

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

O.A. No. 200 of 2021

Ex. WO Dinesh Chand Sharma
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>27.09.2021</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Shri Shaym Singh, Ld. Counsel for the respondents are present.</p> <p>Original Application is allowed.</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>(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. 149 of 2021

Ex. Sgt. Amar 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>27.09.2021</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 Rahul Pandey and Shri Rang Nath Pandey, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents are present.</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) (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. 114 of 2021

Ex. Rect. Chhotu 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>27.09.2021</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 K.K. Misra, Ld. Counsel for the applicant and Dr.Chet Narayan Singh, Ld. Counsel for the respondents are present.</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. 564 of 2021 with M.A. No. 592 of 2021

Ex. Sep./Chef (C) Manoj Kumar Prajapati
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>27.09.2021</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>Ms. Preeti Mala, Advocate appearing on behalf of the respondents submits that she will file Memo of Appearance in the registry today during the course of the day.</p> <p>Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents.</p> <p>The matter pertains to disability pension and there is a delay of 07 years and 05 days regarding which an application for condonation of delay supported with affidavit has been moved.</p> <p>It is submitted by the Ld. Counsel for the applicant that law of limitation is not applicable in pensionary matter. It is further submitted that delay in filing Original Application is not deliberate, but for the reasons stated in delay condonation application.</p> <p>Ld. Counsel appearing on behalf of the respondents while conceding the settled preposition of law regarding non-application of law of limitation in pensionary matter submitted that delay has not been satisfactorily explained.</p> <p>Having heard submission of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that cause shown for condonation of delay is sufficient. Accordingly, delay is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 564 of 2021</u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents submitted that copy of Annexure A-1 of Original Application supplied to her is not clear.</p> <p>Applicant is directed to supply visible copy of Annexure A-1 of Original Application to the Ld. Counsel for the respondents within three days.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on 22.11.2021 for exchange of pleadings.</p> <p>List the matter before Tribunal on 18.01.2022.</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. 567 of 2021 with M.A. No. 612 of 2021

Ex. Maj. Taj Mohd. Sheikh
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>27.09.2021</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 Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing Shri K.K. Misra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits to list the matter after two days as he has to seek instruction in the matter.</p> <p style="text-align: center;">List on 01.10.2021.</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. 568 of 2021 with M.A. No. 613 of 2021

Ex. Sub. (Hony. Lt.) Jawahar Lal 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>27.09.2021</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 Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record.</p> <p>Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On going through the relief claimed in Original Application it appears that one of the grievances raised in the Original Application is against Defence Pension Disbursing Officer, Gorakhpur who has not been made a party in the Original Application.</p> <p>Applicant is, therefore, directed to implead Defence Pension Disbursement Officer, Gorakhpur as party in the Original Application.</p> <p>Steps be taken within a week.</p> <p>List on 27.10.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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

O.A. No. 569 of 2021 with M.A. No. 614 of 2021

Ex. Sub. (Nur. Tech.) Murali N. 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>27.09.2021</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 Manu Kumar Srivastava, 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.</p> <p>Heard Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that in similarly situated matter the relief claimed in Original Application has been allowed by this Bench as well as other Benches of Armed Forces Tribunal. He further submitted that he has filed copies of orders of various Tribunals passed in this regard along with Original Application.</p> <p>In regard to above, the submission of Ld. Counsel for the respondents that some time be given to him to go through the orders filed along with Original Application and to seek instructions.</p> <p>Let instructions be sought within two weeks.</p> <p>List on 02.12.2021.</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

M.A. No. 609 of 2021 Inre : Ex. A. No. 201 of 2016 Inre : T.A. No. 111 of 2012

Vineeta Kohli
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>27.09.2021</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 Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Ram Kumar Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 609 of 2021</u></p> <p style="text-align: center;">This is an application for recall of order dated 01.09.2021 passed by this Tribunal by which Execution Application No. 201 of 2016 has been dismissed in default.</p> <p style="text-align: center;">We have gone through the facts averred in affidavit filed in support of recall application and find that cause shown for the recall is sufficient.</p> <p style="text-align: center;">Accordingly, recall application is allowed and Execution Application is restored to its number.</p> <p><u>Ex. A. No. 201 of 2016</u></p> <p style="text-align: center;">On going through the Execution Application it is clear that all legal heirs of deceased applicant have not been substituted in the Execution Application. A direction is, therefore, issued to bring all legal heirs of deceased applicant on record by way of substitution.</p> <p style="text-align: center;">Let this proceedings be done within two weeks.</p> <p style="text-align: center;">List on 03.12.2021.</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

Diary No. 1747 of 2021
Along with
Diary No. 2145 of 2021

Ex. Sgt. Vikram Prasad
In Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>27.09.2021</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 no one appears on behalf of the applicant nor the defects have been removed.</p> <p style="text-align: center;">Shri D.K. Pandey, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Applicant to remove defects within two weeks failing which application shall stands dismissed for non-prosecution.</p> <p style="text-align: center;">List on 06.12.2021.</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

Diary No. 2145 of 2021
Along with
Diary No. 1747 of 2021

Ex. Sgt. Vikram Prasad
In Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>27.09.2021</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 no one appears on behalf of the applicant nor the defects have been removed.</p> <p style="text-align: center;">Shri D.K. Pandey, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Applicant to remove defects within two weeks failing which application shall stands dismissed for non-prosecution.</p> <p style="text-align: center;">List on 06.12.2021.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex. A. No. 80 of 2018 Inre : R.A. No. 17 of 2011 Inre : T.A. No. 288 of 2010

Smt. Darko Devi W/o Late Ex. Hav. Chhote Lal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>27.09.2021</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 R. Chandra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that four weeks further time be granted to comply with the order under execution and to file affidavit of compliance which is allowed and it is directed that if the order is not complied with within the time given respondents shall pay Rs.10,000/- as cost to the applicant.</p> <p style="text-align: center;">List on 25.11.2021.</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**

Ex. A. No. 2 of 2020 Inre : O.A. No. 269 of 2015

Ex. Nb. Sub. Radhey Shyam Sharma
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>27.09.2021</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, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Shri R. Chandra, holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant the hearing of the case is adjourned today.</p> <p>List on 25.11.2021.</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. 311 of 2020

Smt. Prabhawati Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>27.09.2021</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 Dr. Chet Narayan Singh, Ld. Counsel for the respondent Nos. 1 to 3 And Shri Gaurav Gunjan, Ld. Counsel for the respondent Nos. 4 and 5 are present.</p> <p>Ld. Counsel for the respondent Nos. 4 and 5 submitted that grievance raised in Original Application has been redressed by the answering respondents before the filing of Original Application.</p> <p>We have gone through the facts averred in paragraphs 8, 9 and 10 of affidavit filed by respondent Nos. 4 and 5 and we find that respondents have stated in these paragraphs that Family Pension inadvertently disbursed to the applicant in lieu of Liberalized Family Pension was immediately rectified after the mistake being discovered and difference of Family Pension and Liberalized Family Pension Rs.24,38,506/- credited in applicant's account. It is, however, no-where mentioned in the affidavit of compliance that interest has also been paid on the delayed payment.</p> <p>Respondent Nos. 4 and 5 are, therefore, directed to pay interest on delayed payment within four weeks from today and to file a fresh affidavit of compliance.</p> <p>List on 06.12.2021.</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. 370 of 2020

Ex. Nk. Khushal 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>27.09.2021</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 Lohitaksha Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the applicant two weeks further time is granted to file amendment application.</p> <p>List on 25.11.2021.</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. 477 of 2020

Ex. Hav. (Hony. Nb. Sub.) Surendra 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>27.09.2021</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the applicant a week further time is granted to file objection against affidavit of compliance.</p> <p>List on 01.11.2021.</p> <p>(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. 335 of 2021

Smt. Prem Lata Singh W/o Late Ex. Sep. Surendra 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 |
|-----------------------|--|
| | <p><u>27.09.2021</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents along with Major Sini Thomas, AFT Legal Cell are present.</p> <p>It is submitted by Major Sini Thomas, AFT Legal Cell that para-wise comments in this matter have been received. It is further submitted that further be granted to file Counter Affidavit.</p> <p>Let Counter Affidavit be filed within three weeks.</p> <p>Thereafter, applicant shall have two weeks time to file Rejoinder Affidavit.</p> <p>List on 16.12.2021.</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. 336 of 2021

Brig. Harish Chandra Joshi, VSM (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 |
|-----------------------|--|
| | <p><u>27.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri Asheesh Agnihotri, Ld. Counsel appearing on behalf of respondents submits that para-wise comments are still awaited, therefore, three weeks further time be granted to file Counter Affidavit which is allowed.</p> <p style="text-align: center;">List on 29.12.2021.</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. 338 of 2021

Ex. Sgt. Jayant 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>27.09.2021</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, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>On the request of Ms. Deepti Prasad Bajpai, Ld. Counsel appearing on behalf of respondents three weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 02.12.2021.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(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. 385 of 2021

Ex. L/Nk. Clk. (IM) Amit 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>27.09.2021</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 Shri Devesh Kumar, Ld. Counsel for the respondents along with Major Sini Thomas, Departmental Representative of respondents are present.</p> <p>Ld. Counsel for the respondents submits that Statutory Petition preferred by the applicant has already been disposed of on 24.12.2020. He further submits that three weeks further time be granted to file Counter Affidavit which is allowed.</p> <p style="text-align: center;">List on 03.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 213 of 2021

Ex Nk (TS) Samar Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Shri Rajeev Tiwari, Account Officer, PCDA (P) Allahabad is also present and he submits that PPO in the matter has been issued in Sep. 2020. He also submits that difference of amount has also been credited in applicant's account, however, neither pension has been revised nor arrears have been credited.</p> <p>He further submits to grant a month time to enable him to take up the matter with Pension Disbursing Agency (PDA) and to get PPO fully complied with.</p> <p>In view of above, list the matter on 12.11.2021.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Kunwar Bahadur Singh, Shri Umesh Singh and Shri Yashpal Singh, Ld. Counsel for the applicant and Ms Deepti P Bajpai and Shri DC Lohumi, Ld. Counsel for the respondents are present.</p> <p>It is submitted by Shri Yashpal Singh, learned counsel for the applicant that service pension was granted to the applicant for the months of Nov. 2005, Dec. 2005, Jan. & Feb. 2006.</p> <p>He further submitted that thereafter service pension of the applicant was stopped due to applicant being involved in a criminal case. It is further submitted that applicant has been convicted in the said criminal case against which he has filed a Criminal Appeal in the Hon'ble High Court in which he has been released on bail.</p> <p>Applicant to bring the aforesaid facts on record by way of supplementary affidavit to be filed within two weeks.</p> <p>List on 26.11.2021.</p> <p>(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

O.A.No.10 of 2018 with M.A. No. 562 of 2021
& M.A. 563 of 2021

YPS Chauhan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</p> <p>Heard Shri R Chandra, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>In view of facts stated in affidavit filed in support of application for setting aside abatement, the abatement is set aside and substitution application is allowed.</p> <p>Let amendment be incorporated within a week and copy of amended OA be also supplied to learned counsel for the respondents.</p> <p>List on 12.11.2021.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A.No.114 of 2018

Uday Narayan Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Col. AK Srivastava (Rtd), Shri Dharam Raj Singh and Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant and Shri Asish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>List on 27.12.2021 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>(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

O.A.No.487 of 2018

Col Rajendra Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</p> <p>On the case being taken up for hearing Col HM Maheshwari (Retd), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>List on 28.12.2021 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>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A.No.548 of 2018

Ex Rect Ram Bharat Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Col. Y.R Sharma (Retd), Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>List on 29.12.2021 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>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A.No.556 of 2018

Shyam Singh Gurjar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</p> <p>On the case being taken up for hearing Shri Pradeep Dwivedi, Shri R. Chandra and Shri K.C. Ghildiyal, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>List on 30.12.2021 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>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A.No.89 of 2019

Narayan Bahadur Khattri Chhetri
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Girish Tiwari and Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, 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) (Justice Umesh Chandra Srivastava)</p> <p style="text-align: center;">Member (A) Member</p> <p>(J) SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A.No.321 of 2019

Nb Sub (MP) Visarjan Singh Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 KP Datta, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri K.P. Datta, learned counsel for the applicant submits that Shri Om Prakash Kushwaha who is dealing with the case is still admitted in hospital and prayed for adjournment of the case.</p> <p style="text-align: center;">As prayed, list on 07.12.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</p> <p style="text-align: center;">Member (A) Member</p> <p>(J) SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
O.A.No.135 of 2020
Court No.1

Suneel Kumar S/O Late Ex NC (E) Mewa Lal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Ms. Ruby Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Judgment is reserved.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A.No.616 of 2020

Ex Gdsm Deepak Srivastava
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 respondents is present.</p> <p style="text-align: center;">We have been informed that Col Y.R. Sharma (Retd), learned counsel for the applicant is still not well.</p> <p style="text-align: center;">List on 10.01.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</p> <p style="text-align: center;">Member (A) Member</p> <p>(J) SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A.No146 of 2021

Sep Satya Prakash Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</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 Yogesh Kesarwani, Ld. Counsel for the respondents is present.</p> <p>Shri Abhishek Dwivedi, Advocate appeared on behalf of the applicant and filed his Vakalatnama alongwith No Objection Certificate. He also filed rejoinder affidavit which is taken on record.</p> <p>List on 11.10.2021 for hearing.</p> <p>(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

O.A. (A) No.667 of 2020

Smt Firoz Bano wife of Mohd Yunus Khan (Deceased)
By Legal Practitioner for the Appellant

Appellant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the appellant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>List on 04.01.2022 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>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A.No.35 of 2013

Hira Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>27.09.2021</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Virat Anand Singh, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Arguments concluded.</p> <p>Judgment is reserved.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member</p> <p>(J) SB</p> |