#### O.A. No. 631 of 2020

#### Ex. Sep. Surendra Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>23.09.2021</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Parijaat Belaura, Ld. Counsel for the applicants and Shri
	Ashish Kumar Singh, Ld. Counsel for the respondents.
	Original Application is <b>dismissed</b> .
	For order, see our Judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### O.A. No. 16 of 2020 with M.A. No. 4 of 2020

#### **Ex. Gnr. Rambir Singh Yadav & Others** By Legal Practitioner for the Applicant

Applicants

Versus

#### Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicants and Shri R.C. Shukla, Ld. Counsel for the respondents. The Original Application has been filed for grant of disability element of disability pension with delay of 16 years, 05 months and 25 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. 16 of 2020 Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicants and Shri R.C. Shukla, Ld. Counsel for the respondents. Original Application in respect of applicant No. 1 i.e. Ex. Gnr. Rambir Singh is allowed and in respect of applicant Nos. 2 and 3 i.e. Ex. Sub/SKT Rakesh Kumar and Ex. Hav. (MACP Nb. Sub/Hav. Narendra Pal Singh 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.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 386 of 2020

Smt. Rekha Mishra W/o Late Ex. Nk. Prem Prakash Mishra & Others Applicants By Legal Practitioner for the Applicant Versus

Respondents

Notes of the	Orders of the Tribunal
Registry	
	23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Counter Affidavit filed by the respondents and Rejoinder Affidavit filed
	by the applicant are taken on record.
	Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicants and
	Shri Amit Jaiswal, Ld. Counsel for the respondents.
	Original Application is <b>allowed</b> .
	For order, see our Judgment passed on separate sheets.
	Misc. Application, if any, pending for disposal, shall be treated to have
	been disposed of.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 549 of 2021 with M.A. No. 581 of 2021

# **Ex. CHEA (P) Vishal Chaturvedi** By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of	Orders of the Tribunal
the Registry	
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	23.09.2021 Han'ble Mr., Justice Umach Chandra Srivestava, Member (1)
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf
	of the respondents is taken on record.
	Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri
	Amit Jaiswal, Ld. Counsel for the respondents.
	Lt. Cdr. Gulnawaj Naqvi, Departmental Representative for
	respondents is also present.
	As per office note, there is no delay in filing Original Application,
	delay condonation application is <b>dismissed</b> being not required.
	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 06.12.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 03.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### O.A. No. 553 of 2021 with M.A. No. 588 of 2021

#### **Ex. Hav. Jai Prakash Yadav** By Legal Practitioner for the Applicant

Applicant

Versus

#### Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>23.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Sunil Sharma, Advocate
	appears on behalf of the respondents and submits that he will file Memo of
	Appearance in the registry during the course of the day.
	Shri Parijaat Belaura, Ld. Counsel for the applicant is also present.
	Shri Sunil Sharma, Ld. Counsel for the respondents submits that two
	weeks time be granted to file objection against delay condonation application.
	Let objection be filed within two weeks, as prayed.
	List on <b>01.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

### Ex. A. No. 61 of 2021 Inre : O.A. No. 114 of 2020

#### Ex. Sub. Suresh Chandra

Applicant

By Legal Practitioner for the Applicant Versus

#### Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. 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. It is a fresh Execution Application.
	Ld. Counsel for the respondents to seek instructions within three weeks. List on <b>11.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

### Ex. A. No. 62 of 2021 Inre : O.A. No. 269 of 2019

### Lt. Col. J.S.S. Kakar (Retd.) By Legal Practitioner for the Applicant

Applicant

Versus

#### Union of India & Others

Respondents

	Orders of the Tribunal
the Registry	
Registry	
	23.09.2021 Han'ble Mr. Justice Umach Chandre Srivestave, Member (1)
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate
	on behalf of the respondents is taken on record.
	Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	It is submitted by Shri R.Chandra, Ld. Counsel for the applicant that in
	compliance of the order passed by this Tribunal applicant has received the
	copy of PPO. He further submits that in the circumstances Execution
	Application may be dismissed being infructuous.
	Accordingly, Execution Application is <b>dismissed</b> being infructous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### M.A. No. 584 of 2021 with M.A. No. 585 of 2021 Inre : O.A. No. 212 of 2019

#### Union of India & Others

By Legal Practitioner for the Applicants

By Legal Practitioner for Respondent

Applicants

Versus Ex. Sub. (Hony. Lt.) Shashi Shekhar Pandey

Respondent

Notes of Orders of the Tribunal the Registry 23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A) Heard Shri Ashish Kumar Pandey, Ld. Counsel for the applicants -Union of India & Others and Shri R. Chandra, Ld. Counsel for the respondent are present. As per office note, there is no delay in filing Leave to Appeal, delay condonation application is **dismissed** being not required. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) AKD/-

#### M.A. No. 586 of 2021 with M.A. No. 587 of 2021 Inre : O.A. No. 171 of 2020

#### Union of India & Others

By Legal Practitioner for the Applicants

Applicants

Respondent

Versus Smt. Suman Devi W/o Late Ex. L/Nk Ramesh Chandra By Legal Practitioner for Respondent

Notes of Orders of the Tribunal the Registry 23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A) Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicants -Union of India & Others and Shri K.K. Misra, Ld. Counsel for the respondent are present. As per office note, there is no delay in filing Leave to Appeal, delay condonation application is **dismissed** being not required. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) AKD/-

### M.A. No. 590 of 2021 with M.A. No. 591 of 2021 Inre : O.A. No. 450 of 2019

#### Union of India & Others

By Legal Practitioner for the Applicants

Applicants

Versus

Respondent

**Ex.Sub. Maj. Santosh Kumar Singh** By Legal Practitioner for Respondent

Notes of	Orders of the Tribunal
the Registry	
	23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Dr. Chet Narayan Singh, Ld. Counsel for the applicants -
	Union of India & Others and Col. A.K. Srivastava (Retd.), Ld. Counsel for the
	respondent.
	As per office note, there is no delay in filing Leave to Appeal,
	delay condonation application is <b>dismissed</b> being not required.
	This is an application for leave to appeal under Section 30 read
	with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing
	the orders impugned, we find that no much or less point of law of general
	public importance involved for grant leave to appeal.
	Accordingly, Leave to Appeal is <b>dismissed</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### Diary No. 1017 of 2013

#### Ram Sakal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of the	Orders of the Tribunal
Registry	
	<u>23.09.2021</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	All defects except Bench copy have been removed by the applicant.
	Let Original Application be registered.
	<u>O.A. No. 565 of 2021</u>
	The matter needs adjudication.
	Admit.
	Applicant to provide copy of Original Application to the Ld. Counsel for
	the respondents and also file a copy in the registry within a week.
	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.
	List the matter before Registrar on 06.12.2021 for exchange of
	pleadings.
	List the matter before Tribunal on 03.01.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

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

#### Shiv Kumar Joshi

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of	Orders of the Tribunal
the Registry	
Registry	
	23.09.2021
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Ton ble vice Authiral Abriay Ragnunati Raive, Member (A)
	On the case being taken up for hearing Shri Bhanu Pratap Singh
	Chauhan, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld.
	Counsel for the respondents are present.
	Affidavit of compliance has been filed by the respondents and the
	same is taken on record.
	The submission of Ld. Counsel for the applicant is that copy of
	affidavit of compliance given to him is not readable.
	The respondents are directed to supply readable copy of affidavit of
	compliance to the Ld. Counsel for the applicant within two days.
	It is also submitted by the Ld. Counsel for the respondents that P.P.O.
	is likely to be issued today itself.
	List on <b>29.11.2021</b> .
	In the meantime applicant may file objection against affidavit of
	compliance, if any.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### Ex. A. No. 24 of 2019 Inre : O.A. No. 266 of 2015

#### Ex. L/Nk. Hari Bahadur

Applicant

By Legal Practitioner for the Applicant Versus

#### Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri
	Ashish Agnihotri, Ld. Counsel for the respondents are present.
	Ld. Counsel for the applicant submitted that despite the order dated
	09.02.2021 directing respondents to issue Corrigendum P.P.O. including
	therein service element also, the said P.P.O. has not been issued by the
	respondents.
	In regard to above, the submission of Ld. Counsel for the respondents
	is that some more time be granted to make complete compliance of the order.
	The respondents have not assigned any valid reason why the order
	has not been complied with despite being specifically directed by this Tribunal.
	However, considering the facts and circumstances of the case, four weeks
	further time is granted to complete compliance of the order and to file affidavit
	of compliance on payment of Rs.10,000/- as cost to the applicant.
	It is also directed that in case order is not complied within the time
	given, the matter will be seriously viewed.
	List on <b>23.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

### Ex. A. No. 68 of 2019 Inre : Ex. A. No. 08 of 2018 Inre : O.A. No. 445 of 2012

#### Man Singh

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Applicant

Notes of the Registry	Orders of the Tribunal
	23.09.2021 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 and submitted that so far as the
	compliance of the order is concerned the same has been done by issuing P.P.O.
	We have gone through the P.P.O. filed along with affidavit of
	compliance and we find that it is not in terms of the order passed in Original
	Application.
	Respondents are, therefore, directed to issue a Corrigendum P.P.O.
	strictly in terms of order dated 08.03.2017 passed by this Tribunal in O.A.
	No.445 of 2012 within four weeks from today.
	It is also directed that if the Corrigendum P.P.O. is not issued within
	the time given the respondents shall not only pay Rs.10,000/- as cost to the
	applicant, but the matter shall also be seriously viewed.
	List on <b>29.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### Ex. A. No. 27 of 2020 Inre : O.A. No. 240 of 2014

### Ex. Sub. Dvr. (MT) Mahender Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>23.09.2021</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> 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 and submits that in compliance of
	order under execution P.P.O. has been issued.
	Respondents to bring the said P.P.O. on record within two weeks by
	way of affidavit.
	List on <b>11.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### M.A. No. 09 of 2019 Inre : O.A. No. (Nil) of 2019

Hav. (DSC) Chandra Pal Singh Chauhan (Retd.) By Legal Practitioner for the Applicant

Applicant

Versus

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

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	Orders of the Tribunal
the Registry	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Ton sie viee Admiral Abridy Raghanath Raive, meniser (A)
	On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld.
	Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the
	respondents are present.
	The Original Application has been filed with delay of 03 years, 05 months
	and 26 days.
	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 filed in support of
	application.
	Ld. Counsel for the respondents has opposed on the ground that
	explanation offered for condonation of delay is not satisfactory.
	We have gone through affidavit filed in support of application for
	condonation of delay and find that grounds stated therein are genuine and sufficient.
	As such, delay in filing application is condoned. Application stands decided
	accordingly.
	Let Original Application be registered.
	O.A. No. 566 of 2021
	In regards to compliance of the order the submission of Ld. Counsel for the
	applicant is that some time be given to file objection against it which is allowed.
	Let objection against compliance report be filed within two weeks.
	List on <b>11.11.2021.</b>
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### O.A. No. 31 of 2019

#### Smt. Sadrul Nisa

By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of	Orders of the Tribunal
the Registry	
	23.09.2021 Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Shri D.K. Pandey, Advocate and Shri Satyajeet Mukerjee, Advocate
	appears and file Vakalatnama on behalf of the applicant which is taken on
	record.
	On the case being taken up for hearing Dr. Shailendra Sharma Atal,
	Ld. Counsel for the respondent Nos. 1 to 3 and Shri D.K. Pandey and Ld.
	Counsel for the respondent Nos. 4 and 5 are present.
	Ld. Counsel for the respondent Nos. 4 and 5 submitted that in regard
	to prayer made in Original Application Rs.11,64,172/- has been credited in
	applicant's account on 15.02.2019 towards Liberalized Family Pension. He
	also submitted that applicant is also receiving Liberalized Family Pension since
	March, 2021.
	No affidavit of compliance has been filed by the respondent Nos. 4
	and 5. They are directed to file affidavit of compliance stating therein the aforesaid facts within two weeks.
	List on <b>11.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### O.A. No. 448 of 2020

Versus

#### **Ex. Sep. Anjani Kumar Tripathi** By Legal Practitioner for the Applicant

Applicant

Respondents

Union of India & Others

Notes of	Orders of the Tribunal
the	
Registry	
	23.09.2021
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Ton ble vice Aufiliar Abriay Ragnunatir Raive, Member (A)
	On the case being taken up for hearing Shri Vinay Pandey, Ld.
	Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the
	respondents are present.
	Ld. Counsel for the respondents submitted that certain paragraphs of
	the Counter Affidavit being not properly filled the Counter Affidavit be returned
	to the respondents with liberty to file afresh within two weeks.
	As prayed, let Counter Affidavit be returned to the Ld. Counsel for the
	respondents with direction to file afresh Counter Affidavit duly filled and verified
	within two weeks.
	List on <b>12.10.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

#### O.A. No. 602 of 2020

#### Smt. Maya Devi W/o Late Ex. Hav. Gayadin By Legal Practitioner for the Applicant

Applicant

Versus

#### Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>23.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present. Counter Affidavit filed by the respondents is taken on record. List on <b>21.10.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 603 of 2020

#### Sudhir Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	23.09.2021 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 Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 3 are present. Shri Shiv, Advocate appears on behalf of respondent No. 4 and files Vakalatnama which is taken on record. He prays for and is granted three weeks time to file Counter Affidavit. List on <b>02.12.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 712 of 2020

#### Ex. Sub. Maj. (Hony. Lt.) Sant Ram

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
Registry	
	23.09.2021 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 Rajiv Pandey, Ld. Counsel for the
	respondents are present.
	Ld. Counsel for the respondents submitted that two weeks further time
	be granted to file Counter Affidavit.
	As requested and, as a last chance, two weeks time is grated to file
	Counter Affidavit.
	Shri Parijaat Belaura, Ld. Counsel appearing on behalf of the
	applicant informed taht applicant has died.
	Steps for substitution be taken within six weeks.
	List on <b>18.01.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)
	AKD/-

#### O.A. No. 307 of 2021

#### Sep/MT Mukesh Kumar & Others

Applicants

By Legal Practitioner for the Applicants Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	23.09.2021 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 Prabhat Kumar Tripathi, Ld. Counsel for the applicants and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present. List on <b>29.09.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### Ex. A. No. 206 of 2017 Inre : O.A. (A) No. 314 of 2015

#### Shiv Ram Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	23.09.2021 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 Asheesh Agnihotri, Ld. Counsel for the respondents are present. As prayed by Shri Shailendra Kumar Singh, Ld. Counsel for the applicant a week further time is granted to file Supplementary Affidavit. List on <b>12.10.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 220 of 2016

#### Radhey Shyam

By Legal Practitioner for the Applicant

Versus

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>23.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> 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 Ashish Kumar Singh, Ld. Counsel for the
	respondents are present. On the request of Shri Ashish Kumar Singh, Ld. Counsel appearing
	behalf of respondents three weeks further time is granted to seek instructions. List on <b>12.11.2021</b> .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 97 of 2018

#### Peskar

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Applicant

Notes of the Registry	Orders of the Tribunal
	23.09.2021 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 Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1, 2 and 4 and Shri D.C. Lohumi, Ld. Counsel for the respondent No. 3 are present. Counter Affidavit filed by respondent No. 3 is taken on record. During the course of hearing, Ld. Counsel for the applicant submitted that grievance raised in Original Application has been redressed by the respondents and in compliance thereof arrears have also been credited in applicant's account. Thus, he submitted that Original Application may be dismissed being infructuous. Accordingly, Original Application is <b>dismissed</b> being infructuous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

#### O.A. No. 490 of 2018

### Ex Rect Kamlesh Rawat

Applicant

By Legal Practitioner for the Applicant

Versus

### Union of India & Others

Union of I	ndia & Others Respondents	
	By Legal Practitioner for Respondents	
	Orders of the Tribunal	
the		
Registry		
	<u>23.09.2021</u>	
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u>	
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)	
	Heard Shri Lalit kumar, learned counsel for the applicant and Dr.	
	Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj	
	Tarun, Departmental Representative for the respondents.	
	Arguments concluded	
	Judgment reserved.	
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) rathore	

#### O.A. No. 585 of 2018

#### Ex Dfr Jaswant Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of I	ndia & Others Respondents
By Legal F	Practitioner for Respondents
	Orders of the Tribunal
the	
Registry	
	23.09.2021
	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 VP pandey, learned
	counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for
	the respondents are present.
	Pleadings are complete and the case is ripe for hearing.
	List on <b>09.12.2021</b> for hearing.
	On the date fixed, learned 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)
	rathore

### O.A. No. 12 of 2019

#### Satay Ram

Applicant

By Legal Practitioner for the Applicant

Versus

### Union of India & Others

Union of India & Others		Respondents
By Legal F	Practitioner for Respondents	
Notes of	Orders of the Tribunal	
the		
Registry		
	22.00.2024	
	<u>23.09.2021</u>	
	Hon'ble Mr. Justice Umesh Chandra Srivast	
	Hon'ble Vice Admiral Abhay Raghunath Kar	<u>rve, Member (A)</u>
	On the case being taken up for hea	aring Mrs. Anju Singh, learned
	counsel for the respondents is present.	
	The case was called out. None appears	s on behalf of the applicant nor is
	there any mention to pass over the case.	
	The O.A. is dismissed in default.	
	Member (A)	Umesh Chandra Srivastava) Member (J)
	rathore	

### O.A. No. 46 of 2019

### Smt Shiv Kumari Pandey

Union of India & Others

Applicant

By Legal Practitioner for the Applicant

Versus

Bv Legal F	Practitioner for Respondents
	Orders of the Tribunal
the	
Registry	
	22.00.2021
	<u>23.09.2021</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	<u> </u>
	Heard arguments of Shri V P Pandey, learned counsel for the applicant
	and Shri Ashish Kumar Singh, learned counsel for the respondents.
	During the course of hearing learned counsel for the applicant submitted
	that since the claim for grant of family pension has not yet been denied by the
	respondents, applicant may be permitted to withdraw the O.A. with liberty to
	approach the appropriate forum.
	Considering the request, applicant is permitted to withdraw the O.A. with
	liberty to approach the appropriate forum.
	With the above, O.A. stands disposed off.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

#### M.A. No. 553 of 2021 Inre O.A. No. 357 of 2019

Union of India & Ors By Legal Practitioner for the Applicant-respondents Applicant-respondents

	Versus
Ex Sub AB	EC Hirdai Narain Kushwaha Respondent-applicant
	Practitioner for Respondent-applicant
	Orders of the Tribunal
the	
Registry	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Dr. Gyan Singh, learned counsel for the applicant-
	respondents(Union of India & Others).
	<u>M.A. No. 553 of 2021</u>
	By means of this application, applicant-respondents had requested for
	extension of time for making compliance of the order dated 17.03.2021.
	Dr. Gyan Singh, learned counsel for the applicant-respondents further
	submits that since execution application has been filed in this case, therefore,
	this application has rendered infructuous.
	In view of the above, M.A. No. 553 of 2021 is dismissed being
	infructuous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

Court No.1

### O.A. No. 397 of 2019

### Sep Sonu Singh

Applicant

By Legal Practitioner for the	Applicant

Versus

	Versus
Union of I	ndia & Ors Respondents
By Legal F	Practitioner for Respondents
Notes of	Orders of the Tribunal
the	
Registry	
0,	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Amit Kumar Singh, learned counsel for the applicant and Shri
	Amit Jaiswal, learned counsel for the respondents.
	Arguments concluded.
	Judgment reserved.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

#### O.A. No. 531 of 2019 with M.A No. 815 of 2019

Smt Samila Devi W/o Ex Nk (TS) Tej Bahdur singh

Applicant

By Legal Practitioner for the Applicant

Union of India & Others

Versus

Notes of	Practitioner for Respondents Orders of the Tribunal
the Registry	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri R Chandra, learned counsel for the applicant and Shr
	Anurag Mishra, learned counsel for the respondent No. 1 and 2 and Shri DC
	Lohumi, learned counsel for respondent No. 3 and 4.
	Shri DC Lohumi, learned counsel for respondent No. 3 and 4 submits
	that grievances raised in O.A. have been redressed and in compliance thereof
	applicant has been allowed family pension w.e.f. 23.02.2012 i.e. the date nex
	to the date of lodging of FIR and arrears amounting to Rs 2,53,572/- have also
	been credited in applicant's account. He also submits that alongwith affidavit o
	compliance, calculation sheet has been annexed showing details of arrears.
	We have gone through the affidavit of compliance and calculation shee
	attached to it and we find that applicant has been paid arrears of family
	pension w.e.f. 23.02.2012, and she is also receiving family pension regularly.
	Shri R Chandra, learned counsel for the applicant admits the credit ir
	applicant's account. However his submission is that the calculation sheet filed
	alongwith affidavit is not of the applicant.
	Considering that grievance raised in O.A. has been addressed and
	besides applicant being paid family pension regularly the arrears have also
	been credited, O.A. has rendered infructuous.
	Accordingly, O.A. is dismissed being infructuous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)
	rathore

#### O.A. No. 157 of 2020 alongwith O.A. No. 289 of 2018

Applicant

Respondents

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

Versus

Union of India & Others

By Legal F	Practitioner for Respondents
Notes of	Orders of the Tribunal
the	
Registry	
	<u>23.09.2021</u>
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	On the same being taken up for bearing Chridelit Kurner and Dr. Ashieb
	On the case being taken up for hearing Shri Lalit Kumar and Dr. Ashish
	Asthana, learned counsel for the applicant and Shri Sunil Sharma and SP
	Sherawat, learned counsel for the respondents are present.
	List on <b>24.09.2021</b> for hearing as first case.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

#### Court No.1

#### O.A. No. 185 of 2020

Ex Sub Maj (Hony Lt) Mahinder Singh Applicant By Legal Practitioner for the Applicant Versus **Union of India & Others** Respondents By Legal Practitioner for Respondents Notes of Orders of the Tribunal the Registry 23.09.2021 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 Shiv Shiv Kumar Saroj, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents are present. List on 28.12.2021 for hearing. (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) rathore

Court No.1

#### O.A. No. 763 of 2020

#### Ex L Nk Raj Karan

By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

, ,	
Notes of	Orders of the Tribunal
the	
Registry	
	<u>23.09.2021</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u>
	<u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Vijay Kumar Pandey,
	learned counsel for the applicant and Shri Jai Narayan Mishra, learned
	counsel for the respondents are present.
	List on <b>09.12.2021</b> for hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

### O.A. No. 35 of 2021

#### Ram Pal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of I	ndia & Others Respondents
By Legal F	Practitioner for Respondents
	Orders of the Tribunal
the	
Registry	
	23.09.2021
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of appearance filed by Shri Vivek Kumar, Advocate on behalf of
	the applicant is taken on record. His name shall be shown as learned counsel
	for the applicant in the cause list.
	On the case being taken up for hearing Shri Vivek Kumar, learned
	counsel for the applicant and Shri Namit Sharma, learned counsel for the
	respondents are present.
	List on 28.12.2021 for final hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

#### O.A. No. 127 of 2021

#### Ex Sub Hari Singh

Union of India & Others

Applicant

By Legal Practitioner for the Applicant

Versus

counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.			
the Registry         23.09.2021 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 , learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on 09.12.2021 for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.	By Legal F		
Registry         23.09.2021 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 , learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on 09.12.2021 for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.	Notes of	Orders of the Tribunal	
23.09.2021         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 , learned         counsel for the applicant and Shri RKS Chauhan, learned counsel for the         respondents are present.         Rejoinder affidavit filed by learned counsel for the applicant is taken on         record.         List on 09.12.2021 for hearing.         On the date fixed, learned counsel for the respondents shall file original         documents pertaining to the case for perusal of the Bench.	the		
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 , learned         counsel for the applicant and Shri         RKS Chauhan, learned counsel for the         respondents are present.         Rejoinder affidavit filed by learned counsel for the applicant is taken on         record.         List on 09.12.2021 for hearing.         On the date fixed, learned counsel for the respondents shall file original         documents pertaining to the case for perusal of the Bench.	Registry		
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 , learned         counsel for the applicant and Shri RKS Chauhan, learned counsel for the         respondents are present.         Rejoinder affidavit filed by learned counsel for the applicant is taken on         record.         List on 09.12.2021 for hearing.         On the date fixed, learned counsel for the respondents shall file original         documents pertaining to the case for perusal of the Bench.			
Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)         On the case being taken up for hearing Shri Parijaat Belaura , learned         counsel for the applicant and Shri RKS Chauhan, learned counsel for the         respondents are present.         Rejoinder affidavit filed by learned counsel for the applicant is taken on         record.         List on 09.12.2021 for hearing.         On the date fixed, learned counsel for the respondents shall file original         documents pertaining to the case for perusal of the Bench.			
On the case being taken up for hearing Shri Parijaat Belaura , learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.			
counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)	
respondents are present. Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		On the case being taken up for hearing Shri Parijaat Belaura, learned	
Rejoinder affidavit filed by learned counsel for the applicant is taken on record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		counsel for the applicant and Shri RKS Chauhan, learned counsel for the	
record. List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		respondents are present.	
List on <b>09.12.2021</b> for hearing. On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		Rejoinder affidavit filed by learned counsel for the applicant is taken on	
On the date fixed, learned counsel for the respondents shall file original documents pertaining to the case for perusal of the Bench.		record.	
documents pertaining to the case for perusal of the Bench.		List on <b>09.12.2021</b> for hearing.	
		On the date fixed, learned counsel for the respondents shall file original	
(Vice Admirel Abbey Berghungth Kerve) (Justice Umach Chandre Srivestave)		documents pertaining to the case for perusal of the Bench.	
(Vice Admirel Abbey Berghungth Kerve) (Justice Umach Chandre Srivestave)			
Member (A) Member (J) rathore			

#### T.A. No.775 of 2010

#### **RN Pandey**

By Legal Practitioner for the Petitioner

Petitioner

Respondents

Versus

Notes of	Orders of the Tribunal
the	
Registry	
	00.00.0004
	23.09.2021 Han'hia Mr. Justica Umach Chandra Srivestava Member ( I)
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Ton ble vice Admiral Abriay Ragnunatii Raive, Member (A)
	On the case being taken up for hearing Shri VP Pandey and Shri Ram
	Chandra, learned counsel for the petitioner and Shri D.K. Pandey, learned
	counsel for the respondents are present.
	List on <b>10.12.2021</b> for hearing.
	On the date fixed, learned counsel for the respondents shall file original
	documents pertaining to the case for perusal of the Bench.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	rathore

#### T.A. No. 40 of 2017

#### Lakhan Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Respondents

Notes of the Registry	Orders of the Tribunal		
	<u>23.09.2021</u> 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 RC Pandey, learned		
	counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for		
	the respondents are present.		
	List on <b>08.12.2021</b> for hearing.		
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)		
	rathore		

#### O.A. No. 427 of 2017

### Prem Kumar Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of I	ndia 9 Othera	Deenendente	
Union of India & Others		Respondents	
	Practitioner for Respondents		
Notes of	Orders of the Tribunal		
the			
Registry			
	<u>23.09.2021</u>		
	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 Sharad Kumar Shukla and		
	Shri Vinay Pandey, learned counsel for the applicant and Shri Rajiv Pandey,		
	learned counsel for the respondents are present.		
	List on 24.09.2021 for physical hearing.		
	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)	
	rathore		