

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 970 of 2010

Rajput Chandrapal Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Chief of the Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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>T.A.No. 970 of 2010 (Rajput Chandrapal Singh vs. Chief of the Army Staff & others) is party allowed.</p> <p>For orders, see our order of date passed on the separate sheets.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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

M.A. No. 1046 of 2018
Inre: O.A. No. Nil of 2018

Ravindra Singh
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>11.04.2018</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>Memo of appearance filed by Shri Bhanu Pratap Singh, 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 KK Misra, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1046 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 21 years. Copy of this application has been served upon the learned Standing Counsel for the respondents on 09.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 05.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1050 of 2018
Inre: O.A. No. Nil of 2018

Jamuna Prasad
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>11.04.2018</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>Memo of appearance filed by Shri Adesh Kumar Gupta, 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 Ashok Singh, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p><u>M.A. No. 1050 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 08 years. Copy of this application has been served upon the learned Standing Counsel for the respondents on 09.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 05.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 197 of 2018

Akshayavar Nath Pandey
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>11.04.2018</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>Memo of appearance filed by Mrs Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri SS Rajawat, learned counsel for the applicant and Mrs Appoli Srivastava, learned counsel for the respondents.</p> <p>Having heard learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 13.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

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[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

EX-A. No. 64 of 2018

Inre: O.A. No. 211 of 2010

EX-A. No. 107 of 2017

Shyam Kumar

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>11.04.2018</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>Memo of appearance filed by Dr Chet Narayan Singh, 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: Col AK Srivastava (Retd), learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p><u>EX-A. No. 64 of 2018</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 02.03.2017 passed in O.A. No. 211 of 2010.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>Learned counsel for the respondents submits that copy of the execution application has not been received. Learned counsel for the respondents is directed to provide the copy of same to the learned counsel for the respondents.</p> <p>List this case on 21.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1043 of 2018 with M.A. No.1044 of 2018

Inre: T.A. No. 526 of 2010

Mohan Kumar Pandey

By Legal Practitioner for Petitioner

Petitioner

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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>Memo of appearance filed by Dr Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri R Chandra, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>MA. No. 1043 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 11.08.2015 passed by this Court in T.A. No. 526 of 2010.</p> <p>As per stamp reporter's report, there is delay of 02 years, 06 months and 27 days 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 grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <u>Office of the Chief Post Master General and others vs Living Media India Ltd and another</u> reported in <u>2012 STPL (LE) 46200 SC.</u></p> <p><u>M.A. No 1044 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 beyond the period of 30 days. Even otherwise also, we do not find any point of law of general public importance involved in the decision so as</p>

to grant leave to appeal.

Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also rejected.

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

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

RS/*

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1056 of 2018 with M.A. No. 1057 of 2018

Inre: O.A. No. 445 of 2017

Second Appellate Committee & Others
By Legal Practitioner for Applicants

Applicants

Versus

Badri Prasad Sharma
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 Amit Jaiswal, learned counsel for the applicants and Maj Salen Xaxa, Departmental Representative.</p> <p><u>M.A. No. 1056 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 24.01.2018 passed by this Court in O.A. No. 445 of 2017.</p> <p>As per stamp reporter's report, there is delay of 01 month and 14 days 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 shall 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 grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern</i></p>

technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”

The Hon’ble Supreme Court further observed as under :

“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.

In view of the decision of the Hon’ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 1057 of 2018

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 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.

Even otherwise also we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected.

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

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

RS/*

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

R.A. No. 31 of 2018 Inre O.A. No. 135 of 2014

Union of India & Others

Applicants-Respondents

By Legal Practitioner for Applicants-Respondents

Versus

Rajendra Pratap Singh

Respondent-Applicant

By Legal Practitioner for Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
anb	<p><u>11.04.2018</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 on behalf of respondent Nos. 1 to 4 His name be shown as learned counsel for the respondents Nos. 1 to 4 when the case is listed next.</p> <p>Present: Shri D.C. Lohumi and Shri A.K. Gupta, learned counsel for the applicants-Respondents.</p> <p>Let notices be issued to the respondent-applicant, Rajendra Pratap Singh, returnable at an early date.</p> <p>List this case on 09.07.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

EX.A. No. 184 of 2017 Inre T.A. No. 1364 of 2010

Mohan Singh

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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: Col A.K. Srivastava (Retd), learned counsel for the Petitioner and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p>Learned counsel for the respondents submits that the order of the Tribunal has been complied with and necessary PPO has been issued. Copy of the PPO has been provided to learned counsel for the applicant in Court who submits that the PPO does not cover all the reliefs granted by this Court and prays for time to file objection. As prayed, four weeks' time is granted to file objection.</p> <p>List this case on 04.07.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

M.A. No. 49 of 2016 Inre O.A. No. Nil of 2016

Surender Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><u>M.A. No. 49 of 2016</u></p> <p>Case taken up in the revised list. None appears for the applicant.</p> <p>By means of this O.A., the applicant has made prayer for providing summary court martial proceedings and further to re-instate him in service. The O.A. has been filed after lapse of more than 25 years.</p> <p>Learned counsel for the respondents on the basis of instructions submits that the entire record pertaining to this case has been weeded out in pursuance to Army Rule 146 after complying the relevant provisions for the destruction of record.</p> <p>Since none is present on behalf of the applicant, therefore, the application for condonation of delay in preferring the O.A. is rejected for want of prosecution.</p> <p>As a consequence thereto the O.A. also stands dismissed.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

M.A. No. 388 of 2018 Inre O.A. No. Nil of 2018

Jawahar Lal Pal

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 S.S. Rajawat, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay.</p> <p>List this case on 15.05.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No 468 of 2018 with M.A. No. 1011 of 2018 Inre O.A. No. Nil of 2018
Ram Chandra Singh Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 K.K. Singh Bisht, Advocate holding brief of Shri J.N. Mishra, learned counsel for the applicant and Shri Dinesh Kumar Pandey, learned counsel for the respondents.</p> <p>Shri K.K. Singh Bisht, Advocate prays for adjournment on behalf Shri J.N. Mishra, learned counsel for the applicant.</p> <p>List this case on 05.07.2018 for orders.</p> <p>(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

O.A. No. 37 of 2017 with M.A. No. 962 of 2018

Dharmendra Singh
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>11.04.2018</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 K.K.S. Bisht, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 962 of 2018</u></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is dispose of accordingly.</p> <p>Affidavits have been exchanged and the case is ripe for hearing.</p> <p>List this case on 10.07.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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

O.A. No. 405 of 2017

Lt Col Laxmi Narayan Trivedi (Retd)
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>11.04.2018</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, Advocate holding brief of Shri Virat Anand Singh, learned counsel for the applicant and Shri A.N. Tripathi, learned counsel for the respondents.</p> <p>The O.A. has been preferred for grant of disability pension. Even after lapse of 7 months and after availing several opportunities to file counter affidavit, the respondents has failed to file counter affidavit. Today again prayer has been made by learned counsel for the respondents for time to file counter affidavit.</p> <p>It is sorry state of affair that inspite of availing several opportunities the learned counsel for the respondents has not filed counter affidavit. However, in the interest of justice, as a matter of last opportunity, two weeks' further time is granted to the respondents to file counter affidavit.</p> <p>List this case on 03.05.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

O.A. No. 471 of 2017

Chet Ram

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>11.04.2018</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, learned counsel the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted short time to file supplementary counter affidavit to bring on record documents relating to Release Medical Board.</p> <p>List this case on 16.04.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
O.A. No. 476 of 2017 with M.A. No. 989 of 2018

Madhuri Singh
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>11.04.2018</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 K.K. Singh Bisht, Advocate holding brief of Shri J.N. Mishra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A. No. 989 of 2018</u></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p><u>O.A. No. 476 of 2017</u></p> <p>Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within four weeks.</p> <p>List this case on 05.07.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

O.A. No. 491 of 2017

Mange Ram

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>11.04.2018</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 K.K. Singh Bisht, Advocate holding brief of Shri Somesh Tripathi, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents undertakes to file counter affidavit in the Registry during the course of day after serving a copy thereof on learned counsel for the applicant.</p> <p>List this case on 06.07.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit may be filed by learned counsel for the applicant.</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
O.A. No. 495 of 2017

Ram Naresh Singh
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>11.04.2018</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted, as a last opportunity, two weeks further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 17.05.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

O.A. No. 77 of 2018

Smt.Nirmal Nagpaul W/o Late Lt Col Vijay Nagpaul
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>11.04.2018</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: Col Y.R. Sharma (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>By means of present O.A., one of the prayers made by the applicant is as follows :-</p> <p><i>“(b) That the applicant be awarded costs as being appropriate for forcing avoidable litigation on the applicant.”</i></p> <p>It is submitted by learned counsel for the applicant that during treatment of the applicant's husband, gross medical negligence was done by the concerned Doctors.</p> <p>Learned counsel for the respondents submitted that departmental action against the Doctors was initiated.</p> <p>In this view of the matter, we feel that the issue involve requires hearing.</p> <p>Admit.</p> <p>Learned counsel for the respondents may file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 10.07.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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
O.A. No. 83 of 2018 with M.A. No. 1041 of 2018

Bharat Prasad Gupta
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>11.04.2018</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 O.P. Kushwaha, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1041 of 2018</u></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is dispose of accordingly.</p> <p><u>O.A. No. 83 of 2018</u></p> <p>Learned counsel for the applicant submits that he does not intend to file rejoinder affidavit.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

M.A. No. 1058 of 2018 Inre O.A. No. 182 of 2018

Nk Girraj Singh Tomar Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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: Maj R.D. Singh (Retd), learned counsel for the applicant and Maj Saen Xaxa, Departmental Representative for the respondents.</p> <p><u>M.A. No. 1058 of 2018</u></p> <p>This is an application for early hearing on interim relief on the ground that the applicant is going to retire on 30.04.2018. Application is allowed.</p> <p>List this case on 19.04.2018 for orders on interim relief.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

M.A. No. 1825 of 2017 with M.A. No. 472 of 2018 Inre O.A. No. Nil of 2017
Ganga Ram Chaube Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 V.K. Pandey, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he shall file preliminary objection on the point of maintainability of the O.A. during the course of day after serving a copy thereof on learned counsel for the applicant.</p> <p>Learned counsel for the applicant may file replication on application for condonation of delay as well as replication on objection on maintainability of the O.A.</p> <p>List this case on 06.07.2018 for orders.</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
M.A. No. 331 of 2018 Inre T.A. No. 633 of 2010 alongwith M.A. No. 438 & 439 of 2018
Inre T.A. No. 635 of 2010

Chief of Army Staff & Others
By Legal Practitioner for Petitioners

Petitioners

Versus

Upendra Singh Chauhan
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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: Mohd Zafar Khan, learned counsel for the petitioners and Shri Rohit Kumar, learned counsel for the respondent.</p> <p><u>M.A. No. 331 of 2018</u></p> <p>This is an application for leave to appeal. Shri Rohit Kumar, learned counsel for the respondent-applicant does not intend to file objection.</p> <p>After hearing learned counsel for the parties we do not find any ground where question of public importance is involved to grant leave to appeal. In view of statutory provision contained in Section 31 of the Armed Forces Tribunal Act, 2007, we also find that no point of law of general importance is involved which may cause for grant of leave to appeal to the applicant-respondent.</p> <p>Application lacks merit and is rejected.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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
**M.A. No. 438 of 2018 with M.A. No. 439 of 2018 Inre T.A. No. 635 of 2010 (Leave
to Appeal Inre T.A. No. 572 of 2010 attached)**

Chief of Army Staff & Others Petitioners
By Legal Practitioner for Petitioners

Versus

Anil Joshi Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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: Maj Salen Xaxa, Departmental Representative for the petitioners-applicants and Shri Rohit Kumar, learned counsel for the respondent-applicant.</p> <p><u>M.A. No. 438 of 2018</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. The Tribunal lacks jurisdiction to condone the delay.</p> <p>In view of the above, application for condonation of delay in filing application for leave to appeal is rejected.</p> <p><u>M.A. No 439 of 2018</u></p> <p>Since application for condonation of delay has been rejected, inconsequence thereof, application for leave to appeal is also rejected.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(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

O.A. No. 460 of 2017

Bhagwat Prasad Lal
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>11.04.2018</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 Arun Kumar Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>By means of this O.A. the applicant has made prayer for grant of disability pension but there is no medical record of his disability.</p> <p>On behalf of the respondents, it is submitted that the case has been filed after a lapse of 50 years and all the documents pertaining to this case have been weeded out. Hence, no record of his disability is available.</p> <p>Learned counsel for the applicant prays for and is granted four weeks time to file documents in support of his claim, if any.</p> <p>List this case on 13.07.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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

T.A. No. 185 of 2009 with M.A. No. 821 of 2017

Vijay Kumar Yadav Petitioner
By Legal Practitioner for Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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: The petitioner, Vijay Kumar Yadav, in person and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p>The applicant present in person prays for adjournment on the ground that his counsel is not available today.</p> <p>In the absence of his counsel, the applicant is himself responsible for delay in disposal of his case. No further adjournment will be given on the next date.</p> <p>List this case on 16.04.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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

T.A. No. 59 of 2011 alongwith O.A. (A) No. 81 of 2012

Hayat Singh Bankoti

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 Lalit Kumar, learned counsel for the petitioner and Shri R.C. Shukla, learned counsel for the respondents.</p> <p>Today, learned counsel for the petitioner has filed written submission and copy of the same has been provided to learned counsel for the respondents in the court itself.</p> <p>As prayed, list this case on 30.05.2018 for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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

T.A. No. 77 of 2016

Ashok Kumar

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 K.K.S. Bisht, learned counsel for the petitioner and Dr. Shesh Narain Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</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

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>11.04.2018</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>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>By means of this original application, applicant has prayed to quash the entry of 'Good' in his service records as well as discharge certificate and to grant 'Exemplary' character with the provisions of Rule 170 of the Regulations of the Army, 1987.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions as to why the aforesaid entry has been made in service records as well as discharge certificate of the applicant.</p> <p>List this case on 15.05.2018 for hearing on admission.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1649 of 2017

(Inre: O.A. No. Nil of 2017 alongwith O.A. No. 187 of 2015

Ram Gopal Singh

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>11.04.2018</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 O.P. Kushwaha, Advocate holding brief of Shri Ashok Kumar, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><u>M.A. No. 1078 of 2018</u></p> <p>Replication to the objection filed by learned counsel for the applicant is taken on record. Accordingly, aforesaid M.A. stands disposed of.</p> <p>Learned counsel for the respondents submits that earlier, applicant had filed O.A. No. 187 of 2015 and the same was dismissed as entire amount including arrears were paid to him. Applicant has now come before this Tribunal with the same reliefs.</p> <p>It is submitted by Shri OP Kushwaha, Advocate that learned counsel for the applicant has not come to the Court since he is out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 26.04.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 2028 of 2017 with M.A. No. 441 of 2018
(Inre O.A. No. Nil of 2017)

Sachchida Nand Tiwari
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he shall file replication to the objection on condonation of delay during course of the day after serving a copy of the same on learned counsel for the respondents.</p> <p>List this case on 03.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 2045 of 2017 with M.A. No. 892 of 2018

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

Jadhav Nilesh Dinkar

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>11.04.2018</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 Vinay Pandey, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><u>M.A. No. 892 of 2018</u></p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record. Accordingly, aforesaid M.A. stands disposed of.</p> <p>Learned counsel for the applicant submits that he shall file replication to the aforesaid objection during course of the day.</p> <p>List this case on 17.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 2281 of 2017
(Inre : O.A. No. Nil of 2017)

Rajendra Prasad
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>11.04.2018</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 DS Tiwari, learned counsel for the applicant.</p> <p>An adjournment has been prayed on the ground of non-availability of respondents counsel.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 10.05.2018 for orders.</p> <p>Meanwhile, learned counsel for the respondents shall file objection on the application for condonation of delay and also on the point of maintainability of present O.A..</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 2342 of 2017
(Inre : T.A. No. 3 of 2017)

Kamlesh Prasad

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.04.2018</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 PK Shukla, Advocate holding brief of Shri Virat Anand Singh, learned counsel for the petitioner and Shri AN Tripathi, learned counsel for the respondents.</p> <p>Receipt of the costs for recall of the order dated 30.11.2017 has not yet been filed.</p> <p>An adjournment has been prayed on behalf of the petitioner since he is out of station.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 16.07.2018 for orders.</p> <p>Meanwhile, receipt of the cost as well as Bench Copy of the petition as directed by this Court may be filed by the petitioner.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

COURT NO. 1

O.A. No. 431 of 2017

Lt Col (Retd) Narayan Singh Thapa -Applicant
By Legal Practitioner for the applicant
Vs

Union of India & Ors -Respondents
By Legal Practitioner for Respondents

	<p><u>12.04.2018</u></p> <p><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>Judgment pronounced. O.A. is allowed. For orders, see our judgment and order of date passed on separate sheets.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) JPT</p>
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Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

COURT NO. 1

O.A. No. 196 of 2018

Ex Maj Rakesh Tomar -Applicant
By Legal Practitioner for the applicant
Vs

Union of India & Ors -Respondents
By Legal Practitioner for Respondents

	<p><u>12.04.2018</u></p> <p><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>Judgment pronounced. O.A. is allowed. For orders, see our judgment and order of date passed on separate sheets.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>
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Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 307 of 2015

Amit Kumar 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>12.04.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Shri V.R. Chaubey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>In this case the applicant has claimed disability pension on the basis of Medical Board conducted on 23.04.2013. In support of this Annexure-3 has been filed to the petition, wherein it has been mentioned "<i>He was re-assessed by the Senior Advisor (Medicine) and % of disability was given as 50%, accordingly disability certificate was issued bearing registration No. 7AFH/09/2013 dated 23 Apr 13 and duly countersigned by AOC of this hospital on 26 Apr 13.</i>" However, the medical certificate so issued on the aforesaid reference number is not on record. In the absence of said certificate it is difficult for me to proceed further because the entire claim is based on the said certificate.</p> <p>In the circumstances, learned counsel for the parties are hereby directed to bring the said certificate on record by means of affidavit.</p> <p>List this case on 01.05.2018 for hearing after regular Bench.</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 37 of 2016

Shree Pal

-

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

-

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Ms Kavita Singh Suryavanshi holding brief of Shri Abhishek Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>On the request made on behalf of learned counsel for the applicant for adjournment, list this case for hearing on 01.05.2018 after regular Bench.</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1007 of 2018
Inre: O.A. No. Nil of 2018

Ranbir Kumar
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>12.04.2018</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>Memo of appearance filed by Shri Rajiv Pandey, 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 Rahul Pandey, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 1007 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 14 years. Copy of this application has been served upon the learned Standing Counsel for the respondents on 05.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 06.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1068 of 2018
Inre: O.A. No. Nil of 2018

Mahesh Datt Pandey
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>12.04.2018</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>Memo of appearance filed by Shri Ramesh Chandra 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 PK Shukla, learned counsel for the applicant and Shri Ramesh Chandra Shukla, learned counsel for the respondents.</p> <p><u>M.A. No. 1068 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 01 year. Copy of this application has been served upon the learned Standing Counsel for the respondents on 10.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 17.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 205 of 2018

Kasivisweswara Rao

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>12.04.2018</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>Memo of appearance filed by Shri Yogesh kesarwani, 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: Col AK Srivastava (Retd), learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file preliminary objection on the point of maintainability. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 17.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1048 of 2018 with M.A. No. 1049 of 2018

Inre: T.A. No. 1366 of 2010

Union of India & Others

By Legal Practitioner for Petitioners

Petitioners

Versus

Kamal Singh Rautela

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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 Bhanu Pratap Singh, learned counsel for the petitioners and Maj Salen Xaxa, Departmental Representative.</p> <p><u>M.A. No. 1048 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 08.08.2017 passed by this Court in T.A. No. 1366 of 2010.</p> <p>As per stamp reporter's report, there is delay of 07 months 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 shall 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 grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern</i></p>

technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”

The Hon’ble Supreme Court further observed as under :

“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.

In view of the decision of the Hon’ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 1049 of 2018

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 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.

Even otherwise also we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected.

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

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

RS/*

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1067 of 2018

Inre: O.A. No. 259 of 2013

Chun Bahadur

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>12.04.2018</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>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: Shri VP Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1067 of 2018</u></p> <p>This is an application for amendment/correction in the name of the applicant in original application No. 259 of 2013 and correction in judgment order dated 13.09.2017 passed by this Tribunal in O.A. No. 259 of 2013.</p> <p>Learned counsel for the applicant submits that at the time of filing original application, a typographical error was occurred with regard to the spelling of the name of applicant which ought to have been “Chhun Bahadur” instead of “Chun Bahadur”.</p> <p>Accordingly, aforesaid application is allowed and learned counsel for the applicant is directed to amend the original application during course of the day. Thereafter the order shall be corrected accordingly.</p> <p>M.A aforesaid is disposed of.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
M.A. No. 961 of 2017 Inre O.A. No. 166 of 2016

Shiv Kumar Verma
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>12.04.2018</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 applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Case taken up in the revised list. None appeared on behalf of the applicant. Cost of Rs. 500/- has also not been deposited by the applicant by which case was restored to its original number. It appears that the applicant is not interested to pursue his case.</p> <p>Accordingly the case is dismissed for want of prosecution.</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
M.A. No.159 of 2018 Inre O.A. No. Nil of 2018

Mukesh Kumar

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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, learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p>An adjournment is prayed on behalf of the respondents to file objection on application for condonation of delay.</p> <p>List this case on 11.05.2018 for orders.</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

O.A. No. 556 of 2017 with M.A. No. 1086 of 2018

Govind Prasad
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>12.04.2018</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 Vinay Pandey, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p><u>M.A. No. 1086 of 2018</u></p> <p>Counter affidavit filed by learned counsel for the respondents, today in the Court, after serving a copy on learned counsel for the applicant is taken on record. M.A. aforesaid is dispose of accordingly.</p> <p>After going through the aforesaid affidavit, learned counsel for the applicant submits that he does not intend to file rejoinder affidavit and the case may be disposed of at this stage.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</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

**O.A. No. 617 of 2017 with M.A. No. 936 of 2018,
M.A. No. 624 & 625 of 2018 & M.A. No. 2273 of 2017**

Brig Dinesh Kumar Ahluwalia
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>12.04.2018</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 Mukund Tiwari, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 936 of 2018</u></p> <p>Supplementary affidavit filed on behalf of respondent Nos. 1 to 3 is taken on record.</p> <p>Learned counsel for the respondents submits that he has moved this application to hold Selection Board scheduled in the month of April 2018 to which learned counsel for the applicant has vehemently opposed.</p> <p><u>M.A. No. 624 & 625 of 2018</u></p> <p>Amendment and Abatement application filed on behalf of the applicant is taken on record.</p> <p>Learned counsel for the respondents submits that he shall file objection on applications for amendment and abatement during the course of day.</p> <p>List this case on 24.04.2018 for hearing on applications for amendment and abatement.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 618 of 2017

Dhananjay Singh

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>12.04.2018</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, Advocate holding brief of Shri Shiv Dayal Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he shall file counter affidavit in the Registry by tomorrow after serving a copy thereto on learned counsel for the applicant.</p> <p>List this case on 17.04.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 685 of 2017 with M.A. No. 1037 of 2018

Ramesh Chand

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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 B.B. Tripathi, learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p><u>M.A. No. 1037 of 2018</u></p> <p>Supplementary affidavit filed by learned counsel for the applicant is taken on record.</p> <p>Departmental Representative for the respondents submits that counter affidavit could not be filed due to non receipt of instructions from the authority concerned and a cost of Rs. 5000/- was imposed vide order dated 09.04.2018. He further submits that the applicant belongs to SIKH LI Regiment and not from Army Ordnance Corps (AOC) Secunderabad and therefore no instructions received from the authority concerned due to wrong impleadment of party No. 2 in the Original Application.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to move amendment application for impleadment of correct respondents in the array of parties.</p> <p>It is clarified that cost of Rs. 5000/- imposed on the respondents vide order dated 09.04.2018 is hereby exempted.</p> <p>List this case on 06.07.2018 for orders.</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

O.A. No. 14 of 2018

Jahad Singh

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>12.04.2018</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: Col Rakesh Johri (Retd), learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he shall file counter affidavit in the Registry during the course of day after providing a copy thereto on learned counsel for the applicant.</p> <p>List this case on 18.04.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit, may be filed by learned counsel for the applicant.</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

O.A. No. 63 of 2018

Vijaypal Singh

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>12.04.2018</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 K.K. Mishra, learned counsel the applicant and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p>Departmental Representative for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 09.07.2018 for orders.</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

O.A. No. 70 of 2018

Dev Bahadur Singh Sikarwar
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>12.04.2018</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 K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file counter affidavit.</p> <p>List this case on 01.05.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 114 of 2018 with M.A. No. 729 of 2018

Uday Narayan Singh Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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: Col A.K. Srivastava (Retd), learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 729 of 2018</u></p> <p>Preliminary objection filed by learned counsel for the respondents is taken on record.</p> <p><u>O.A. No. 114 of 2018</u></p> <p>Learned counsel for the applicant submits that he does not intend to file replication to objection.</p> <p>List this case on 17.05.2018 for hearing on preliminary objection raised by the respondents showing the name of Shri Ashish Kumar Singh as learned counsel for the respondents.</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

T.A. No. 775 of 2010 with M.A. No. 1066 of 2018

R.N. Pandey

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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 V.P. Pandey, learned counsel for the Petitioner and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p><u>M.A. No. 1066 of 2018</u></p> <p>Amendment application filed by learned counsel for the petitioner is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on amendment application.</p> <p>List this case on 02.05.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 37 of 2011

Narayan Singh

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>12.04.2018</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 Lalit Kumar, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents assisted by Maj Salen Xaxa, Departmental Representative.</p> <p>Arguments of learned counsel for the applicant concluded.</p> <p>Learned counsel for the respondents submits that original documents pertaining to the case are not available today. He prays for and is granted a weeks' time to produce the original documents.</p> <p>As prayed, list this case on 19.04.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 94 of 2014

Gyanandra Kumar Mishra
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>12.04.2018</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 V.K. Singh, Advocate, holding brief of Shri K.K. Misra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>The case called out. Shri K.K. Misra, learned counsel for the applicant was present in the Court in the last case but he is not present in the Court to attend this case. Now Shri V.K. Singh, Advocate holding brief of Shri K.K. Misra is praying for adjournment of the case.</p> <p>The case pertains to the year 2014. From perusal of order sheets, it transpires that since last five dates adjournment is being prayed on behalf of the applicant. The applicant is himself delaying the matter.</p> <p>In the interest of justice, the case is adjourned.</p> <p>List this case on 11.07.2018 for hearing.</p> <p>It is clarified that no further adjournment shall be granted on the next date of hearing and the case will be heard finally.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
O.A. No. 254 of 2014

T.S. Negi

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>12.04.2018</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: Col R.N. Singh (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Arguments of learned counsel for the applicant concluded.</p> <p>Learned counsel for the respondents submits that he wants to go through the judgments submitted by learned counsel for the applicant and prays for a week's time for this purpose.</p> <p>As prayed, list this case on 23.04.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 146 of 2017

Sub Maj Prem Kumar Tiwari
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>12.04.2018</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 Shailendra Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for adjournment of the case.</p> <p>As prayed, list this case on 02.05.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 197 of 2017

Sub Shambhu Nath Sharma
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>12.04.2018</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for adjournment of the case.</p> <p>As prayed, list this case on 02.05.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

T.A. No. 55 of 2009

Smt. Poonam Rana & Others
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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: Mohd Kaif, Advocate holding brief of Shri Manoj Kumar Singh, learned counsel for the petitioner and Ms. Amrita Chakraborty, learned counsel for the respondents.</p> <p>This T.A. pertains to the year 2007. Mohd Kaif, appearing on behalf of the petitioner prays for adjournment of the case submitting that Shri Manoj Kumar Singh, learned counsel for the petitioner is not available today. As prayed, the case is adjourned for the day.</p> <p>List this case on 01.05.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 501 of 2018
(Inre: O.A. No. Nil of 2018)

Col Arun Prakash Pandey(Retd)
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>12.04.2018</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, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>M.A. No. 501 of 2018</u></p> <p>By means of this original application, applicant has prayed for grant of the benefits of rounding off of disability pension. There is a delay of about two months in filing the O.A.. On 26.02.2018, two weeks' time was granted to the respondents to file objection on the application for condonation of delay, but the same has not yet been filed and today, again an adjournment has been prayed for the said purpose. We donot find it appropriate to grant further time to file objection as the disability pension is recurring cause of action, hence prayer for filing objection is hereby closed and delay in filing the original application is hereby condoned.</p> <p style="text-align: center;">Having heard the learned counsel for the parties, it is fit case for admission.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A..</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p style="text-align: center;">List this case on 10.07.2018 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>RPM/-</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 141 of 2012

Smt Rekha

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>12.04.2018</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 Nishant Verma, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that objection on the amended portion of the original application is ready and shall be filed during course of the day in Registry after serving a copy on learned counsel for the applicant.</p> <p>List this case on 16.05.2018 for orders.</p> <p>Meanwhile, replication to the said objection may be filed by the applicant.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

O.A. No. 203 of 2012
With M.A. No. 1072 of 2018

Smt Sandhya Rai
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents.</p> <p>Pleadings are complete.</p> <p>Case is ripe up for hearing.</p> <p>Accordingly, list this case on 11.07.2018 for hearing.</p> <p>Respondents shall produce the original records pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

O.A. No. 307 of 2017

Smt Maya Thapa
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2018</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, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' as last opportunity to file counter affidavit.</p> <p>List this case on 04.05.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit may be filed by learned counsel for the applicant.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

O.A. No. 545 of 2017

Surendra Singh
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>12.04.2018</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: Col RN Singh(Retd), learned counsel for the applicant and Dr. Shailendra Sarma Atal, learned counsel for the respondents.</p> <p>Counter affidavit filed by learned counsel for the respondents, today in Court, after serving a copy on learned counsel for the applicant is taken on record.</p> <p>After going through the aforesaid affidavit, learned counsel for the applicant submits that he does not intend to file rejoinder affidavit and the case may be disposed off at this stage.</p> <p>Heard.</p> <p>Arguments concluded.</p> <p>Orders reserved.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 1065 of 2010 alongwith T.A. No. 1103 of 2010

R.N. Mishra

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Petitioner

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>13.04.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Shri Bhasker Pratap Dubey, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Learned counsel for the petitioner is not prepared with the case. He is drawing attention of this Tribunal regarding the earlier order passed in the year 2015 and thereafter the application moved for recall of the said order. He is also submitting that the petitioner had moved an application for amendment in the petition, which was allowed but no such amendment could be carried out.</p> <p>In the circumstances, learned counsel for the petitioner is directed to flag the applications and the orders upon which he is placing reliance in support of his case.</p> <p>List this case for hearing on 01.05.2018 after regular Bench.</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

EX-A. No. 198 of 2017
Inre: O.A. No. 34 of 2015

Ram Singh Yadav
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>13.04.2018</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 is present on behalf of the applicant. Shri RKS Chauhan, learned counsel for the respondents.</p> <p><u>EX-A. No. 198 of 2017</u></p> <p>This is an application for execution of the order dated 08.05.2017 passed in O.A. No.34 of 2015.</p> <p>By means of the aforesaid order under execution, a direction was given to the respondents to decide the statutory appeal preferred by the applicant by passing speaking and reasoned order within a period of four months from the date of receipt of communication of the present order.</p> <p>In compliance of the said order, the applicant preferred a petition on 26th November 2013 before the appropriate authority, which has been rejected by the appropriate authority on 08th March 2018. A copy of the said order has been produced before us by the learned counsel for the respondents, which is taken on record.</p> <p>In view of the aforesaid, since the order under execution has been complied with, this Execution Application has become infructuous and is accordingly dismissed.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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. 18 of 2018

Inre: T.A. No. 133 of 2010

Yogendra Singh Tomar

By Legal Practitioner for Petitioner

Petitioner

Versus

Govt of India through Secretary Defence Sena Bhawan

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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 DKS Rathore, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents.</p> <p><u>EX-A. No. 18 of 2018</u></p> <p>This is an application for execution of the order dated 20.09.2017 passed in T.A. No.133 of 2010.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' further time to comply with the order under execution.</p> <p>List this case on 18.05.2018 for orders</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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. 61 of 2017 with M.A. No. 62 of 2017

Inre: O.A. No. 455 of 2012

Prashant Kumar

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>13.04.2018</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 PK Shukla, Advocate holding brief of Shri Virat Anand Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri PK Shukla, Advocate submits that Shri Virat Anand Singh, learned counsel for the applicant is out of station and has not come to the court and prays for adjournment of the case.</p> <p>In the interest of justice, the case is passed over for the day.</p> <p>List this case on 12.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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. 201 of 2018

Inre: O.A. No. Nil of 2018

Sandeep Kumar Yadav

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>13.04.2018</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 on behalf of the applicant. Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he shall file objection on the application for condonation of delay within a very short period.</p> <p>List this case on 15.05.2018 for orders.</p> <p>Meanwhile, objection on the application for condonation of delay may be filed by the learned counsel for the respondents.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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. 356 of 2018 with M.A. No. 1015 of 2018

Inre: O.A. No. Nil of 2018

Rakesh Kumar

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>13.04.2018</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 OP Kushwaha, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p><u>M.A.No.1015 of 2018</u></p> <p>Objection on the application for condonation of delay filed by the learned counsel for the respondents is taken on record. M.A. stands disposed of.</p> <p>Learned counsel for the applicant prays for time to go through it and to file reply.</p> <p>List this case on 04.07.2018 for orders.</p> <p>Meanwhile, reply to the objection may be filed by the learned counsel for the applicant.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(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. 1089 of 2018

Inre: O.A. No. 617 of 2017

Brig Dinesh Kumar Ahluwalia
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>13.04.2018</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: Brig Dinesh Kumar Ahluwalia, applicant in person and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A.No. 1089 of 2018</u></p> <p>This is an application for interim stay moved in O.A.No. 617 of 2017.</p> <p>By the instant interim stay application, the applicant has prayed for staying on the operation of Military Secretary's Branch vide letter dated 12th April 2018.</p> <p>It is submitted by the applicant that on the basis of Annexure-1 of the above-quoted letter, the Selection Board of 1988 batch for promotion to Major General is to be held and the applicant apprehends that the Selection Board shall be convened tomorrow i.e. 14th April 2018 or any time soon thereafter.</p> <p>Learned counsel for the respondents, in the basis of the instructions received from Army Headquarters, submits that the Selection Board for 1988 batch is scheduled to be held on 19th April 2018 alongwith 1987 batch. The applicant, who is arguing his case personally, has drawn our attention towards certain anomalies in holding the proposed Selection Board. He has argued that as per the scheme, such Board ought to be held once in a year for considering the vacancies emerging in the consideration year, but the said procedure has been violated and this act of the respondents is against his interest. He has also drawn our attention to certain other anomalies on the issue of remarks "fresh case" and "first review case" in the Annexure-1.</p>

On the basis of the instructions received by the learned counsel for the respondents, we hereby direct the respondents that the Selection Board for 1987 and 1988 batch shall not take place till 19th April 2018, as informed by the learned counsel for the respondents.

List this application on Tuesday i.e. **17.04.2018** for orders.

Meanwhile, written objection, if any, to this application may be filed by the respondents.

Let a copy of this order be given to the learned counsel for the respondents today free of cost.

(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

DY-No. 1049 of 2018

Inre: O.A. No. Nil of 2018

Suneel Kumar

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>13.04.2018</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>Memo of appearance filed by Shri DK pandey, 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 R Chandra, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents.</p> <p><u>DY-No. 1049 of 2018</u></p> <p>As per officer report this case is barred by time. Learned counsel for the applicant submits that it is not barred by time. He may file written objection against the office report.</p> <p>List this case on 07.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1076 of 2018
Inre: O.A. No. Nil of 2018

Devendra Singh Bhadauria
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>13.04.2018</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>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: Shri VP Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1076 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 09 months. Copy of this application has been served upon the learned Standing Counsel for the respondents on 10.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 18.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

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

M.A. No. 1082 of 2018
Inre: O.A. No. Nil of 2018

Desh Deepak
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>13.04.2018</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>Memo of appearance filed by Shri Mohd Zafar Khan, 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 SK Malviya, learned counsel for the applicant and Shri Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 1082 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 04 years. Copy of this application has been served upon the learned Standing Counsel for the respondents on 11.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 21.05.2018 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>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1084 of 2018
Inre: O.A. No. Nil of 2018

Lt Col Prem Datt Kaushal (Retd)
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>13.04.2018</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>Memo of appearance filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri SK Malviya, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1084 of 2018</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by more than 16 years. Copy of this application has been served upon the learned Standing Counsel for the respondents on 11.04.2018.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file objection on the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 22.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

EX-A No. 65 of 2018

Inre: O.A. No. 65 of 2013

Ram Bharat Singh

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>13.04.2018</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>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri SK Chaturvedi, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>EX-A. No. 65 of 2018</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 9th December 2015 passed in O.A. No. 65 of 2013.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to seek instructions and show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>List this case on 23.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 1079 of 2018 with M.A. No. 1080 of 2018

Inre: T.A. No. 26 of 2016

Noor Mohd

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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 Kushwaha, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1079 & 1080 of 2018</u></p> <p>This is an application for condonation of delay in filing recall of the order dated 08.03.2018 passed in TA No.26 of 2016 dismissing the Transferred Application for non prosecution.</p> <p>We have heard learned counsel for the applicant on the application for condonation of delay.</p> <p>The grounds shown in the affidavit filed in support of the application for recall seem to be justified. Accordingly, the application is allowed and the delay in filing the recall order dated 08.03.2018 is hereby condoned and restored to its original No. subject to payment of cost of Rs. 1000/-, which shall be deposited in the Bar Association, AFT, Lucknow within a week from today.</p> <p>List this case on 09.05.2018 for hearing.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

DY-No. 718 of 2017

Inre: T.A. No. 948 of 2010

Raghunandan Prasad

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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: Dr Shailendra Sharma Atal, learned counsel for the respondents and Maj Salen Xaxa, Departmental Representative.</p> <p>None is present for the applicant.</p> <p>It is informed at the Bar that Shri PN Chaturvedi, learned counsel for the applicant has expired.</p> <p>Registry is directed to send notice to the petitioner to make alternative arrangement to pursue his case.</p> <p>List this case on 10.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

DY-No. 2423 of 2017

Surendra Pal Verma

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>13.04.2018</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 Moti Chand Yadav, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p><u>DY-No. 2423 of 2017</u></p> <p>Having heard learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder, if any, may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 11.07.2018 for orders</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

EX-A. No. 170 of 2017
Inre: T.A. No. 208 of 2010

Gopal Pandey
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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 DC Tewari, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>EX-A. No. 170 of 2017</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 1st May 2017 passed in T.A. No. 208 of 2010 which relates to grant of disability pension with arrears within the stipulated time.</p> <p>At the threshold of the arguments, learned counsel for the respondents states that in compliance of the order of this Tribunal, necessary PPO has already been issued and a copy of the same has been provided to the applicant today in the Court.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of presentation of a certified copy of this order.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

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

M.A. No. 413 of 2018 with M.A. No. 1013 of 2018
(Inre: O.A. No. Nil of 2018)

Ram Dular Ram
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>13.04.2018</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, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1013 of 2018</u></p> <p style="text-align: center;">Objection on delay condonation application filed by learned counsel for the respondents after serving a copy of the same on learned counsel for the applicant is taken on record. Accordingly, aforesaid M.A. stands disposed of.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to go through it and file replication to the said objection.</p> <p style="text-align: center;">List this case on 17.05.2018 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>RPM/-</p>

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

M.A. No. 688 of 2018
(Inre: O.A. No. Nil of 2018)

Col Pankaj Mehra(Retd)
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>13.04.2018</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 KKS Bisht, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file objection on the application for condonation of delay.</p> <p>List this case on 09.05.2018 for orders.</p> <p>No further adjournment shall be granted for this purpose.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**M.A. No. 728 of 2018 alongwith M.A. No. 1716 of 2017
with M.A. No. 1717 of 2017
(Inre: T.A. No. 1480 of 2010)**

Harikesh Pandey
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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 Amit Kumar Prasad, learned counsel for the petitioner and Mohd Zafar Khan, learned counsel for the respondents.</p> <p>Objection on the application for condonation of delay in filing the recall application filed by learned counsel for the respondents is taken on record.</p> <p><u>M.A. No. 728 of 2018</u></p> <p>Replication to the aforesaid objection has been filed by learned counsel for the petitioner is taken on record. Accordingly, aforesaid M.A. stands disposed of.</p> <p><u>M.A. No. 1716 of 2017</u></p> <p>This is an application for condonation of delay in filing the recall application. Grounds shown in the affidavit in support of the restoration application seem to be sufficient. Accordingly, aforesaid application is allowed and delay in filing the restoration application is hereby condoned.</p> <p><u>M.A. No. 1717 of 2017</u></p> <p>This is an application for restoration of order dated 30.02.2014 passed by this Tribunal in T.A. No. 1480 of 2010 dismissing the same for non-prosecution.</p> <p>Grounds shown in the affidavit filing in support of the restoration application seem to be sufficient.</p> <p>Accordingly, restoration application is allowed and the order dated 23.01.2014 is hereby recalled and restored to its original No., subject to payment of cost of Rs. 2000/-, which shall be remitted to the Bar Association, AFT, Lucknow within two weeks from today.</p> <p>List this case on 18.05.2018 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>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

M.A. No. 808 of 2018 with M.A. No. 809 of 2018

(Inre: O.A. No. 228 of 2015)

Ramesh Chandra Dixit

In Person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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: Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>None appears on behalf of the applicant.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' further time to file objection on the application for condonation of delay for recall application filed by the applicant.</p> <p>List this case on 21.05.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

M.A. No. 911 of 2018
(Inre: O.A. No. Nil of 2018)

Smt Urmila Devi
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>13.04.2018</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>Memo of appearance filed by Shri Kaushik Chatterji, Advocate on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Akhilesh Kumar Singh, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>This original application has been filed by the applicant after a delay of more than 30 years along with an application for condonation of delay.</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.</p> <p>List this case on 13.07.2018 for orders.</p> <p>Meanwhile, replication to the said objection may be filed by 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>RPM/-</p>

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

O.A. No. 470 of 2012 with M.A. No. 1468 and 1759 of 2016

Naseebul Hasan Syed
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.04.2018</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: Maj RD Singh (Retd), learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p style="text-align: center;">In pursuance of this Tribunal order dated 17.01.2018, petition has been amended by the learned counsel for the petitioner but the amended copy of petition has not yet been filed.</p> <p style="text-align: center;">Learned counsel for the petitioner is hereby directed to file amended copy of the petition within a week after serving a copy of the same on learned counsel for the respondent.</p> <p style="text-align: center;">List this case on 14.05.2018 for orders.</p> <p style="text-align: center;">Meanwhile, counter affidavit for amended portion of the petition may be filed by learned counsel for the respondents.</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>RPM/-</p>