

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

M.A. No. 1799 of 2018 Inre: O.A. No. Nil of 2018

Ex Sep Rakesh 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1799 of 2018</u></p> <p>By means of this O.A., applicant has prayed for grant of disability pension. There is delay of more than 15 years in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 11.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1800 of 2018 Inre: O.A. No. Nil of 2018

Ex Sep Jitendra 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shesh Narain Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1800 of 2018</u></p> <p>By means of this O.A., applicant has prayed for grant of disability pension. There is delay of more than 16 years in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 11.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1818 of 2018 Inre: O.A. No. Nil of 2018

Ex Spr Subhash Chand
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri Gyan Singh Chauhan, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1818 of 2018</u></p> <p>By means of this O.A., applicant has challenged his dismissal order dated 20.04.2003. There is delay of more than 15 years in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 17.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

M.A. No. 1821 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav Raut Dharmpal Nilkanthrao
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1821 of 2018</u></p> <p>By means of this O.A., applicant has prayed for grant of disability pension. There is delay of 01 year, 9 months and 22 days in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 03.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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Court No.1

M.A. No. 1822 of 2018 Inre: O.A. No. Nil of 2018

Nk Santosh 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri V.A. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>By means of this O.A. the applicant has prayed for quashing of impugned orders dated 11.09.2017 and 05.02.2018. There is delay of 02 months and 18 days in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 04.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

M.A. No. 1823 of 2018 Inre: O.A. No. Nil of 2018

Ex Ris Hidayat Ullah
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Kaushik Chatterji, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1823 of 2018</u></p> <p>By means of this O.A., applicant has prayed for grant of disability pension. There is delay of more than 29 years in filing the O.A. Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 17.12.2018 before Registrar Court for exchange of affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

O.A. No. 509 of 2018

Ex Sep Vinay 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name shall be shown as Ld. Counsel for the respondents on the next date of listing.</p> <p>Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>By means of this O.A. the applicant has challenged the PPO issued subsequent to the decision in T.A. No. 34 of 2010 filed by the applicant whereby order was passed to reinstate the applicant notionally in service till completion of full tenure in the rank he was holding. It is submitted that the applicant was in receipt of disability pension but by means of the corrigendum PPO, the disability pension to the applicant has not been granted and apart from it, disability pension already received by the applicant has been directed to be recovered. The matter requires adjudication.</p> <p style="text-align: center;">Admit.</p> <p>Registry shall issue notice to respondents no. 6, 7 and 8 returnable at an early date.</p> <p>Respondents may file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed by the learned counsel for the applicant within next two weeks.</p> <p>List this case on 04.12.2018 before Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

M.A. No. 1819 of 2018 with M.A. No. 1820 of 2018
Inre: O.A. No. 511 of 2017

Union of India & Others
By Legal Practitioner for the Applicant-Respondents

Applicant-Respondents

Versus

Maj Harbir Singh (Retd)
By Legal Practitioner for Respondent-Applicants

Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashish Kumar Singh, Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M. A. No. 1819 of 2018</u></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in O.A. No. 511 of 2017. Admittedly, the application is time barred and has been moved after elapse of 22 days which is beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving application for leave to appeal. Accordingly application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p style="text-align: center;"><u>M.A. No. 1820 of 2018</u></p> <p>This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>In consequence thereof, the application for leave to appeal is dismissed on the ground of delay as well as on merits.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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Court No.1

D.Y. 902 of 2018 Inre: O.A. No. Nil of 2018

D S Panchpal

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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant has yet not removed the defects. He prays for and is granted four weeks time to remove the defects raised by the Registry.</p> <p style="text-align: center;">List this case on 29.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

Ex-A No. 95 of 2018 Inre: O.A. No. 143 of 2015

Shaikh Ibrahim

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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an application for execution of order dated 18.12.2017 passed by this Tribunal.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted two weeks' further time to comply the order and file compliance report.</p> <p style="text-align: center;">List this case on 12.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 110 of 2018 Inre: O.A. No. 219 of 2015

Kamta Prasad
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Ashok Kumar, Advocate holding brief for Shri O.P. Kushwaha, Ld. counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Ashok Kumar, Advocate prays for adjournment of the case.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted two weeks' further time to comply the order and file compliance report.</p> <p style="text-align: center;">List this case on 13.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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Court No.1

Ex-A No. 138 of 2018 Inre: O.A. No. 243 of 2015

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

Notes of the Registry	Orders of the Tribunal		
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, Ld. counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by learned counsel for the respondents that PPO has been issued and the order under execution has been complied with. Copy of the PPO has been provided to learned counsel for the applicant today in the Court who prays for and is granted four weeks' time to go through it and file objection, if any.</p> <p style="text-align: center;">List this case on 22.11.2018 for orders.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="margin-top: 10px;">anb</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

Form No. 4
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Court No.1

Ex-A No. 139 of 2018 Inre: O.A. No. 409 of 2017

Gajender 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that in compliance of order dated 23.11.2017 passed in O.A. No. 409 of 2017, necessary Government sanction has been obtained. He prays for and is granted four weeks' time to file compliance report.</p> <p style="text-align: center;">List this case on 22.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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Court No.1

Ex-A No. 140 of 2018 Inre: O.A. No. 44 of 2017

Hav Shivanand Pandey (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that vide order dated 11.01.2018 passed in O.A. No. 44 of 2017 benefit of rounding off of disability pension has been given to the applicant who was discharged on 01.08.1989. It is pointed out that at the relevant time, the policy of rounding off of disability pension was not available. He submits that he shall file Review Application.</p> <p style="text-align: center;">List the case on 15.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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

M.A. No. 1770 of 2016 Inre: O.A. No. Nil of 2016

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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Anand Yadav, Advocate holding brief of Shri S.G. Singh, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents.</p> <p>Shri Anand Yadav, Advocate prays for adjournment on the ground of non availability of the arguing counsel Shri S.G.Singh.</p> <p>The case is accordingly adjourned.</p> <p>List this case on 06.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>anb</p>

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

M.A No. 1143 of 2017 Inre: O.A. No. Nil of 2017

Sri Ram Maurya

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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri A.K. Singh, Advocate holding brief of Shri O.P. Kushwaha, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri A.K. Singh, Advocate submits that father of Shri O.P.Kushwaha, learned counsel for the applicant has expired and prays for adjournment.</p> <p style="text-align: center;">The case is accordingly adjourned.</p> <p style="text-align: center;">List this case on 07.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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

M.A No. 1471 of 2017 Inre: O.A. No. Nil of 2017

Pawan 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: None for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Case called out. None respondents on behalf of the applicant.</p> <p style="text-align: center;">In the interest of justice, the case is adjourned.</p> <p style="text-align: center;">List this case on 10.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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

M.A. No. 2001 of 2017 Inre: O.A. No. Nil of 2017

Nihal 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.K. Singh, Ld. Counsel for the applicant and Shri Ashish Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to file better affidavit in support of replication filed against objection on application for condonation of delay.</p> <p style="text-align: center;">List this case on 03.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 2046 of 2017 Inre: O.A. No. Nil of 2017

Vishram Singh Rajput 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Vinay Pandey, Amicus Curie for the applicant and Shri Md. Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On behalf of respondents in their objection, point of maintainability has also been raised.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted time to seek instructions from the applicant.</p> <p style="text-align: center;">List this case on 11.12.2018 for orders.</p> <p style="text-align: center;">Office is directed to print the case in the cause list as Air Force matter.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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

M.A. No. 205 of 2018 Inre: O.A. No. Nil of 2018

Ram Sabad Singh & another
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">As prayed by learned counsel for the parties, list this case on 20.12.2018 for orders along with connected matters.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>anb</p>

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

M.A. No. 1087 of 2018 Inre: O.A. No. Nil of 2018

Rajvir 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that the applicant is getting pension of the rank of Hony Naib Subedar, whereas he is claiming pension of the rank of Regular Naib Subedar. Question requires hearing.</p> <p style="text-align: center;">List this case on 26.11.2018 for hearing on the point of admission.</p> <p style="text-align: center;">.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</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. No. 46 of 2018 along with Ex-A No. 133 of 2017
Inre: T.A. No. 1451 of 2010

Union of India & Others
By Legal Practitioner for the Applicant-Respondents

Applicant-Respondents

Versus

Ex Lance Dafedar Anil Kumar
By Legal Practitioner for Respondent-Applicants

Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Rohit Kumar, Counsel for the applicant-respondents and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>R.A. No. 46 of 2018.</u></p> <p>This is an application for review of the judgment and order dated 18.01.2017 passed in T.A.No. 1451 of 2010 moved by the Union of India & others.</p> <p>Learned counsel for the respondent (petitioner in the T.A.) has raised a preliminary objection that the review is barred by time.</p> <p>We do not find any substance in the submission of the learned counsel for the respondent (petitioner in the T.A.) as the Review Application has been filed in compliance of the order dated 23.03.2018 passed by the Hon'ble Apex Court in Criminal Appeal Diary No.(S) No.7467 of 2018, wherein the Hon'ble Apex Court had granted permission to the Union of India & others to file review petition before the Tribunal. Therefore, the submission of the learned counsel for the respondent (petitioner in the T.A.) is without any substance.</p> <p>He prays for and is granted four weeks' time to go through the Review Application and file objection on the Revision Application.</p> <p>List this case on 27.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 61 of 2014

Sukhvir 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is submitted by the learned counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 06.12.2018 for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case shall also be produced by the respondents.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 171 of 2017 with M.A. No. 399 of 2018

Smt Poonam Mishra
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Gyanendra Kumar Pandey, Ld. Counsel for the applicant and Shri Md. Zafar Khan, Ld. Counsel for the respondents.</p> <p>In pursuance of our earlier order dated 30.08.2018, supplementary rejoinder affidavit has been filed by the learned counsel for the applicant, whereby she has specifically mentioned that she has not received any post retiral dues of her husband. Alongwith the supplementary rejoinder affidavit, photostat copy of the pass book of SB Account No.11120880713 has also been annexed.</p> <p>Learned counsel for the respondents is directed to furnish the details of the payment, if any, made to the applicant or her husband by the next date fixed.</p> <p>List this case on 06.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 388 of 2017

Gagan 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Even after availing four dates, rejoinder affidavit has not been filed by the learned counsel for the applicant.</p> <p>Today again adjournment is prayed by the learned counsel for the applicant to file rejoinder affidavit.</p> <p>Last opportunity is granted to the applicant to file rejoinder affidavit within two weeks, failing which opportunity to file rejoinder affidavit shall stand closed.</p> <p>List this case on 29.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 462 of 2017

Hem Raj Bhatta
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>It is submitted by the learned counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 20.12.2018 for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case shall also be produced by the respondents.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 79 of 2018

Smt Raj Kumari (Deceased)
Through Ashok Kumar & another
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri B.B. Tripathi, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that he has filed rejoinder affidavit on the last date, but he has provided a copy of the same to the learned counsel for the respondents today in court itself, who prays for and is granted two weeks' time to go through it.</p> <p style="text-align: center;">List this case on 12.12.2018 for hearing.</p> <p style="text-align: center;">On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case shall also be produced by the respondents.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 100 of 2018

Surendra Pal Verma
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Tej Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Connect and list this case on 19.11.2018 for orders alongwith the records of O.A.No. 211 of 2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

O.A. No. 325 of 2018

Sachchida Nand Tiwari
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>The applicant is holding the rank of Hony Naib Subedar, but by means of this O.A., the applicant is claiming for promotion of Naib Subedar.</p> <p>List this case on 20.12 .2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

O.A. No. 510 of 2018

Pramod Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>O.A. No. 510 of 2018, Pramod Kumar vs. Union of India and others is dismissed.</p> <p>For orders, see our order of date passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 140 of 2018

Sursar Prasad Shukla
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>O.A. No. 140 of 2018, Sursar Prasad Shukla vs. Union of India and others is Allowed.</p> <p>For orders, see our order of date passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>DDS</p>

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

O.A. No. 326 of 2018

Balendra Prasad Yadav
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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he has given counter affidavit for signature on 28.08.2018 but the same has not yet been received back after signature. He prays for adjournment to file counter affidavit.</p> <p>As prayed by learned counsel for the respondents, last opportunity is granted to file counter affidavit by the date fixed subject to payment of cost of Rs. 1000/- to be deposited in the Registry which shall be paid to the applicant.</p> <p style="text-align: center;">List this case on 06.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 17 of 2016

Rajender Singh Bisht 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Manoj Awasthi, Advocate holding brief of Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>Learned counsel holding brief submits that Shri K.K.S. Bisht, learned counsel for the applicant is sick and prays for adjournment of the case. As prayed, the case is adjourned for the day.</p> <p>List this case on 12.12.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 270 of 2016

Jamuna Prasad Singh By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: None for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents prays for further time to file affidavit in pursuance to this Tribunal order dated 11.07.2018.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, list this case on 13.12.2018 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 159 of 2017

Smt Maha Kali

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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri R.N. Mishra, Ld. Counsel for the applicant and Ms Deepti P. Bajpai, Ld. Counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>On last three dates, respondents were directed to make an inquiry about the marital status of the applicant from Nepal. Today Departmental Representative has informed that the order passed by this Tribunal was duly communicated to Record Office at Shimla but Departmental Representative has received information that the order sent from here have not been received by the Record Office. Therefore, the order could not be complied with.</p> <p>Learned counsel for the respondents prays for further time to comply with the directions of this Tribunal.</p> <p>We consider it appropriate to direct the respondents to hold an inquiry as to under what circumstances, three consecutive letters sent from AFT Legal Cell, Lucknow have not been received by Record Office, 14 GTC, Shimla.</p> <p>Learned counsel for the respondents shall file inquiry report by the next date of listing.</p> <p>List this case on 17.12.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 460 of 2017

Bhagwat Prasad 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>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Arun Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks further time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 27.11.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 670 of 2017

Pushpa Devi 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
	<p><u>26.10.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks further time to file supplementary counter affidavit in compliance of our earlier order dated 31.08.2018.</p> <p>List this case on 12.12.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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. 200 of 2018

Aranya Kumar Pany
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>O.A.No. 200 of 2018 (Aranya Kumar Pany vs. Union of India & others) is dismissed.</p> <p>For orders, see our order of date passed on the separate sheets.</p> <p>Misc. Application, if any pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex.A. No. 85 of 2018 Inre :O.A. No.255 of 2015

Kishan Kumar
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: None appears for the applicant. Shri Kaushik Chatterjee, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;"><u>Ex.A. No. 85 of 2018</u></p> <p>This is an application for execution of the order dated 08.12.2017 passed in O.A.No. 255 of 2015.</p> <p>On the last date, the following order was passed :</p> <p style="text-align: center;"><i>"Shri PK Shukla, Advocate submits that Shri Rohit Kumar, learned counsel for the applicant has not come to the Court and prays for adjournment of the case.</i></p> <p style="text-align: center;"><i>Learned counsel for the respondents submits that the order under execution has been complied with and the applicant has been remustered and at present is undergoing training.</i></p> <p style="text-align: center;"><i>However, since the learned counsel for the applicant is not present today, in the interest of justice the case is passed over for the day.</i></p> <p style="text-align: center;"><i>List this case on 14.11.2018 for orders."</i></p> <p>Today again when the case is taken up, learned counsel for the applicant is absent. Therefore, we find substance in the submission of the learned counsel for the respondents that the order has been complied with and the applicant is not interested to pursue his case.</p> <p>Therefore, this Ex. Application is dismissed as infructuous.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
Ex.A. No. 100 of 2018 Inre : O.A. No. 438 of 2012

Rakesh 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On the last, following order was passed :</p> <p style="text-align: center;"><u>"Ex-A No. 100 of 2018</u></p> <p style="text-align: center;"><i>This is an application for execution of the order dated 11.12.2015 passed in O.A.No. 438 of 2012.</i></p> <p style="text-align: center;"><i>It is submitted by the learned counsel for the applicant that the order has been complied with and only payment of back wages of 50% is to be complied with. Learned counsel for the respondents has placed before us a copy of letter dated 06th October 2018, whereby an amount of Rs.16,25,515/- has been sanctioned towards arrears of back wages.</i></p> <p style="text-align: center;"><i>Today again learned counsel for the respondents prays for further time to file compliance report.</i></p> <p style="text-align: center;"><i>As prayed four weeks' time is granted to the respondents to file compliance report, failing which they will have to deposit additional cost of Rs.6000/- + Rs.4000/- (Total Rs.10,000/-), which shall be paid to the applicant through cheque.</i></p> <p style="text-align: center;"><i>List this case on 14.11.2018 for orders.</i></p> <p style="text-align: center;"><i>Let a copy of this order be given to the learned counsel for the respondents within 24 hours free of cost for onward transmission."</i></p> <p style="text-align: center;">”</p> <p>It is submitted on behalf of the respondents that in compliance of the order under execution, the applicant was reinstated and after completion of term of engagement, he has retired from Army, but even after lapse of three years of the order under execution, the order has not yet been complied with and the amount of back wages of 50% has not been paid to the applicant.</p> <p>Today again adjournment is prayed on behalf of the respondents that the matter is under process.</p> <p>In the interest of justice, the case is adjourned for the day, subject to payment of cost of Rs.20,000/- in the Registry within two weeks from today, which shall be paid to the applicant through cheque. The respondents are</p>

at liberty to recover this amount from the erring official/officer, who is responsible for causing the delay in execution of the order.

List this case on **24.12.2018** for orders.

(Air Marshal B.B.P. Sinha)
Member (A)

(Justice S.V.S. Rathore)
Member (J)

PKG

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

Ex.A. No. 101 of 2018 Inre : O.A. No. 51 of 2018

Abhishek
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Anil Kumar Maurya and Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 101 of 2018</u></p> <p>This is an application for execution of the order dated 12.01.2018 passed in O.A.No. 51 of 2018, whereby a direction was given to the respondents to decide the pending statutory appeal of the applicant.</p> <p>It is submitted on behalf of the respondents that the said statutory appeal of the applicant has been decided by a speaking order dated 13.11.2018 by the respondent concerned, a copy of the same has been provided to the learned counsel for the applicant today in court itself.</p> <p>In view of this, since the order under execution has been fully complied with, this Ex. Application has rendered infructuous.</p> <p style="text-align: center;">It is accordingly dismissed as infructuous.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

Ex.A. No. 155 of 2018 Inre : O.A. No.232 of 2016

Ex. Sigmn Sohan 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In pursuance of our earlier order, Shri Tapendra Kumar from Central Bank of India, Saharanpur is present in Court and has submitted that the entire payment alongwith interest accrued on it for the delayed payment of the amount, shall be credited to the account of the applicant by 30th of this month .</p> <p style="text-align: center;">A written reply has also been filed by the bank, which is taken on record.</p> <p style="text-align: center;">List this case on 11.12.2018 for filing compliance report.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

Ex.A. No. 168 of 2018 Inre : O.A. No. 40 of 2018

Ex. Hav. (Hony. Nb. Sub.) Jageshwar Prasad & Others By Legal Practitioner for the Applicants	Applicants
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicants and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 168 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No 40 of 2018.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

Ex.A. No. 169 of 2018 Inre : O.A. No.573 of 2017

Ex.Hav. (Hony. Nb. Sub.) Kamta Prasad
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 169 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No 573 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex.A. No. 170 of 2018 Inre : O.A. No. 562 of 2017

Ex. Hav. (Hony. Nb. Sub.) Gulab Chandra 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 170 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No 562 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

Ex.A. No.171 of 2018 Inre : O.A. No. 663 of 2017

Ex. Hav. (Hony Nb Sub) Ramesh Pasad Pandey & Others Applicants
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
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicants and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 171 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No. 663 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

Ex.A. No. 172 of 2018 Inre : O.A. No.667 of 2017

Smt. Govind 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 172 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No 667 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex.A. No. 173 of 2018 Inre : O.A. No. 632 of 2017

Ex. Hav. (Hony Nb Sub) Paras Nath Tiwari
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 173 of 2018</u></p> <p style="text-align: center;">This is an execution application which has been filed for execution of order dated 09.01.2018 passed in O.A. No 632 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the compliance is under process and the compliance report shall be filed by the next date.</p> <p style="text-align: center;">List this case on 20.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex.A. No. 180 of 2018 Inre : O.A. No. 201 of 2016

Renu 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' further time to file compliance report.</p> <p style="text-align: center;">List this case on 18.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

M.A. No. 2784 of 2016 Inre : O.A. No. (Nil) of 2016

Mohd. Idu Ansari 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R.C. Dixit, Ld. Counsel for the applicant and Dr. Sailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that he shall file affidavit in compliance of our earlier order dated 06.09.2018 and bring on record the statutory petition filed earlier by the applicant.</p> <p style="text-align: center;">List this case on 11.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">PKG</p>

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

M.A. No. 1853 of 2018 Inre O.A. No. Nil of 2018

Smt. Akhtarul Nisha
Wife of Gnr (Late) Mohd Aneesh Khan
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Dr. Ashish Asthana, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1853 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of family pension. As per office report, it is delayed by 10 months & 04 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 21.12.2018 for orders before Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) 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. 516 of 2018

Amandeep 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Present: Dr. Ashish Asthana, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that he intends to withdraw this O.A. with liberty to file afresh because of certain defects in the O.A.</p> <p style="text-align: center;">Accordingly, this O.A. is dismissed as withdrawn with liberty to file afresh.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

EX.A. No. 216 of 2018 Inre O.A. No. 189 of 2017

Smt. Pushpa Devi 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri R.C. Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri K.K. Misra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 216 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 25.05.2018 passed in O.A. No. 189 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks further time to file compliance report.</p> <p>List this case on 24.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) 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

M.A. No. 1854 of 2018 with M.A. No. 1855 of 2018 Inre O.A. No. 62 of 2018

Union of India & Others
By Legal Practitioner for the Applicant

Applicant-respondents

Versus

Lt Col Sanjeev Sahai (Retd)
By Legal Practitioner for Respondents

Respondent-applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R.C. Shukla, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1854 of 2018</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 10.09.2018, passed by this Court in O.A. No. 62 of 2018.</p> <p>This application has been filed by the applicant-respondents after a period of limitation. As per office report, there is delay of 01 month & 01 day in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Apex Court.</p> <p>In view of the decision of the Hon'ble Apex Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.</p> <p style="text-align: center;"><u>M.A. No 1855 of 2018</u></p> <p>This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant-respondents beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.</p> <p style="text-align: center;">Even otherwise also, we do not find any point of law of general public</p>

importance involved in the decision so as to grant leave to appeal, therefore, this application is also rejected.

Accordingly, application for leave to appeal is **rejected** on the ground of delay as well as on merits.

(Air Marshal BBP Sinha)
Member (A)

(Justice S.V.S. Rathore)
Member (J)

SB

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

EX.A. No. 99 of 2017 with M.A. No. 1797 of 2018 Inre O.A. No. 63 of 2010
Rupesh Vardhan
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>14.11.2018 <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 99 of 2017</u></p> <p>This is an application filed by the applicant for execution of order dated 21.03.2017 passed in O.A. No. 63 of 2010.</p> <p>On the last date, following order was passed “-</p> <p>“Major Piyush Thakran, Departmental Representative submits that the order under execution has been complied with. It is also informed by him that he has contacted with AAO, CDA and he was informed by the AAO, CDA that the amount shall be credited in the account of the applicant on 31.10.2018.</p> <p>List this case on 14.11.2018 for orders.”</p> <p>Today, Maj Piyush Thakran, Departmental Representative has made statement that he could not feed back in the matter.</p> <p>Learned counsel for the applicant submitted that amount has not been credited in the account of the applicant and the cost of Rs. 30,000/- imposed vide order dated 04.09.2018 has also not been deposited by the respondents.</p> <p>Today, again adjournment is prayed by the respondents. This is very sad state of affairs that this execution application is pending since 04.07.2017 i.e. more than 01 year. Therefore, on the request of the learned counsel for the respondents, we adjourn the case to file compliance report, failing which an additional cost of Rs. 50,000/- shall be paid by the respondents in addition to cost of Rs. 30,000/- imposed by us earlier. The entire cost to be paid by the respondents within a period of two weeks which shall be paid to the applicant.</p> <p>List this case on 11.12.2018 for orders.</p> <p>The cost shall be recovered from the erring official/officer who is held responsible for causing the delay in execution of the order.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

EX.A. No. 208 of 2017 Inre T.A. No. 887 of 2010

Niranjan Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 208 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 06.07.2017 passed in T.A. No. 887 of 2010.</p> <p>Learned counsel for the respondents submits that he has not received any instruction regarding compliance of order under execution. However, learned counsel for the petitioner submitted that an amount of Rs. 10,44,936/- has been credited in the account of the petitioner on 30.10.2018.</p> <p>Learned counsel for the respondents is directed to file break down of amount whether it includes back wages as directed by this Tribunal. The cost of Rs. 10,000/- imposed has also not yet been paid to the applicant.</p> <p style="text-align: center;">List this case on 12.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4
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EX.A. No. 45 of 2018 Inre Ex.A. No. 20 of 2017 Inre O.A. No. 125 of 2015

Smt. Manoj 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 45 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 21.03.2017 passed in O.A. No. 125 of 2015.</p> <p>Today, learned counsel for the respondents submitted that PPO has been issued and soft copy of PPO shown to the Court. He further submitted that compliance report alongwith PPO shall be filed within a week.</p> <p style="text-align: center;">List this case on 22.11.2018 for orders.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="margin-top: 10px;">SB</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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EX.A. No. 67 of 2018
Inre T.A. No. 573 of 2010

Satyendra Prasad
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: None for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 67 of 2018</u></p> <p>This is an application filed by the petitioner for execution of order dated 21.12.2017 passed in T.A. No. 573 of 2010.</p> <p>Learned counsel for the respondents prays for further time to file compliance report. Cost imposed vide order dated 08.10.2018 has also not been deposited by the respondents. Therefore, respondents are directed to deposit the cost positively before the date fixed.</p> <p>List this case on 19.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4
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EX.A. No. 71 of 2018 Inre T.A. No. 35 of 2016

Smt. Parvati Devi & Others
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 71 of 2018</u></p> <p>This is an application filed by the petitioner for execution of order dated 09.11.2017 passed in T.A. No. 35 of 2016.</p> <p>On the last date, following order was passed :-</p> <p style="text-align: center;"><i>“Ld. Counsel for the respondents submits that a letter was sent to the petitioner for completion of formalities and to furnish some documents in the month of May by personal courier to complete the process but the same have not been furnished by the petitioner. On the other hand, Ld. Counsel for the applicant submits that the petitioner has not received any such letter so far. Ld. Counsel for the respondents is directed to provide copy of the said letter to petitioner during course of the day so that the required documents could be submitted to the respondents and further delay may be avoided. Additionally, the respondents will provide evidence of their claim of having sent the personal courier/registered courier to applicant in May 2018 and thereafter, if any. List this case on 14.11.2018 for order.”</i></p> <p>Learned counsel for the respondents submits that order has not been complied with and cost has also not been deposited and prays for further adjournment to file compliance report.</p> <p>As prayed, we hereby adjourn the case. It is clarified that cost imposed vide order dated 17.10.2018 to be deposited by the respondents positively before the date fixed, which shall be paid to the applicant.</p> <p>List this case on 19.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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M.A. No. 1802 of 2017 Inre : O.A. No. (Nil) of 2017

Ashok Kumar Tiwari
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Sunil Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for time to take steps for amending the prayer clause.</p> <p style="text-align: center;">He may do so within two weeks.</p> <p style="text-align: center;">List the case on 11.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No. 168 of 2018 Inre : O.A. No. (Nil) of 2018

Satya Prakash
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 168 of 2018</u></p> <p>This is an application for condoning delay in filing the O.A. There is delay of more than 20 years. Since the matter relates to grant of disability pension, which involves recurring cause of action, as such, the delay in filing the O.A. condoned.</p> <p style="text-align: center;">Admit</p> <p style="text-align: center;">The case be registered as O.A.</p> <p style="text-align: center;">Counter affidavit be filed by the respondents within four weeks. Rejoinder affidavit, if any, may be filed by the applicant within two weeks thereafter.</p> <p style="text-align: center;">List the case of 03.01.2019 before Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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M.A. No. 620 of 2018 Inre : O.A. No. (Nil) of 2018

Mulu Singh Chauhan & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri O.P. Kushwaha, Advocate holding brief for Shri Ashok Kumar, Ld. Counsels for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Sri O.P. Kushwaha, Advocate submits that learned counsel for the applicant is not available today and prays for adjournment of the case.</p> <p style="text-align: center;">The case is accordingly adjourned.</p> <p style="text-align: center;">List again on 19.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No. 1193 of 2018 Inre : O.A. No. (Nil) of 2018

Lallan Tiwari
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1193 of 2018</u></p> <p>This is an application for condoning delay in filing the O.A. There is delay of more than six years. Since the matter relates to grant of disability pension which involves recurring cause of action, as such, the delay in filing the O.A. condoned.</p> <p style="text-align: center;">Admit</p> <p style="text-align: center;">The case be registered as O.A.</p> <p style="text-align: center;">Counter affidavit be filed by the respondents within four weeks. Rejoinder affidavit, if any, may be filed by the applicant within two weeks thereafter.</p> <p style="text-align: center;">List the case of 04.01.2019 before Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No. 1272 of 2018 Inre : O.A. No. (Nil) of 2018

Lalta Prasad
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 168 of 2018</u></p> <p>This is an application for condoning delay in filing the O.A. There is delay of more than 20 years. Since the matter relates to grant of disability pension which involves recurring cause of action, as such, the delay in filing the O.A. condoned.</p> <p style="text-align: center;">Admit.</p> <p>Counter affidavit filed by the respondents is taken on record. Learned counsel for the applicant submits that he does not intend to file rejoinder affidavit.</p> <p>With the consent of learned counsel for the parties, we proceed to hear the case at the admission stage itself.</p> <p style="text-align: center;">Arguments concluded. Judgment is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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M.A. No. 1471 of 2018 with M.A. No. 1332 of 2018 Inre: O.A. No. (Nil) of 2018

Suneel 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. Heard learned counsel for the parties. After arguing for a considerable time, learned counsel for the applicant submitted that he does not intend to pursue the case and it may be dismissed as not pressed. Learned counsel for the respondents has no objection. The case is accordingly dismissed as withdrawn.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No. 1681 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Sgt. Ravindra 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1681 of 2018</u></p> <p>This is an application for condoning delay in filing the O.A. There is delay of more than ten months. Since the matter relates to grant of disability pension which involves recurring cause of action, as such, the delay in filing the O.A. condoned.</p> <p style="text-align: center;">Admit</p> <p style="text-align: center;">The case be registered as O.A.</p> <p style="text-align: center;">Counter affidavit be filed by the respondents within four weeks. Rejoinder affidavit, if any, may be filed by the applicant within two weeks thereafter.</p> <p style="text-align: center;">List the case of 04.01.2019 before Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">ANB</p>

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M.A. No. 1692 of 2018 Inre : O.A. No. 117 of 2017

Col. Puran Chandra Lohani (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.G. Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an application for correction of order dated 27.07.2018 passed in O.A. No.117 of 2017.</p> <p style="text-align: center;">It is submitted by learned counsel for the applicant that in para-2, third line the date is wrongly mentioned as 31.08.2004 and it may be corrected as 31.12.2014.</p> <p style="text-align: center;">The correction prayed for in the final order dated 27.07.2018 is bona fide clerical mistake, as such, with the consent of learned counsel for the parties, the application is allowed and the original order is accordingly corrected in red ink.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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M.A. No. 1767 of 2018 Inre : O.A. No. (Nil) of 2017

Durga Singh Panchpal
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that he has provided copy of objection on application for condonation of delay to learned counsel for the application and shall file the same in the Registry during the course of the day.</p> <p style="text-align: center;">List the case on 19.12.2018 for orders.</p> <p style="text-align: center;">Meanwhile replication, if any, may be filed by learned counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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M.A. No. 1857 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Sep. Jaypal 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">By means of this O.A. the applicant has challenged his order of discharge after lapse of about 29 years.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay.</p> <p style="text-align: center;">List the case on 21.12.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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O.A. No. 611 of 2017

Sunil 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Rohit Kumar, Advocate holding brief for Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Shri Rohit Kumar, Advocate submits that pleadings have been exchanged and the case is ripe for hearing.</p> <p>As prayed, list the case on 08.01.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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O.A. no. 364 of 2018 along with T.A. No. 38 of 2016

Ex. Sepoy (SKT) Kirpal 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During course of hearing on the point of admission, learned counsel for the applicant submitted that the applicant was discharged from service with 'good military character' and Army personnel having 'good military character' are entitled to be enrolled in DSC service. On the other hand, submission of learned counsel for the respondents is that for enrolment in DSC service, Army personnel must have 'exemplary Army character' to his credit.</p> <p style="text-align: center;">Learned counsel for the applicant prays for time to bring on record policy which entitles ex-Army personnel having 'good military character' to be enrolled in DSC service.</p> <p style="text-align: center;">List the case on 14.12.2018 for hearing on the point of admission.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left;"><small>ANB</small></p>

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

O.A. No. 80 of 2018

Warrant Officer Gore 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Rakesh Johri, Advocate submits that he shall file his <i>Vakalatnama</i> on the next date of listing of the case.</p> <p style="text-align: center;">In this case the point of maintainability has been raised by learned counsel for the respondents on the ground that the applicant is not subject to Army Act, 1950.</p> <p style="text-align: center;">List the case on 04.12.2018 for further hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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O.A. No. 208 of 2014

Pravind 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>It is submitted by learned counsel for the respondents that prays for time to enable him to produce the original record.</p> <p>The case is accordingly adjourned.</p> <p>List again on 03.12.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 219 of 2014

Chandrabhan Singh and anr
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Pankaj Singh Chauhan, Ld. Counsel for the applicants and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel prays for time for better preparation of the case.</p> <p>The case is according passed over for the day.</p> <p>List again on 04.01.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 160 of 2015

Dhirendra 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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for adjournment of the case. The matter is pending since 2015.</p> <p style="text-align: center;">However, in the interest of justice, last opportunity is granted to the learned counsel for the applicant to argue the case.</p> <p style="text-align: center;">List the case on 13.12.2018 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 56 of 2016

Pawan Kumar Dwivedi
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Om Prakash, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant prays for time to cite case laws in support of his contentions.</p> <p>Time prayed for is granted.</p> <p>List the case on 14.12.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 136 of 2017

Jyoti Yadav
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Advocate holding brief for Shri Onkar Pandey, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>Shri Parijaat Belaura, Advocate submits that learned counsel for the applicant is not attending court today and prays for adjournment of the case.</p> <p>The case is accordingly adjourned.</p> <p>List the case on 07.01.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 386 of 2017

Ashok Kumar Yadav
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Adjourned on the request made by learned counsel for the respondents.</p> <p style="text-align: center;">List the case on 03.01.2019 for hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

O.A. No. 602 of 2017

Lt. Col. Brijendra Singh (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats , Ld. Counsel for the respondents.</p> <p>Shri P.K. Shukla, Advocate submits that learned counsel for the applicant is not attending court today and prays for adjournment of the case.</p> <p>The case is accordingly adjourned.</p> <p>List the case on 04.01.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>ANB</small></p>

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

Ex.A. No. 123 of 2018 Inre : O.A. No. 134 of 2012

Chandra Sekhar Tripathi
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura and Ms. Kavita Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>In this case admittedly certain amount has been paid in pursuance of PPO and the amount has been credited in the account of the applicant.</p> <p>Applicant is directed to submit the details of amount credited and also break up because as per the stand of the respondents the entire due payment has been paid to the applicant.</p> <p>List on 20.12.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>

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

O.A. 253 of 2012

Krishna Kumar Thakur
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Alok Mathur and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant, list on 06.012.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>

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

O.A. No. 666 of 2017

Avadh Narain
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">List on 14.12.2018 for further hearing.</p> <p style="text-align: center;">On the date of hearing the representative of Principal Controller of Defence Accounts (Pension), Allahabad as well as representative of the Record Office shall remain present.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>

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

O.A. No. 139 of 2018

Shyam Sunder Nayak
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">List on 03.01.2019 for further hearing.</p> <p style="text-align: center;">Perusal of record of Departmental Promotion Committee is necessary.</p> <p style="text-align: center;">On the date of hearing respondents shall produce the original records of Departmental Promotion Committee relating to this case</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>

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

T.A. No. 49 of 2016

Vijay Kumar Upadhyaya
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>14.11.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Brief Holder of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. Brief Holder appearing on behalf of Ld. Counsel for the applicant prays for adjournment. List on 08.01.2019 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>