

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A.No.31 of 2017**

**Mange Ram**  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Singh, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the applicant, list on<br/><b>07.10.2021.</b></p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> <p>Ukt/-</p> |

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

O.A.No.36 of 2017 alongwith  
O.A. No. 101 of 2017

**Venugopal P**  
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri VP Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Argument concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A.No.101 of 2017 alongwith O.A.36 of 2017**

**Amit Kumar**  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri VP Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Argument concluded.</p> <p>Judgment reserved.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> <p>Ukt/-</p> |

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A.No.593 of 2018**

**Ex. Nk Sanjay Joshi**  
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing KKS Bisht, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>List on <b>28.12.2021</b>.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> <p>Ukt/-</p> |

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

O.A.No.479 of 2020

**Ex Hav/ Clk Krishna 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><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Rama Kant Jayaswal, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Supplementary affidavit filed by the applicant is taken on record.</p> <p style="text-align: center;">Argument concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A.No.480 of 2020**

**Dharmendra Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on <b>03.01.2022</b> for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A.No.91 of 2021**

**Ex. Sep Raj Kumar**  
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh and Shri Rajiv Kumar Yadav, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>List on <b>23.11.2021</b> for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> <p>Ukt/-</p> |

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

**T.A.No.1061 of 2010**  
**with M.A. No. 346 of 2021**

**R.N. Mishra**  
By Legal Practitioner for the Petitioner

Petitioner

Versus

**Chief of Air Staff of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Objection on amendment application filed by the respondents is taken on record.</p> <p>Heard Shri Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>By means of this amendment application, applicant wants to add certain paras in the T.A. in regard to constitution of India as well as other statutory provisions. He further wants to supplement the pleadings with amount due to him at the time of discharge. He also wants to add certain observations made by the various Hon'ble High Courts as well as Hon'ble Apex Court in support of pleadings.</p> |



Against the amendment application written objection has been filed by the respondents stating therein that amendment in pleadings being sought after about 26 years of filing is not permissible. It is also stated that it is third time when applicant is seeking amendment in the pleadings and if amendment is allowed the basic nature of the TA will be changed. It is also submitted that amendment sought in pleadings is sought after thought.

Having heard the submissions of both sides and having gone through facts and circumstances of the case as well as amendment sought, we find that amendment cannot be disallowed to be sought on the reason of delay.

We have gone through the amendment application and find that amendment will not change the nature of the T.A. However, we are in agreement with the view of the respondents learned counsel that pleadings cannot be supplemented with observations made in judgments by the Hon'ble High Courts and Hon'ble Apex Courts.

With the aforesaid, amendment application is partly allowed and applicant is permitted to amend T.A. in regard to constitutional as well as statutory provisions and details of calculations given in various paras of amendment application only. With regard to observations of Hon'ble High Courts and the Hon'ble Apex Court the amendment application is rejected.

Let amendments be incorporated within a week after serving copy of amended T.A. to learned counsel for the respondents.

After amendment being incorporated, the respondents shall have three weeks time to file supplementary counter affidavit to the amended pleadings.

List on **06.12.2021**.

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

Ukt/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**T.A.No.92 of 2016**

**Alopi Shanker Bajpae**  
By Legal Practitioner for the Applicant

Applicant

Versus

**The Comdt. RRC, Fatehgarh & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Praveer Kumar Singh Chauhan, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Pleadings have been exchanged and the case is ripe for hearing.</p> <p>List on <b>11.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

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

**M.A. No. 1515 of 2018 with M.A. No. 1516 of 2018,**  
**R.A. 46 of 2018 alongwith Ex-A. No 133 of 2017**  
**Inre T.A. No. 1451 of 2010**

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

Applicants

Versus

**Ex Lance Dafedar Anil Kumar**  
By Legal Practitioner for Respondent

Respondent

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Amit Jaiswal, Ld. Counsel for the applicants and Col. Ashok Kumar ( Retd) and Shri Rohit Kumar, Ld. Counsel for the respondent are present.</p> <p style="text-align: center;">List on <b>27.10.2021</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A. (A) No.303 of 2019**

**Rect Beeresh Kumar**  
By Legal Practitioner for the Appellant

Appellant

Versus

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

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>29.09.2021</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the appellant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>List on <b>27.10.2021</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b><br/><b>Member (A) Member (J)</b></p> <p>Ukt/-</p> |

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 252 of 2014

Md Samsul Haque

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>29.09.2021</u><br/><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u><br/><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Order pronounced today in the open Court.</p> <p>O.A. No. 252 of 2014, Ex AC Samsul Haque vs. Union of India and Others is dismissed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> |

SB

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 568 of 2019

Ex Sep Manoj 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>29.09.2021</u><br/><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u><br/><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Rejoinder affidavit filed by the applicant is taken on record.</p> <p>Heard Shri Prabhat Kumar Tripathi, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Original Application is dismissed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)<br/>Member (A) Member (J)</p> <p>SB</p> |