur 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>22.09.2021</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>As prayed by learned counsel for the applicant, list on 01.10.2021 for further hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 152 of 2020 with M.A. No. 148 of 2020

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| Ex Hav Ram Rahish Singh By Legal Practitioner for the Applicant | Versus | Applicant |
| Union of India & Others By Legal Practitioner for Respondents | | Respondents |

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>22.09.2021</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 Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents two weeks time is granted to file supplementary counter affidavit.</p> <p style="text-align: center;">List on 27.12.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

O.A. No. 678 of 2020

Lt Col Bir 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>22.09.2021</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 Ajai Kumar Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 28.10.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |

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

T.A. No. 9 of 2017

Smt Sharda Devi Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>22.09.2021</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>Present : Shri Kaushik Chatterji, learned counsel for the respondents No. 1 to 4 and Shri V.P. Pandey, learned counsel for the respondent No. 5.</p> <p>None is present on behalf of the applicant. In the interest of justice, the case is adjourned for the day.</p> <p>List on 11.10.2021 for hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> |
| SB | |

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

T.A. No. 55 of 2017

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|---|---------------|-------------|
| Sgt AK Das By Legal Practitioner for the Petitioner | Versus | Petitioner |
| Union of India & Others By Legal Practitioner for Respondents | | Respondents |

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>22.09.2021</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 Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 27.12.2021 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p> |