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

M.A. No. 731 of 2021 Inre : O.A. No. 125 of 2020

Ex. Sep. Amit Kumar through his wife Smt. Pinki Devi Applicant
By Legal Practitioner for the Applicants

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. Heard Shri Bachchan Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents. Applicant has filed this application seeking correction in date of pronouncement of Judgment delivered in Original Application No. 125 of 2020, Ex. Sep. Amit Kumar Versus Union of India & Others. Arguments in Original Application were heard on 16.09.2021 and being convinced with submissions made by the Ld. Counsel for the applicant and admitted by the respondents that applicant was paid only 50% pay and allowances for the period 11.07.2015 (date of surrender) to 28.02.2019 (notionally date of discharge), the Original Application was partly allowed with direction that detailed Judgment will be passed on separate sheets after getting information from the respondents in writing regarding payment of pay and allowances. Required informations were received on 22.09.2021 from the AFT Legal cell, Lucknow, thereafter, the Judgment on separate sheets was pronounced in which the date of pronouncement of judgment was mentioned of 16 September, 2016 instead of actual date. In fact the detailed judgment on separate sheets has been pronounced on 22 September, 2021 after the receipt of letter and date of 16 September, 2021 has been wrongly mentioned in the Judgment as date of pronouncement due to inadvertence, detailed judgment may be treated to be pronounced on '**22 September, 2021'** in place of 16 September, 2021. Correction application stands **disposed off** accordingly. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 754 of 2019 with M.A. No. 489 of 2021 Inre : O.A. No. (Nil) of 2019

Sep. Navghare Sudhakar Vishvas 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Being aggrieved with order dated 18.02.2019 of respondent No.3 passed under Section 20 of Indian Army Act, 1950 read with Rule 17 of the Army Rules, 1954, by which applicant has been dismissed from service due to being convicted and sentenced with life imprisonment for an offence punishable under Section 302 of Indian Penal Code, applicant has filed this Original Application for issuing direction to the respondents to reinstate him in service after setting aside the order of dismissal. Facts relevant for deciding the controversy involved in Original Application are that applicant was enrolled in the Indian Army on 13.03.2008 and after successfully completing the training was posted at Maratha Light Infantry, Unit – II, Belgaum, Karnataka. In the year 2014 applicant was involved in a Criminal Case for an offence punishable under Section 302 of Indian Penal Code in which his arrest was made and later he was released on bail in the said case under the order dated 16.09.2014 of District Sessions Judge, Washim, Maharashtra. He was later convicted in the said case after trial and sentenced with life imprisonment against which he has filed a Criminal Appeal in Nagpur

	Bench of Hon'ble Bombay High Court wherein under order dated 24.06.2019 he has been enlarged on bail during pendency of Appeal. After being convicted in the aforesaid case applicant was dismissed from service by the respondent No. 3 by order dated 18.02.2019 passed under Section 20 of the Indian Army Act, 1950 read with Rule 17 of the Army Rules, 1954 with effect from 21.12.2018. Aggrieved by the same, the present Original Application has been filed. There being a delay of one day in filing of Original Application an application for condonation of delay being Misc. Application No. 754 of 2019 has also been filed and it is prayed therein that delay be condoned. One more Misc. Application being Misc. Application No. 489 of 2021 has been filed by the applicant seeking amendment in prayer clause of the Original Application to the effect that respondents be directed to decide the Statutory Complaint dated 01.02.2021 preferred by the applicant within a period of two months as applicant is facing great financial hardship after being dismissed from service. Two legal objections have been raised by the Ld. Counsel for the respondents regarding maintainability of the Original Application. Their first objection is that applicant being not the resident of a place within the territorial jurisdiction of this Bench nor cause of action, wholly or partly, being arisen within the territory over which this Bench exercises jurisdiction, this Bench lacks territorial jurisdiction to entertain and decide the Original Application. The other legal objection respondents have taken is that an application under Section 14 of the Armed Forces Tribunal Act, 2007 may be filed after availing all remedies available under the Indian Army Act, 1950, and the same being not done in the present case as applicant filed the Original Application without preferring Statutory Appeal as provided under Section 26 of the Indian Army Act, 1950, the same is not maintainable under Section 21(1) of the Armed Forces Tribunal Act, 2007.

It is submitted by the Ld. Counsel for the respondents that Original Application being not maintainable due to lack of jurisdiction and for not availing remedies available under the Indian Army Act, 1950, this Bench can neither condone the delay in filing of Original Application nor permit amendments. He submitted that this could be permissible only when Bench has jurisdiction over the matter.

In reply, Ld. Counsel for the applicant submitted that Unit in which applicant was posted was located in District Shahjahanpur in Uttar Pradesh when impugned order was passed by the respondent No. 3 and, therefore, part of cause of action being arisen within the territory of Uttar Pradesh this Bench has territorial jurisdiction to entertain and hear the Original Application.

Regarding other legal objection, Ld. Counsel for the applicant submitted that after coming to know about legal bar in filing Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 without availing the remedy of Statutory Appeal as provided under Section 26 of the Indian Army Act , 1950, applicant has not only preferred a Statutory Complaint dated 01.02.2021, but he has also sought amendment in prayer clause of the Original Application in this regard, therefore, this objection is also not tenable.

Rule 6 of the Armed Forces Tribunal (Procedure) Rules, 2008 deals with place of filing application and it reads as under :-

> *"6. **Place of filing application**. – (1) An application shall ordinarily be filed by the applicant with the Registrar of the Bench within whose jurisdiction –*
>
> *(i) the applicant is posted for the time being, or was last posted or attached; or*
>
> *(ii) where the cause of action, wholly or in part, has arisen:*
>
> *Provided that with the leave of the Chairperson the application may be filed with the Registrar of the Principal Bench and subject to the orders under section 14 or section 15 of the Act, such application shallbe heard and disposed of by the Bench which has jurisdiction over the matter.*

(2) Notwithstanding, anything contained in sub-rule (1), a person who has ceased to be in service by reason of his retirement, dismissal discharge, cashiering, release, removal, resignation or termination of service may, at his option, file an application with the Registrar of the Bench within whose jurisdiction such person is ordinarily residing at the time of filing of the application."

On reading above, it appears that an application under Armed Forces Tribunal Act, 2007 may be filed with the Registrar of the Bench within whose jurisdiction (i) the applicant is posted for the time being or was last posted or attached; or (ii) where the cause of action, wholly or in part, has arisen.

It also appears that despite the above, an application may be filed with the Registrar of Principal Bench and subject to the orders under Section 14 or Section 15 of the Armed Forces Tribunal Act, 2007, such application shall be heard and disposed of by the Bench which has jurisdiction over the matter with the leave of the Chairperson only.

It also appears that notwithstanding contained in sub-rule (1), if a person has been ceased to be in service by reason of his retirement, dismissal, discharge, cashiering, release, removal, resignation or termination of service may, at his option, file an application with the Registrar of the Bench within whose jurisdiction he is ordinarily residing at the time of filing of the application.

In view of above rule position, if we examine the case of the applicant, we will find that applicant could have filed application with the Registrar of the Bench within whose jurisdiction he was posted, when the impugned order was passed, or was last posted or attached or where the cause of action wholly or in part arisen and, as he has been dismissed from service, with the Registrar of the Bench within whose jurisdiction he was ordinarily residing at the time of filing of the application.

It is nowhere stated in Rule 6 of the Armed Forces Tribunal (Procedure) Rules, 2008 that application may be filed with the Registrar

of the Bench within whose jurisdiction the Unit of the applicant, which passed the order, was located when the order was passed. This makes it clear that Original Application filed in this Bench is not maintainable as applicant was never posted nor attached within territorial jurisdiction of this Bench, when impugned order was passed. Applicant was not residing within territorial jurisdiction of this Bench, after being dismissed from service, when he filed the application. Thus, it is held that this Tribunal lacks jurisdiction to entertain and hear the application which the applicant has filed for the redressal of his grievance.

As regards other objection, it is not in dispute that after the filing of this Original Application, applicant has preferred a Statutory Complaint dated 01.02.2021 and the said complaint is pending decision. Applicant is aggrieved with the order of dismissal passed against him wherefore he wants to challenge the order which may be possible when Statutory Complaint preferred by him is decided or six months has expired from the date Statutory Complaint was presented.

In the circumstances stated above, since this Tribunal lacks jurisdiction to entertain and hear the case, the Original Application is dismissed being not maintainable. However, considering that six months period has already expired from the date Statutory Complaint was preferred, applicant may file Original Application against the order of dismissal with the Registrar of concerned Bench, if he so wishes.

With the above, Original Application along with Misc. Applications (Misc. Application No. 754 of 2019 and Misc. Application No. 489 of 2021) stands **disposed off**.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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

M.A. No. 736 of 2021 with M.A. No. 737 of 2021 Inre : O.A. No. 576 of 2018

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

Versus

Ex. Sub. Akhilesh Kumar Tripathi Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Yogesh Kesarwani, Ld. Counsel for the applicants – Union of India & Others. As per office note, there is no delay in filing Leave to Appeal, however, an application for condonation of delay has been moved which being not required is **dismissed**. 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 also **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 738 of 2021 with M.A. No. 739 of 2021 Inre : O.A. No. 436 of 2020

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

Versus

Ex. Sep. Hanumant Singh Sengar Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Yogesh Kesarwani, Ld. Counsel for the applicants – Union of India & Others. As per office note, there is no delay in filing Leave to Appeal, however, an application for condonation of delay has been moved which being not required is **dismissed**. 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 also **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 60 of 2018 Inre : O.A. No. 262 of 2012

Mahesh 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Affidavit of compliance filed by the respondents is taken on record. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. It is submitted by the Ld. Counsel for the respondents that order under execution has been fully complied with to which Ld. Counsel for the applicant has no objection. Accordingly, Execution Application is **dismissed** being infructuous. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 416 of 2020

Ex. Lance Nk. Ram Kumar Sharma 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vijay Kumar Pandey and Shri Girsih Tiwari, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents and, as a last chance, three weeks time is granted to file Counter Affidavit. It is clarified that if Counter Affidavit is not filed within the given time, the opportunity of filing the same shall stand closed without any reference. List on **16.12.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 637 of 2020

MWO (HFO) Surya Bhan Singh (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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Shailendra Kumar Singh and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 654 of 2020

Sub. Maj. (Hony. Lt.) Sant Ram 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
	28.10.2021 **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 Yogesh Kesarwani, Ld. Counsel for the respondents are present. It is submitted by the Ld. Counsel for the applicant that Original Application may be dismissed as he has no instruction from his client for more than six months. In view of the aforesaid submission, the Original Application is **dismissed.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 744 of 2020

Ex,. Nb. Sub. (MACP) Kalpnath 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
	28.10.2021 **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 Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Rejoinder Affidavit filed by the applicant is taken on record. It is submitted by the Ld. Counsel for the respondents that he has just received a copy of Rejoinder Affidavit. List on **14.01.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 94 of 2021

Ex. Hav. Amrit Nath Pal 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 97 of 2021

Ex. Sub. Rajveer 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 98 of 2021

Cpl. Sudhir Kumar Tripathi (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
	28.10.2021 **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 and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. On the request of Shri Asheesh Agnihotri, Ld. Counsel appearing on behalf of the respondents, two weeks further time is granted to file Counter Affidavit. List on **17.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 104 of 2021

Ex. Sub. Manoj 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Surendra Singh, Ld. Counsel for the applicant and 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. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 112 of 2021

Ex. Sub. Yamuna Prasad Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Devesh Kumar, 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. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 246 of 2021

Ex. Hav. Uma Shankar Pandey Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **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 no one appears on behalf of the applicant nor is there any mention to pass over the case. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present and he submits that Counter Affidavit filed by the respondents be taken on record. Counter Affidavit is taken on record. Applicant may file Rejoinder Affidavit within two weeks. List on **18.01.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 332 of 2021

Ex. Swr./RDR Ram Swaroop 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
	28.10.2021 **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 Arun Kumar Sahu, Ld. Counsel for the respondents is present and submits that Counter Affidavit filed by the respondents be taken on record. Counter Affidavit is taken on record. No one is present on behalf of the applicant nor Rejoinder Affidavit has been filed. List on **08.12.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 313 of 2021 with M.A. No. 322 of 2021

Brig. Anand Kumar Tewari (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
	28.10.2021 **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 Amit Jaiswal, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **17.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 456 of 2021

Rect. Satyendra Kumar Dwivedi 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondent Nos. 1 to 3 are present. No one is present on behalf of respondent No. 4 despite notice being served upon him. The case shall proceed exparte against him. Ld. Counsel for the respondent Nos. 1 to 3 submitted that he has received para-wise comments and Counter Affidavit is under preparation, therefore, a week further time be granted which is allowed. List on **11.11.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. (A) No. 509 of 2021 with M.A. No. 530 of 2021

Hav. Anil Kumar Mishra Appellant
By Legal Practitioner for the Appellant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Bhanu Pratap Singh, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the appellant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. The instant Original Application has been filed against the Charge-Sheet dated 24.12.2010 and 01.02.2011- Trial and pronouncement/punishment dated 22.02.2011 and rejection of petition by Chief of the Army Staff dated 03.03.2014. Earlier the applicant has filed Writ - A No. 1024 of 2014 before the Hon'ble High Court of Judicature at Allahabad which was dismissed on 02.01.2019. There is a delay of 08 months and 12 days in filing Original Application regarding which an application for condonation of delay has been moved. In support of which an affidavit has also been filed. It is submitted by the Ld. Counsel for the applicant that delay in filing Original Application is not intentional, but for the reasons stated in affidavit filed in support of delay condonation application. We have gone through the facts averred in affidavit filed in support of delay condonation application and find that cause shown is sufficient. Accordingly, delay is **condoned**. Delay condonation application stands decided accordingly. **O.A. (A) No. 509 of 2021** 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 **07.12.2021** for exchange of pleadings. List the matter before Tribunal on **12.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 339 of 2018

Radhey Shyam 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri K.K. Misra, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents are present. List on **10.02.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Court No. 1

O.A. No. 139 of 2020

JWO Neeraj Kumar Dixit (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**
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Order pronounced today in the open Court. O.A. No. 139 of 2020, JWO Neeraj Kumar Dixit (Retd) vs. Union of India and Others 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) Member (A)** **(Justice Umesh Chandra Srivastava) Member (J)** SB

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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EX-A No. 53 of 2019 Inre T.A. No. 17 of 2017
Alongwith
T.A. No. 17 of 2017

Sqn Ldr RK Kashyap (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
	28.10.2021 **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 Yogesh Kesarwani, Ld. Counsel for the respondents are present. No one is present on behalf of the applicant. In the interest of justice, the case is adjourned. List on **06.01.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

EX-A No. 34 of 2021 Inre O.A. No. 533 of 2017

Ex Rect Saljor Ram 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
	28.10.2021 **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 Ms. Anju Singh, Ld. Counsel for the respondents are present. As per office note dated 26.10.2021, cost of Rs. 2 lakhs has been paid vide cheque No. 491122 dated 12.10.2021. In view of above, order seems to have been complied with. Accordingly, Execution Application is **dismissed** being infructuous. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 232 of 2010

Jagdish 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
	28.10.2021 **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 SK Singh, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present. It is submitted by learned counsel for the applicant that discharge order in challenge in the present Original Application has been stayed by this Bench vide order dated 02.12.2010. We have gone through the order dated 02.12.2010 passed by this Tribunal and we find that by this order the order impugned in O.A. dated 15.07.2010 has been stayed by which 5 years past service of the applicant has been forfeited for pension purpose. It is nowhere mentioned in the order that proceedings in O.A. shall be stayed. We have also gone through order dated 28.10.2015 passed by Hon'ble Allahabad High Court in Service Single No. 6224/2015 wherein order dated 07.09.2015 of this Tribunal issuing notice to Col HC Rai, Commanding Officer and other authorities has been stayed. This order also shows that proceedings of O.A. have not been stayed. Therefore, it is ordered that case shall be heard on merit. List on **27.01.2022** for final hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 265 of 2017

Smt. Soni Sharma 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
	28.10.2021 **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 Dr. Shailendra Sharma Atal, Ld. Counsel for respondent Nos. 1 to 3 are present. As per office note dated 26.10.2021, service of notice has been held sufficient on respondent No. 4. No one is present today on behalf of respondent No. 4 nor her appearance has been made. The O.A. shall proceed ex parte against her. Notice to respondent No. 5 could not be served due to her incomplete address. Applicant is directed to furnish complete address of respondent No. 5 within a week. On address being furnished, notice shall be issued to respondent No. 5 returnable within a month. Steps for notice be taken within a week. List on **09.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 66 of 2018

Adesh 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Girish Tiwari and Shri V K Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents. Original Application is disposed off. 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)** SB

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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O.A. No. 521 of 2019

Ex NK Sandeep 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri R. Chandra, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present. Supplementary affidavit filed today by learned counsel for the applicant is taken on record. Learned counsel for the respondents prays for and is granted two weeks time to file reply. List on **15.12.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 324 of 2020

Ex Lance NK Madhu Mishra 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Rejoinder affidavit filed by the applicant is taken on record. Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Appoli Srivastava, 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. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 593 of 2020

Lt. Col Balram 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** No one is present on behalf of the applicant. On the case being taken up for hearing, Shri Sunil Sharma, learned counsel for the respondents submitted that statutory complaint preferred by the applicant has been dismissed on 19.07.2021 and applicant has not challenged the order. List on **22.02.2022** for final hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

Form No. 4
{See rule 11(1)}
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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O.A. No. 594 of 2020 with M.A. No. 143 of 2021

Ex Sep Rahul Banshwar 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
	28.10.2021 **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 Nand Kishore, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present. Applicant has moved this application to amend O.A. to the effect that he had filed a Right to Petition dated 10.05.2020 before respondent No. 4 which has been dismissed on 23.01.2021 by Lt Col, Officer-in-Charge Legal Cell in Mahar Regimental Centre. Learned counsel for the respondents has vehemently opposed the amendment though no objection in writing has been filed. We have gone through the amendment application and prayer made therein and we find that nature of O.A. will not be changed, if amendments are allowed. Amendment application is therefore, allowed. Let amendments be incorporated within two weeks after serving copy of amended pleadings to learned counsel for the respondents who will have three weeks time to file supplementary counter affidavit, if any. List on **21.02.2022** for hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

Form No. 4
{See rule 11(1)}
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O.A. No. 678 of 2020

Lt. Col. Bir 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
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** No one is present on behalf of the applicant. On the case being taken up for hearing, Shri Rajesh Shukla, learned counsel for the respondents submitted that statutory complaint preferred by the applicant has been dismissed on 22.07.2021 and applicant has not challenged the order. List on **22.02.2022** for final hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 121 of 2021

Sub (RT) Rama Kant Mishra 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
	28.10.2021 **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 no one is present on behalf of the applicant. Shri Yogesh Kesarwani, Ld. Counsel for the respondents is present. List on **17.02.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. (A) 594 of 2018

Nk Gyaneshwar Prasad Pandey Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **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 no one is present on behalf of the applicant. Shri RC Shukla, Ld. Counsel for the respondents is present. List on **28.02.2022** for hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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T.A. No. 700 of 2010 alongwith
T.A. No. 699 of 2010 & T.A. No. 701 of 2010 (Decided)

Smt Poonam Srivastava
W/o Anand Kumar Srivastava (Deceased) & Others Petitioners
By Legal Practitioner for the petitioners

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **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 Rohit Kumar, Ld. Counsel for the petitioner and Shri DK Pandey, Ld. Counsel for the respondents are present. As prayed, list on **03.02.2022** for hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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T.A. No. 24 of 2012

Ex Gnr Yogendra Singh 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
	28.10.2021 **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 Pushpendra Kumar Dhaka, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents are present. As prayed, list on **28.02.2022** for hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

Form No. 4
{See rule 11(1)}
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T.A. No. 6 of 2013

Zamir Ahmed 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
	28.10.2021 **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 Bhanu Pratap Singh Chauhan and Shri Virat Anand Singh, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents, list on **03.02.2022** for hearing. On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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Court No.1

M.A. No. 577 of 2021 Inre T.A. 48 of 2017
Alongwith
T.A. No. 98 of 2016 and T.A. No. 99 of 2016 (decided)

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

Versus

Smt. Laxmi Devi W/o Late Surendra Singh Sharma Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **M.A. No. 577 of 2021 Inre T.A. 48 of 2017** Heard Shri Ashish Kumar Singh, Ld. Counsel for the petitioners and Shri Bachchan Singh, Ld. Counsel for the respondent. In view of facts averred in affidavit filed in support of application, recall application is allowed. Let T.A. No. 48 of 2017 be restored to its number and be listed on **04.02.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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{See rule 11(1)}
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Court No.1

M.A. No. 577 of 2021 Inre T.A. 48 of 2017
Alongwith
T.A. No. 98 of 2016 and T.A. No. 99 of 2016 (decided)

Smt. Laxmi Devi W/o Late Surendra Singh Sharma Petitioner
By Legal Practitioner for the Petitioner
Versus
The Commanding Officer, 658 Engr & Brigade Unit & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	28.10.2021 **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 Bachchan Singh, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents are present. **T.A. 98 of 2016** List on **04.02.2022** alongwith T.A. No. 48 of 2017. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB