

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

M.A No. 1459 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Ram Raj Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 30.08.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

M.A No. 1460 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Chhatrapati Goswami
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 30.08.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

M.A No. 1461 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Ram Murti
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 30.08.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

D.Y. No. 1513 of 2018 with M.A. No. 1300 of 2018
Inre: O.A. No. Nil of 2018

Bharat Chandra Biswas

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 06.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 155 of 2017 Inre: T.A. No. 1288 of 2010

Chandra Bhushan Yadav
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 04.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 204 of 2017 with M.A. No. 1472 of 2018
Inre: O.A. No. 131 of 2017

Sushil Kumar Das By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 05.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 62 of 2018 Inre: O.A. No. 96 of 2017

Col Surajit Basu

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 24.08.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 68 of 2018 Inre: T.A. No. 528 of 2010

Laxmi Prasad By Legal Practitioner for the Petitioner	Petitioner
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 08.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 83 of 2018 Inre: T.A. No. 51 of 2016

Harendra Paswan

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 09.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 90 of 2018 Inre: O.A. No. 657 of 2017

Dinesh Chand Tiwari By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 05.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

M.A No. 104 of 2018 with M.A. No. 105 of 2018
M.A. No. 677 of 2018 Inre: T.A. No. 123 of 2010

Jayant Ram Verma

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 11.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

M.A No. 260 of 2018 Inre: O.A. No. Nil of 2018

Siya Ram

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 11.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

M.A No. 999 of 2018 Inre: M.A. No. 2332 of 2017
With M.A. No. 2357 of 2017, M.A. No. 2339 of 2017
& M.A. No. 2340 of 2017 Inre: T.A. No. 402 of 2010

Smt Vidyawati (Deceased)
Through Smt Sheela & Others

By Legal Practitioner for the Petitioners

Petitioners

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 12.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 202 of 2012

Vijay Kant Shukla

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 11.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 214 of 2016 with M.A. No. 462 of 2018

Smt Rajni Verma

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 09.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A No. 319 of 2017

Shiv Nath Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A No. 398 of 2017 with M.A. No. 988 of 2018
M.A. No. 582 of 2018

Smt Minakshi Bisht

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A No. 401 of 2017

Ranjay Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 10.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 174 of 2018

Awanish Kumar Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 225 of 2018

Rakesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 11.10.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

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

Union of India & Others By Legal Practitioner for the Applicants-Respondent	Applicants-Respondent
Versus	
Rajendra Pratap Singh By Legal Practitioner for Respondent-Applicant	Respondent-Applicant

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 12.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

T.A. No. 39 of 2017

Govind Singh Negi

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 14.09.2018 for orders.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 266 of 2011 with M.A. No. 820 of 2018

Chand Pati

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 203 of 2012

Smt Sandhya Rai

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 60 of 2014

Awadhesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 219 of 2016

Gp Capt Ajay Gaur

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 10.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 386 of 2017

Ashok Kumar Yadav

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 11.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 498 of 2017

Smt Kavita Devi

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 666 of 2017

Avadh Narain

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 15.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

O.A. No. 13 of 2018

Shri Pal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>17.08.2018</u></p> <p>Since one of the Hon'ble Members is on leave, the Court will not assemble today.</p> <p>List this case on 16.10.2018 for hearing.</p> <p style="text-align: right;">I/C Registrar</p> <p>SB</p>	

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

Ex-A No. 24 of 2018 Inre: O.A. No. 108 of 2013

Sunder Lal

By Legal Practitioner for the Applicant

Applicant

Versus

The Officer-in-Charge Records

The Punjab Regiment & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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. Gupta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he shall take steps for impleading the concerned bank authorities as the payment in pursuance of the PPO has not been made by the concerned bank authorities.</p> <p>List this case on 09.10.2018 for orders.</p> <p>Meanwhile, steps may be taken by the learned counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 96 of 2018 Inre: D.Y. No. 2451 of 2017
Inre: O.A. No. Nil of 2017

Col Gyan Prakash Shrivastava (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Thakur Balram Ji Srivastava, Ld. Counsel for the applicant and Shri Ashish Agnihotri, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 96 of 2018</u></p> <p>This is an application for execution of the order dated 29.11.2017 passed in Dy No. 2451 of 2017 in re O.A. Nil of 2017, whereby a direction was issued to the competent authority to decide the statutory appeal of the applicant. However, the same has not yet been disposed of.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and to file compliance report.</p> <p>List this case on 11.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 97 of 2018 Inre: O.A. No. 506 of 2017

Ashok Kumar Applicant
By Legal Practitioner for the Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 97 of 2018</u></p> <p>This is an application for execution of the order dated 20.12.2017 passed in O.A.,No. 506 of 2017, whereby a direction was issued to the respondents to decide the statutory complaint dated 31.12.2016 of the applicant. However, the same has not yet been disposed of.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and to file compliance report.</p> <p>List this case on 12.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 118 of 2018 Inre: O.A. No. 302 of 2011

Brijendra Kumar Singh By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.A. Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 118 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 04.12.2017 passed in O.A.No. 302 of 2011.</p> <p style="text-align: center;">It is informed by the learned counsel for the respondents that against the order under execution, SLP has been preferred before the Hon'ble Apex Court by the Union of India and he prays for and is granted four weeks' time to seek instructions and to file compliance report.</p> <p style="text-align: center;">List this case on 15.10.2018 for orders.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p>PKG</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

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

Col Pankaj Mehra (Retd) By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>M.A No. 688 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay in filing the O.A.</p> <p style="text-align: center;">By means of this O.A., the applicant has prayed for grant of benefits of rounding off of the disability pension, which is a recurring cause of action.</p> <p style="text-align: center;">Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p style="text-align: center;">Having heard the learned counsel for the parties, we find that it is a 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 style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List this case on 16.10.2018 for orders before the Registrar Court.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">PKG</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

O.A. No. 211 of 2017

Bhupendra Gavar

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col Y.R. Sharma (Retd), Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Supplementary affidavit filed on behalf of the applicant is taken on record.</p> <p style="text-align: center;">Learned counsel for the respondents prays for time to file its reply.</p> <p style="text-align: center;">List this case on 22.10.2018 for hearing.</p> <p style="text-align: center;">Meanwhile reply to the said supplementary affidavit may be filed.</p> <p style="text-align: center;">On the date fixed, original record pertaining to the case shall be produced by the respondents for perusal.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 09 of 2018

Prakash Chandra Tewari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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 Thakur Balram Ji Srivastava, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he has received copy of the counter affidavit and shall file rejoinder affidavit.</p> <p>List this case on 11.10.2018 for order.</p> <p>Meanwhile rejoinder affidavit may be filed by the learned counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 230 of 2017

Smt Urmila Devi Chauhan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that he has received the copy of the supplementary counter affidavit today and he prays for and is granted four weeks' time to file supplementary rejoinder affidavit.</p> <p style="text-align: center;">List this case on 09.10.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 389 of 2017

Kulwant Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Anand Saran, Advocate holding brief of Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Anand Saran, Advocate submits that learned counsel for the applicant has not come to the court and prays for adjournment of the case.</p> <p style="text-align: center;">In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 10.10.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 404 of 2017

Ram Bhawan

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents alongwith Major Salen Xaxa, Departmental Representative.</p> <p>Vide order dated 07.05.2018, the respondents were directed to bring on record the report of the Court of Inquiry, but even after availing two dates, the same has not been filed.</p> <p>Today learned counsel for the respondents and the Departmental Representative have expressed their inability to inform the Tribunal whether Court of Inquiry has been conducted or not. It is a very sorry state of affairs on the part of the respondents that in the last three months, the respondents could not seek instructions whether any Court of Inquiry in this matter has been conducted or not and whether the records are available or not.</p> <p>Learned counsel for the respondents submits that the matter relates to Record Office, Army Medical Corps, Lucknow which is co-located and the learned counsel for the respondents prays for and is granted one week's time to comply with the direction of this Tribunal dated 07.05.2018.</p> <p>List this case on 03.09.2018 for hearing.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 24 hours free of cost.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

M.A. No. 1468 of 2018 Inre: O.A. No. Nil of 2018

Hony Nb Sub R B Singh		Applicant
By Legal Practitioner for the Applicant		
	Versus	
Union of India & Others		Respondents
By Legal Practitioner for Respondents		

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Ms. Amrita Chakraborty, 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 style="text-align: justify;">Present: Shri R.N. Tripathi, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1468 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay filed by the applicant for grant of revised pension of Hony Naib Subedar. As per office report, it is delayed by 12 years, 01 month & 11 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks’ time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks’ thereafter.</p> <p style="text-align: justify;">List this case on 12.10.2018 for orders.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>(Air Marshal BBP Sinha) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice S.V.S. Rathore) Member (J)</p> </div> </div> <p style="margin-top: 10px;">SB</p>

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

M.A. No. 1473 of 2018 Inre: O.A. No. Nil of 2018

Smt Sushila Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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 Ashish Kumar 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 R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1473 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of service pension of her late husband. As per office report, it is delayed by 25 years, 04 months & 04 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 15.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1474 of 2018 Inre: O.A. No. Nil of 2018

Hony Nb Sub Laxman Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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 Ashish Saxena, 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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1474 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of revised pension of Hony Naib Subedar. As per office report, it is delayed by 12 years, 01 month & 12 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1475 of 2018 Inre: O.A. No. Nil of 2018

Ex Rect Yakoob Ali By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri J.N. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1475 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 08 years, 11 months & 05 days in filing the Original Application.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: center;">List this case on 16.10.2018 for orders.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">SB</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

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

Ex Sigmn Sohan Lal By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Shri Amit Jaiswal, 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 style="text-align: justify;">Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 155 of 2018</u></p> <p style="text-align: justify;">This is an application filed by the applicant for execution of order dated 09.03.2017 passed in O.A. No. 232 of 2016.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p style="text-align: justify;">List this case on 11.10.2018 for orders.</p> <table style="width: 100%; border: none; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">SB</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

Ex-A No. 156 of 2018 Inre: O.A. No. 419 of 2017

Prakash Swarup

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 156 of 2018</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 05.01.2018 passed in O.A. No. 419 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p style="text-align: center;">List this case on 12.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

Ex-A No. 157 of 2018 Inre: O.A. No. 170 of 2018

Prakash Swarup By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Shri Shyam 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 style="text-align: justify;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 157 of 2018</u></p> <p style="text-align: justify;">This is an application filed by the applicant for execution of order dated 10.04.2018 passed in O.A. No. 170 of 2018 whereby directions were issued to the respondents to decide the pending representation of the applicant within a period of three months by a speaking and reasoned order but the same has not yet been decided.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p style="text-align: justify;">List this case on 12.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 158 of 2018 Inre: O.A. No. 438 of 2017

Prakash Swarup

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 158 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 06.12.2017 passed in O.A. No. 438 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p>List this case on 12.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

Ex-A No. 159 of 2018 Inre: O.A. No. 79 of 2016

Smt Suman Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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 Amit Jaiswal, 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 V.P. Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 159 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 12.07.2017 passed in O.A. No. 79 of 2016 whereby directions were issued to the respondents to decide the appeal of the applicant within a period of four months by a speaking and reasoned order but the same has not yet been decided.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p>List this case on 15.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

Ex-A No. 160 of 2018 Inre: O.A. No. 582 of 2017

Ex Hav (Hony Nb Sub) Badri Datt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.08.2018</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 V.P.S. Vats, 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: None for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 160 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 09.03.2018 passed in O.A. No. 582 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1466 of 2018
Inre O.A. No.161 of 2017

Biresh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 Virendra 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 PK Shukla, learned counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents is present.</p> <p><u>M.A. No 1466 of 2018</u></p> <p>This is an application for recall of the order dated 25.07.2018 passed by this Tribunal dismissing the O.A. in default.</p> <p>The grounds shown in the affidavit filed in support of the recall application seem to be sufficient.</p> <p>Accordingly, the application is allowed and the order dated 25.07.2018 is hereby recalled, subject to payment of cost of Rs.1000/- to be paid to the Bar Association, AFT, Lucknow within a week from today.</p> <p>Let the O.A. be registered to its original number.</p> <p>List this case on 11.09. 2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

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

M.A. No. 1479 of 2018
Inre D.Y. No. 884 of 2018

Gurinder Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 Ms 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 Rishi Saxena, learned counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents is present.</p> <p><u>M.A. No 1479 of 2018</u></p> <p>This is an application for recall of the order dated 18.07.2018 passed by this Tribunal dismissing the O.A. in default.</p> <p>The grounds shown in the affidavit filed in support of the recall application seem to be sufficient.</p> <p>Accordingly, the application is allowed and the order dated 18.07.2018 is hereby recalled, subject to payment of cost of Rs.1000/- to be paid to the Bar Association, AFT, Lucknow within a week from today.</p> <p>Let the O.A. be registered to its original number.</p> <p>List this case on 12.09. 2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A. No. 203 of 2016
Inre T.A. No. 39 of 2013

Selina John
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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, Advocate holding brief of Maj R.D. Singh (Retd), learned counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that the order under execution has been stayed by the Hon'ble Apex Court and the stay order is still operating. He is directed to furnish the status report about the pending appeal.</p> <p>List this case on 31.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

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

Ex-A No. 136 of 2017
Inre O.A. No. 264 of 2014

Col Mahesh Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 Y.R. Sharma, learned counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is submitted by the learned counsel for the respondents that the order under execution has been stayed by the Hon'ble Apex Court vide order dated 29.08.2017 and the stay order is still operating. He is directed to furnish the status report about the pending appeal.</p> <p>List this case on 12.11.2018 for orders.</p> <p>(Air Marshal BBP 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. 158 of 2017 with M.A. No. 910 of 2018
Inre T.A. No. 65 of 2016

Sanjay Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 Sanjay Singh, Petitioner in person and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Shri Sanjay Singh, petitioner submits that his counsel is ill. He has also informed that he has not provided the documents asked by the respondents to complete the process of execution.</p> <p>Accordingly, in the interest of justice, the case is passed over for the day.</p> <p>List this case on 05.09.2018 for orders.</p> <p>(Air Marshal BBP 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

O.A. No. 278 of 2016

Chhedi 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>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">O.A. No. 278 of 2016, Chhedi Singh vs. Union of India and others is allowed.</p> <p style="text-align: center;">For order, see our judgment passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1476 of 2018 along with O.A. (A) No. 383 of 2018

Cpl Achchan Shekh through his
Wife Smt Shaheen Shekh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 G.S. Sikarwar, 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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p><u>O.A. (A) No. 383 of 2018</u></p> <p>This Original Application (Appeal) has been filed by the applicant for quashing of finding and sentence dated 01.06.2018 passed in DCM.</p> <p>The issue involved in the present O.A. requires hearing.</p> <p>Admit.</p> <p>List this case on 03.09.2018 for hearing on the Bail Application.</p> <p>Meanwhile objection on bail application may be filed by the respondents. Respondents shall also file counter affidavit.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1480 of 2018 Inre: O.A. No. Nil of 2018

Ex Rect Suresh Kumar Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 Ashish Kumar 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 V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1480 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 14 years, 10 months & 14 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 17.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1481 of 2018 Inre: O.A. No. Nil of 2018

Ex Gunner Ram Chandra Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 A.K. 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 Jai Narain Mishra, Ld. Counsel for the applicant and Shri A.K. Gupta, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1481 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of service pension. As per office report, it is delayed by 21 years, 08 months & 21 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 22.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1482 of 2018 Inre: O.A. No. Nil of 2018

L Nk/ Rfn Yogendra Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri R.C. Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1482 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 01 year, 03 months & 09 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 23.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1483 of 2018 Inre: O.A. No. Nil of 2018

Ex Sep Khushhal Singh By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1483 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 17 years & 01 day in filing the Original Application.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: center;">List this case on 01.10.2018 for orders.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">SB</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

M.A. No. 1484 of 2018 Inre: O.A. No. Nil of 2018

Ex Sub Prem Prakash By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Ms. 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 style="text-align: justify;">Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1484 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 02 years, 07 months & 11 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: justify;">List this case on 05.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 382 of 2018

Nitesh Rai
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Kaushik Chatterji, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Amit Sharma, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p style="text-align:center"><u>O.A. No. 382 of 2018</u></p> <p>This Original Application has been filed by the applicant being aggrieved by non payment of service and consequential service benefits to him.</p> <p>Having heard learned counsel for the parties, we find this is a fit case for adjudication.</p> <p>Admit.</p> <p>Learned counsel for the applicant prays for and is granted four weeks time to amend the interim relief prayer clause.</p> <p>List this case on 17.10.2018 for orders.</p> <p>Meanwhile counter affidavit may be filed by the respondents.</p> <p style="text-align:center">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 384 of 2018

Smt Neelam Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri A.N. Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>O.A. No. 384 of 2018</u></p> <p style="text-align: center;">This Original Application has been filed by the applicant with the prayer to decide her pending appeal dated 13.02.2018 for grant of Special Family Pension which is pending with the respondents.</p> <p style="text-align: center;">With the consent of learned counsel for the parties, we hereby dispose of the O.A. finally with the direction to the respondents to decide the pending appeal of the applicant dated 13.02.2018 by a speaking and reasoned order in accordance with law, if not already decided, within a period of three months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p style="text-align: center;">With the aforesaid direction, the Original Application is disposed of finally.</p> <p style="text-align: center;">Copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 385 of 2018

Smt Neelam Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</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 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 A.N. Shukla, Ld. Counsel for the applicant and Mohd Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>O.A. No. 385 of 2018</u></p> <p>This Original Application has been filed by the applicant with the prayer to decide her pending appeal dated 13.02.2018 for grant of ex-gratia compensation which is pending with the respondents.</p> <p>With the consent of learned counsel for the parties, we hereby dispose of the O.A. finally with the direction to the respondents to decide the pending appeal of the applicant dated 13.02.2018 by a speaking and reasoned order in accordance with law, if not already decided, within a period of three months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p>With the aforesaid direction, the Original Application is disposed of finally.</p> <p>Copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

Ex-A No. 153 of 2018 Inre: O.A. No. 477 of 2017

Wg Cdr S P Rathore (Retd) By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Shri Virendra 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 style="text-align: justify;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 153 of 2018</u></p> <p style="text-align: justify;">This is an application filed by the applicant for execution of order dated 15.03.2018 passed in O.A. No. 477 of 2017.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p style="text-align: justify;">List this case on 15.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

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

Ex-.A. No. 176 of 2017 Inre T.A. No. 211 of 2009

Liladhar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p><u>Ex-.A. No. 176 of 2017</u></p> <p style="text-align: center;">It is admitted by the learned counsel for the parties that the order under execution has been complied with.</p> <p style="text-align: center;">As per report of the Registry, the cost imposed by the Tribunal dated 02.07.2018 has already been deposited in the Registry, which has been paid to the petitioner.</p> <p style="text-align: center;">Since the order under execution has been complied with in its letter and spirit, this Ex, Application has rendered infructuous and is accordingly dismissed.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex-A No. 59 of 2018 Inre: T.A. No. 34 of 2010

Vinay Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 Sachindra Pratap Singh, Ld. Counsel for the Petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>As per order dated 16.05.2018 cost of Rs 20,000/- was imposed on the respondents. Perusal of the records reveals that neither the cost has been deposited nor the back wages have been paid to the applicant. Today again Ld. Counsel for the respondents prays for time to execute the order. Ld. Counsel for the respondents submits that respondents are positive in execution of the order and filing compliance report.</p> <p>As a matter of last opportunity two weeks' time is granted to Ld. Counsel for the respondents to ensure submission of compliance report.</p> <p>Ld. Counsel for the respondents is directed to deposit the cost in the Registry as per order of this Tribunal dated 16.05.2018 which shall be paid in favour of the applicant.</p> <p>List this case on 17.10.2018 for orders.</p> <p>The judgment and order in T.A. No. 34 of 2010 was passed on 09.08.2017. One year has passed but the respondents have not complied the order. It is clarified that in case the respondents fail to deposit the cost by the date fixed, they will have to pay cost of Rs 30,000/-.</p> <p>Copy of this order be provided to the learned counsel for the respondents free of cost.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

Ex-A No. 76 of 2018 Inre: T.A. No. 81 of 2016

Sharawan Kumar Singh & Others
By Legal Practitioner for the Petitioners

Petitioners

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 petitioners and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>It has been informed at the Bar that Ld. Counsel for the petitioner is sick and is unable to attend the Court today.</p> <p>In the interest of justice the case is adjourned.</p> <p>List this case on 12.09.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 463 of 2014 Inre: O.A. No. Nil of 2014

Govind Singh Rautela
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that he will file rejoinder affidavit in the Registry during course of the day after providing copy of the same to Ld. Counsel to the respondents.</p> <p style="text-align: center;">List this case on 04.10.2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 339 of 2016 Inre: O.A. No. Nil of 2016

Rati Bhan Yadav 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>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that he will file copy of the order of Hon'ble High Court in the Registry during course of the day.</p> <p style="text-align: center;">List this case on 12.09.2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

M.A. No. 977 of 2016 with M.A. No. 596 of 2018
M.A. No. 1548 of 2016 & M.A. No. 2327 of 2016

Ram Sudist Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u> Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant has filed substitution application to delete the name of Ram Sudist Singh who expired on 28.02.2017 and substitute name of Smt Nain Kumari Singh, wife of the deceased soldier. There is delay of about seven months in filing the substitution application. The delay in filing substitution application has been properly explained by Ld. Counsel for the applicant. Application for condonation of delay in filing substitution application is allowed and delay is condoned.</p> <p>This substitution will not change the nature of the case. Accordingly, substitution application is allowed. Ld. Counsel for the applicant is directed to incorporate the amendment within a week. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p><u>M.A. No. 977 of 2016</u> This is an application for condonation of delay in filing original application. Ld. Counsel for the respondents submits that there is delay of 12 years 06 months and 27 days in filing the O.A. The matter relates to grant of disability pension which is recurring cause of action. Application for condonation of delay in filing the O.A. is allowed and delay is condoned. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p>Admit. Let the case be registered as O.A. Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit to which Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks. List this case on 08.10. 2018 for order in Registrar Court.</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
Court No.1

M.A. No. 2024 of 2016 with M.A. No. 2025 of 2016
Inre: O.A. No. Nil of 2016

Jagvir Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted two weeks' further time to file reply to supplementary affidavit.</p> <p style="text-align: center;">List this case on 11.10. 2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

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

Rajendra Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Tiwari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 2281 of 2017</u></p> <p>This is an application for condonation of delay in filing of original application. Ld. Counsel for the respondents submits that there is delay of 08 months and 27 days in filing the original application. The reasons given in application for condonation of delay seem to be genuine. Accordingly, delay application is allowed and delay is condoned. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p style="text-align: center;">Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit to which Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List this case on 12.10. 2018 for order in Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 11 of 2018 Inre: O.A. No. Nil of 2018

Shiv Kumar Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 11 of 2018</u></p> <p>This is an application for condonation of delay in filing of original application. Ld. Counsel for the respondents submits that there is delay of 11 years and 07 months in filing the original application. The reasons given in application for condonation of delay seem to be genuine. Accordingly, delay application is allowed and delay is condoned. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p style="text-align: center;">Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit to which Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List this case on 16.10. 2018 for order in Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 705 of 2018 Inre: O.A. No. Nil of 2018

Lt Col CN Tembe (Retd) & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col R.A. Pandey (Retd), Ld. Counsel for the applicants and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 705 of 2018</u></p> <p>This is an application for condonation of delay in filing of original application. Ld. Counsel for the respondents submits that there is delay of 01 year, 07 months and 05 days in filing the original application. The reasons given in application for condonation of delay seem to be genuine. Accordingly, delay application is allowed and delay is condoned. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p>Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit to which Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List this case on 23.10. 2018 for order in Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 1256 of 2018 Inre: O.A. No. Nil of 2018

Lt Col Chetan Kumar Singh (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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.A. Pandey (Retd), Ld. Counsel for the applicant and Maj Salen Xaxa, OIC Legal Cell for the respondents.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

M.A. No. 1304 of 2018 with M.A. No.1305 of 2018
Inre: T.A. No. 284 of 2010

Umesh Kumar Chourasia
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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), Ld. Counsel for the petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>As a matter of last opportunity, two weeks' further time is granted to Ld. Counsel for the respondents to file objection on application for condonation of delay in filing recall application.</p> <p>List this case on 11.09.2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

O.A. No. 221 of 2015

Smt Moti Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.A. Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for adjournment of the case. In the interest of justice the case is adjourned.</p> <p style="text-align: center;">List this case on 30.08.2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

O.A. No. 299 of 2016 with M.A. No. 1450 of 2018

Dinesh Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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.R. Yadav, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents has filed counter affidavit alongwith an application for waiving of cost of Rs 20,000/-.</p> <p>The case was admitted on 22.11.2016. Ld. Counsel for the respondents has filed counter affidavit after a gap of about two years. Therefore we do not find any reason to waive off the cost. Ld. Counsel for the respondents prays that the cost so imposed be reduced. As prayed, cost is reduced to Rs 10,000/-.</p> <p>List this case on 04.10.2018 for order.</p> <p>Let copy of this order be provided to Ld. Counsel for the respondents within 48 hrs.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. (A) No. 309 of 2016 with M.A. No. 1848 of 2017

Gyanendra Madhukar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Devansh Bhardwaj, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that amendment has been carried out and he has filed amended copy of the application. Ld. Counsel for the respondents prays for and is granted four weeks' time to file reply to amended portion of the original application.</p> <p style="text-align: center;">List this case on 17.10.2018 for order.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 269 of 2015 along with O.A. No. 213 of 2014 (Decided)

Radhey Shyam Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. Heard Ld. Counsel for the parties. Arguments concluded. Order reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

O.A. No. 45 of 2017

Smt Nisha Tomar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Manoj Awasthi, Advocate holding brief of Smt Farha Faiz, Ld. Counsel for the applicant and Ms Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p>Shri Manoj Awasthi, Advocate submits that Ld. Counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on 14.09.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

O.A. No. 199 of 2018

Harish Chandra Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Smt V.A. Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents. Heard Ld. Counsel for the parties. Arguments concluded. Order reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

T.A. No. 690 of 2010

Tikam Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col Y.R. Sharma (Retd), Ld. Counsel for the Petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

T.A. No. 1187 of 2010

Din Bandhu Ram
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.K. Mishra, Ld. Counsel for the Petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The matter relates to grant of disability pension. However, medical papers have not been placed on record by the respondents. Ld. Counsel for the respondents prays for and is granted four weeks' time to place on record the requisite medical documents for perusal of the Bench.</p> <p style="text-align: center;">List this case on 23.10.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

T.A. No. 11 of 2012

Krishan Lal
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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.K. Singh, Ld. Counsel for the Petitioner and Maj Salen Xaxa, OIC Legal for the respondents.</p> <p>OIC Legal informs that Ld. Counsel for the respondents is not available today and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on 08.10.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(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
Court No.1

T.A. No. 06 of 2014

Sepoy Ramesh Prasad
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 Virat Anand Singh, Advocate holding brief of Shri Yash Pal Singh, Ld. Counsel for the Petitioner and Ms Deepti P. Bajpai, Ld. Counsel for the respondents.</p> <p>Shri Virat Anand Singh, Advocate submits that Ld. Counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>As prayed, list this case on 16.10.2018 for hearing.</p> <p>Ld. Counsel for the petitioner shall file supplementary rejoinder affidavit by the date fixed.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(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
Court No.1

T.A. No. 16 of 2015

Kamal Singh Bhadoria
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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, Ld. Counsel for the Petitioner and Maj Salen Xaxa, OIC Legal for the respondents.</p> <p>OIC Legal informs that Ld. Counsel for the respondents is not available today and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>Since the matter relates to the year 1999 no further adjournment shall be granted to the parties.</p> <p>List this case on 31.08.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(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
Court No.1

T.A. No. 12 of 2016

Tohid Ahmad
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.K. Malviya, Ld. Counsel for the Petitioner and Dr. S.N. Pandey, Ld. Counsel for the respondents. Heard Ld. Counsel for the parties. Arguments concluded. Order reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A. No. 1499 of 2018 Inre: O.A. No. Nil of 2018

Ex Rfn Chandra Bahadur 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>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by 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 style="text-align: center;">Present: Col Y.R. Sharma (Retd), Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1499 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay in filing the O.A., which as per office report, there is delay of more than six years in filing the O.A.</p> <p style="text-align: center;">By means of this O.A., the applicant has challenged his discharge.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay in filing the O.A. Replication, if any, to the objection may be filed by the learned counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on 24.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

M.A. No. 1500 of 2018 Inre: O.A. No. Nil of 2018

Smt Basudha Rani 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>23.08.2018</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 Amit Jaiswal, 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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1500 of 2018</u></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report, there is delay of more than ten years in filing the O.A.</p> <p>By means of this O.A., the applicant has challenged the findings of sentence dated 26.03.2007 of her late husband Gunner Manoj Pratap Singh passed by the SCM.</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 in filing the O.A. Replication, if any, to the objection may be filed by the learned counsel for the applicant within two weeks thereafter.</p> <p>List this case on 25.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

O.A. No. 365 of 2018

Ex Sep Raja Ram Yadav

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Kaushik Chatterji, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that against his discharge, statutory First Appeal dated 31st December 2017 October 2016 has been preferred by the applicant before the authority concerned, which is still pending and it shall be appropriate that the authority concerned may decide it expeditiously. Learned counsel for the respondents has no objection to this innocuous prayer.</p> <p>Accordingly, with the consent of the learned counsel for the parties, we dispose of this Original Application at the admission stage, with the direction to the authority concerned to decide the statutory First Appeal dated 31st December 2017 preferred by the applicant, if not already decided, by a reasoned and speaking order within a period of four months from the date of receipt of a certified copy of this order and communicate the decision to the applicant.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 379 of 2018

Satendra Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Shri --- -----, Ld. Counsel for the respondents.</p> <p style="text-align: center;">List this case on 2018 for orders.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 161 of 2018 Inre: O.A. No. 96 of 2016

Krishna Murari Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 161 of 2018</u></p> <p style="text-align: center;">This is a fresh application for execution of the order dated 05.07.2017 passed in O.A. No.96 of 2016.</p> <p style="text-align: center;">It is submitted on behalf of the respondents that in this case, though the Government has accorded sanction, but the date of invalidation out of the applicant has incorrectly been mentioned.</p> <p style="text-align: center;">From perusal of the records, it appears that the date of invalidation out of the applicant has wrongly been mentioned in the O.A. itself</p> <p style="text-align: center;">In view of this, we hereby direct the learned counsel for the applicant to move an application for correction of the order under execution.</p> <p style="text-align: center;">List this case on 14.09.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 162 of 2018 Inre: O.A. No. 552 of 2017

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

Notes of the Registry	Orders of the Tribunal		
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 162 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 22nd March 2018 passed in O.A. No. 552 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and to file compliance report.</p> <p style="text-align: center;">List this case on 05.10.2018 for orders.</p> <table style="width: 100%; border: none; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal BBP Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p>PKG</p>	(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

R.A No. 45 of 2018 with M.A. No. 1496 of 2018
Inre: O.A. No. 680 of 2017

Beda Nand Thakur
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 Anurag Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the parties, when the case is next listed.</p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p><u>R.A No. 45 of 2018</u></p> <p>This is an application for review of the order dated 18.12.2017 passed in O.A.No. 680 of 2017.</p> <p>Learned counsel for the respondents submits that he has not been provided with a copy of the R.A. Learned counsel for the applicant submits that he will provide the same during the course of the day.</p> <p>List this case on 04.09.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

D.Y. No. 438 of 2017 with M.A. No. 549 of 2018
M.A. No.1862 of 2017 Inre: O.A. No. Nil of 2017

Vir Singh Yadav By Legal Practitioner for the Applicant	Applicant
Versus	
Chief of Army Staff & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-indent: 40px;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-indent: 40px;">Learned counsel for the applicant prays for further one weeks' time to move amendment application to amend the prayer clause of the O.A.</p> <p style="text-indent: 40px;">It appears from perusal of records that four dates have already been availed by the learned counsel for the applicant for the aforesaid purpose.</p> <p style="text-indent: 40px;">In the interest of justice, last opportunity is granted to the learned counsel for the applicant for the aforesaid purpose.</p> <p style="text-indent: 40px;">List this case on 31.08.2018 for orders.</p> <p style="text-align: center; margin-top: 20px;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p style="text-align: left; margin-left: 10px;">PKG</p>

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

Ex-A No. 133 of 2017 Inre: T.A. No. 1451 of 2010

Anil Kumar By Legal Practitioner for the Petitioner	Versus	Petitioner
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Present: Shri Rohit Kumar, Ld. Counsel for the Petitioner and Dr. Shailendra Sharma Atal and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">It is submitted on behalf of the respondents that in pursuance of the orders of the Hon'ble Apex Court, the respondents have preferred a Review Application.</p> <p style="text-align: justify;">List this case on 10.09.2018 for orders alongwith the records of connected Review Application, showing the name of Shri Amit Jaiswal, as learned counsel for the respondents also.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Ex-A No. 197 of 2017 Inre: O.A. No. 157 of 2017

Jevanand

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 appears on behalf of the applicant. Dr. Gyan Singh, Ld. Counsel for the respondents is present.</p> <p><u>Ex-A No. 197 of 2017</u></p> <p>This is an application for execution of the order dated 30.06.2017 passed in O.A.No. 157 of 2017.</p> <p>Learned counsel for the respondents submits that requisite PPO has been issued on 15.06.2018.</p> <p>Since none is present on behalf of the applicant, hence we consider it appropriate to list it again.</p> <p>List this case on 30.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

M.A. No. 1465 of 2018 Inre: O.A. No. Nil of 2018

Rafiq Hussain		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>23.07.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Dr. S.N. Pandey, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Present: Shri A.B. Solomon, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1465 of 2018</u></p> <p>By means of this Original Application the applicant has made prayer to decide his representation dated 25.01.2018. As per averment of the O.A., the applicant was invalided out of service on 05.08.1962. Thus, he has moved representation after lapse of 56 years after his dismissal from service.</p> <p>We do not find any substance in this case to direct the respondents to dispose of the representation of the applicant at this belated stage.</p> <p>Keeping in view the fact that all the records of the applicant must have been weeded out after specified period of retention, hence, no purpose would be served to issue a direction to the respondents to decide the representation of the applicant.</p> <p style="text-align: center;">Accordingly, this O.A. is dismissed.</p> <p style="display: flex; justify-content: space-between;">(Air Marshal BBP Sinha) Member (A)(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1467 of 2018 Inre: O.A. No. Nil of 2018

Smt Rupa Kumari Thapa 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>23.07.2018</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 Anurag Mishra, 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1467 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of Special Family Pension. As per office report, it is delayed by 02 years, 11 months & 03 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 16.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1485 of 2018 Inre: O.A. No. Nil of 2018

Smt Durgawati Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</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 Asheesh Agnihotri, 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 V.P. Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1485 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of Dual Family Pension. As per office report, it is delayed by 17 years, 06 months & 02 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 17.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1486 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Awadh Narayan	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>23.08.2018</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Shri D.K. 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 style="text-align: justify;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1486 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay filed by the applicant for grant of revised/enhanced pension of Hony Naib Subedar. As per office report, it is delayed by 08 years, 08 months & 06 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks’ time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks’ thereafter.</p> <p style="text-align: justify;">List this case on 22.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1488 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Puran Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. 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: Shri D.S. Tiwari, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1488 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of revised/enhanced pension of Hony Naib Subedar. As per office report, it is delayed by 12 years, 01 month & 18 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 23.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 1489 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Raj Bahadur
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri Namit Sharma, 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 style="text-align: center;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1489 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay filed by the applicant for grant of revised/enhanced pension of Hony Naib Subedar. As per office report, it is delayed by 08 years, 08 months & 06 days in filing the Original Application.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: center;">List this case on 22.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1492 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Nb Sub) Gyan Singh Parmar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: justify;">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 style="text-align: justify;">Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1492 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay filed by the applicant for grant of revised/enhanced pension of Hony Naib Subedar. As per office report, it is delayed by 08 years, 08 months & 06 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: justify;">List this case on 22.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

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

M.A. No. 1498 of 2018 Inre: O.A. No. Nil of 2018

Col Hriday Narain Kaushal (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-indent: 40px;">Memo of appearance filed by Ms. Amrita Chakraborty, 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 style="text-indent: 40px;">Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1498 of 2018</u></p> <p style="text-indent: 40px;">This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 07 years, 07 months & 12 days in filing the Original Application.</p> <p style="text-indent: 40px;">Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p style="text-indent: 40px;">Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-indent: 40px;">Let the case be registered as O.A.</p> <p style="text-indent: 40px;">Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit. Rejoinder affidavit, if any, to be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p style="text-indent: 40px;">List this case on 15.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

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

O.A. No. 388 of 2018

Ex Sub Ram Ujagir
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Ashish Kumar 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 P.K. Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</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 the learned counsel for the applicant within two weeks thereafter.</p> <p>List this case on 23.10.2018 for orders.</p> <p>(Air Marshal BBP 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

O.A. No. 389 of 2018

Ex MCPO I Sitaram Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Dinesh Kumar Pandey, Advocate filed 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 P.K. Shukla, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</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 the learned counsel for the applicant within two weeks thereafter.</p> <p>List this case on 23.10.2018 for orders.</p> <p>(Air Marshal BBP 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

O.A. No. 390 of 2018

Sub Maj Mangala Prasad Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 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 SK Singh, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p>By means of this O.A., the applicant has challenged the order of recovery of Rs.12,09,382/- effected from the salary of June 2018 on the ground that excess amount has been paid to him because of the wrong fixation.</p> <p>Learned counsel for the applicant submits that the applicant is going to retire on 31st August 2018. It is also submitted by the learned counsel for the applicant that the applicant made regular applications to the respondents that they are paying excess amount to him, but no action has been taken on the same and at the verge of retirement, the said amount has been shown to be deducted from his salary/post retiral dues.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and to file counter affidavit.</p> <p>List this case on 17.10.2018 for orders.</p> <p>Till further orders, the recovery of Rs.12,09,382/- effected from the salary of June 2018/post retiral dues of the applicant, shall remain stayed.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 24 hours free of cost.</p> <p>(Air Marshal BBP 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. 1517 of 2018 with R.A. No. 47 of 2018

Inre: T.A. No. 09 of 2015

Union of India & Others

Petitioner-Respondents

By Legal Practitioner for the Petitioner-Respondents

Versus

Shamshul Waris

Respondent-Petitioners

By Legal Practitioner for Respondent-Petitioners

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 OP Kushwaha, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the petitioner-respondents and Shri RKS Chauhan, learned counsel for the respondents.</p> <p><u>M.A. No. 1517 of 2018 with R.A. No. 47 of 2018</u></p> <p>This is an application for review of the order dated 23rd November 2017, whereby the O.A. has been dismissed as the petitioner did not report for training within 30 days from the date of telegram dated 12.01.2005.</p> <p>Shri OP Kushwaha, Advocate holding brief of learned counsel for the petitioner prays for adjournment of the case to show as to what is the error apparent on the face of record.</p> <p>List this case on 16.10.2018 for orders.</p> <p>(Air Marshal BBP 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. 194 of 2017 with M.A. No. 1418 of 2018
Inre: O.A. No. 99 of 2016

Kishan Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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.C. Kushwaha, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1418 of 2018</u></p> <p>This is an application filed by the learned counsel for the respondents for partial recall of the order dated 25.07.2018, wherein the following order was passed:</p> <p><i>“Ld. Counsel for the respondents Shri Kaushik Chatterjee has submitted that this is an application for execution and provisions of CPC shall apply in such execution cases; therefore, the Tribunal can attach the Bank accounts of the respondents to recover the amount, which the applicant is entitled to claim under execution. He has further submitted that he is giving his consent for the said purpose and the applicant be directed to furnish the details of the amount, to which he is entitled to claim from the respondents.”</i></p> <p>It is submitted by the learned counsel for the respondents that there is no such specific instructions and the statement at the Bar was given due to some misunderstanding.</p> <p>Accordingly, we allow the application and abovementioned paragraph shall stand omitted from the order dated 25.07.2018.</p> <p><u>Ex-A No. 194 of 2017</u></p> <p>In this application for execution of the order, learned counsel for the respondents submits that PPO has already been issued and RSMB has also been conducted. Copy of the PPO has been taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to seek instruction from the applicant and to file objection, if required.</p> <p>List this case on 10.10.2018 for orders.</p> <p>(Air Marshal BBP 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. 62 of 2018 Inre: O.A. No. 96 of 2017

Col Surajit Basu
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that SLP, preferred by the respondents against the order under execution, has been dismissed by the Hon'ble Apex Court.</p> <p>Learned counsel for the respondents submits that a fresh Promotion Board has already been convened and is scheduled to be held on 07th September 2018.</p> <p>List this case on 24.09.2018 for orders as insisted by the learned counsel for the applicant.</p> <p>(Air Marshal BBP 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. 125 of 2018 Inre: O.A. No. 302 of 2012

Akhilesh Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Ajay Kishore Pandey, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>This is an application for execution of order dated 09.01.2018 passed in O.A. No. 302 of 2012. By means of clause 1 of the order, the respondents were directed to pay the interest @ 10% per annum immediately after five months from the date of applicant's invalidment from the service till the date of actual payment but the same has not been complied with. Ld. Counsel for the applicant has filed copy of the PPO dated 22.05.2018 alongwith execution application. Ld. Counsel for the respondents submits that in compliance of the order of this Tribunal, ADG PS (AG's Branch) Legal, Army HQ has accorded sanction vide letter dated 11.04.2018 for grant of interest on arrears @ 10% per annum after five months from the date of invalidment from service till the date of actual payment if the arrears have not been paid by 22.05.2018. This direction of ADGPS (AG's Branch) has been annotated in the PPO as a note by PCDA (P), Allahabad with direction to Bank to calculate the 10% interest. We are of the opinion that such a remark by ADGPS (AG's Branch) has the potential to create confusion and delay in the payment of interest by the Bank. This direction prima facie amounts to altering the order of this Tribunal.</p> <p>The respondents are directed to file an affidavit on this matter and clarify the conditional payment of arrears</p>

linked to the date of 22.05.2018 and confirm how they intend to execute the said order dated 09.01.2018.

Learned counsel for the respondents prays for and is granted four weeks' time to comply the order.

List this case on 09.10.2018 for orders.

**(Air Marshal BBP Sinha)
Member (A)**

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

ukt

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

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

Ex-A No. 136 of 2018 Inre: O.A. No. 268 of 2018

Nand Lal Gupta

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>24.08.2018</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 (Retd) Rakesh Johri and Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks' further time to seek instructions from the authority concerned whether the representation of the applicant has been decided or not and file compliance report.</p> <p>List this case on 11.09.2018 for orders.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>ukt</p>

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

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

M.A No. 776 of 2017 with M.A. No. 1634 of 2017
Inre: O.A. No. Nil of 2017

Kishan Singh
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Nishant Verma, Ld. Counsel for the applicant and Ms Anju Singh, Ld. Counsel for the respondents.</p> <p><u>M.A No. 776 of 2017</u></p> <p>This is an application for condonation of delay in filing original application. Ld. Counsel for the respondents submits that there is delay of 04 years 06 months and 06 days in filing the O.A. The matter relates to grant of service pension which is recurring cause of action. Application for condonation of delay in filing the O.A. is allowed and delay is condoned. Objection raised by Ld. Counsel for the respondents is rejected.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit to which Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p>List this case on 29.10. 2018 for order in Registrar Court.</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
Court No.1

O.A No. 198 of 2013 along with O.A. No. 196 of 2013 (Decided)
Vishnu Prasad Upadhiya Applicant
By Legal Practitioner for the Applicant
Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>In this case, Ld. Counsel for the applicant Shri PN Chaturvedi has expired. Thereafter notices were issued to the applicant twice but the same have not been received back served or unserved. Thirty days have been elapsed from the date of issue of the notice to the applicant, hence as per AFT (Practice) Rules 24 (3) of 2009 service of notice shall be deemed to be sufficient.</p> <p>Hence, we hereby hold the service on the applicant to be sufficient.</p> <p>No steps have been taken by the applicant to make alternative arrangement. It shows that he does not intend to pursue his case.</p> <p>Hence, this Original Application 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>ukt</p>

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

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

O.A. No. 444 of 2017

Smt Puja Devi
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Maj Salen Xaxa, OIC Legal Cell for the respondents.</p> <p>On 09.05.2018, Ld. Counsel for the respondents was granted last opportunity to file counter affidavit. It was directed that cost of Rs 5,000/- shall be imposed on the respondents in case of non filing of the counter affidavit by the date fixed. Since then case has been listed twice. Neither the counter affidavit has been filed nor the cost has been deposited. Today again OIC Legal Cell prays for further time to file counter affidavit.</p> <p>As prayed, four weeks' further time is granted to the respondents to file counter affidavit and to deposit the cost of Rs 5,000/- in terms of order dated 09.05.2018.</p> <p>List this case on 15.10.2018 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
Court No.1

O.A. No. 497 of 2017 with D.Y. No. 1575 of 2018

Ajaipal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that in pursuance to order dated 23.07.2018 he will file death certificate of the deceased soldier</p> <p>List this case on 10.10.2018 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
Court No.1

O.A. No. 511 of 2017

Harbir Singh
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that cost has already been deposited and he does not intend to file counter affidavit.</p> <p>Pleadings have been exchanged.</p> <p>Heard Ld. 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>ukt</p>

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

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

T.A. No. 16 of 2016 with M.A. No. 593 of 2018

Ashutosh Singh
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 J.N. Mishra, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the petitioner prays for and is granted four weeks' further time to file supplementary rejoinder affidavit.</p> <p>List this case on 15.10.2018 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
Court No.1

D.Y. No. 438 of 2018 Inre: T.A. No. 1257 of 2010
Ex Hav RD Tripathi
By Legal Practitioner for the Petitioner
Versus
Union of India & Others
By Legal Practitioner for Respondents

Petitioner
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Y.R. Sharma, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the petitioner Shri Y.R. Sharma submits that he wants to withdraw his power and the petitioner may engage some other counsel. The Registry is directed to inform the petitioner accordingly.</p> <p>List this case on 15.11.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(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
Court No.1

O.A. No. 109 of 2014

Mukesh Kumar
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 (Retd) R.N. Singh and Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that he is not prepared to argue the case today and prays for adjournment. Accordingly the case is adjourned.</p> <p>List this case on 27.08.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(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
Court No.1

O.A. No. 307 of 2015

Amit Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u></p> <p><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Shri V.R.Chaubey, Ld. Counsel for the applicant and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On the request made on behalf of the respondents, the case is adjourned.</p> <p>As prayed, list this case for hearing on 10.09.2018.</p> <p style="text-align: right;">(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. 18 of 2018 Inre: T.A. No. 133 of 2010

Yogendra Singh Tomar
By Legal Practitioner for the 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>24.08.2018</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 D.K.S. Rathore, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he has filed a review application against the order under execution today.</p> <p>Let the said review application be listed alongwith record on 15.10.2018 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 33 of 2018 Inre: O.A. No. 220 of 2014

Narayan Datt Joshi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel for the parties agreed that this case may be listed at Circuit Bench, Nainital.</p> <p>List this case on 18.09.2018 at Circuit Bench Nainital for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 160 of 2015

Dhirendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>It is submitted by Shri Amit Jaiswal, learned counsel for the respondent no.6 that although the affidavit has been prepared on behalf of the respondent no.6 but the same could not be signed by him as he is no more in service.</p> <p>Keeping in view the controversy involved in this case, we do not think it necessary to ask for filing of any personal affidavit of respondents no.6 and 7, who were arrayed as private respondents by the applicant because it is a case of voluntary discharge of the applicant during his training.</p> <p>List this case on 14.11.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 394 of 2018

Ex Naik Amit Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown in the cause list, when the case is next listed.</p> <p>Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>As per office report, the defects have been removed by the learned counsel for the applicant.</p> <p>Learned counsel for the respondents has raised a preliminary objection on the point of maintainability of the petition.</p> <p>List this case on 11.10.2018 for orders.</p> <p>On the date fixed, learned counsel for the respondents shall also explain as to why PPO and other retiral benefits of the applicant have been with held.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) 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. 70 of 2012

Pratap Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 D.S. Kauntae, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 253 of 2012

Krishna Kumar Thakur
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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), Ld. Counsel for the applicant and Shri D. K. Pandey, Ld. Counsel for the respondents.</p> <p>As prayed, list this case on 12.10.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 109 of 2016

Amarnath Singh Kharwar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Diwarkar Singh, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p>Keeping in view the controversy involved in this case, we hereby direct the respondents to file an affidavit explaining as to how the salary of the applicant was fixed for calculation of his pension and they will also explain as to why back wages of the applicant have not been paid.</p> <p>List this case on 09.10.2018 for hearing.</p> <p>Copy of this order be provided to the learned counsel for the parties on payment of usual charges today, if possible.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 76 of 2017

Ashok Kumar Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Written argument filed on behalf of the applicant is taken on record. Copy of the same has been provided to the learned counsel for the respondents, who prays for time to seek instructions.</p> <p>List this case on 10.10.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 291 of 2017

Ram Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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.A. Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p>Adjournment is prayed on behalf of the respondents.</p> <p>List this case on 11.10.2018 for hearing.</p> <p>Respondents shall also produce the original record on the date fixed.</p> <p>(Air Marshal BBP Sinha) Member (A)</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. 412 of 2017

Yuva Raj Thapa
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Rejoinder affidavit has already been filed on behalf of the applicant. Now the case is ripe for hearing.</p> <p>List this case on 25.10.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>

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

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

T.A. No. 06 of 2013

Zamir Ahmad
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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.A. Singh, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Adjournment is prayed on behalf of the respondents.</p> <p>List this case on 29.08.2018 for hearing.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>

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

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

M.A. No. 1503 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Sub) Ranvir Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Ratish Upadhyay, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1503 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of benefit of OROP. As per office report, it is delayed by 12 years, 01 month & 08 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 25.10.2018 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

Court No.1

M.A. No. 1505 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav (Hony Sub) Shyam Bux Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Ms. 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 Ratish Upadhyay, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1505 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of benefit of OROP. As per office report, it is delayed by 12 years, 01 month & 08 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 25.10.2018 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
Court No.1

M.A. No. 1506 of 2018 Inre: O.A. No. Nil of 2018

Ex Sep Bhopal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 V.P.S. Vats, 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 S.K. Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1506 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of service pension. As per office report, it is delayed by 32 years, 01 month & 06 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 26.10.2018 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
Court No.1

M.A. No. 1513 of 2018 Inre: O.A. No. Nil of 2018

Ex Hav /Clk Ram Kuwar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1513 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant by which the applicant has challenged the discharge order dated 30.09.1993. As per office report, it is delayed by 24 years, 05 months & 04 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 13.11.2018 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
Court No.1

M.A. No. 1518 of 2018 Inre: O.A. No. Nil of 2018

Ex Rect Mahendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: None for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1518 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant by which the applicant has challenged the discharge order dated 09.04.1993. As per office report, it is delayed by 24 years, 10 months & 02 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 12.11.2018 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
Court No.1

O.A. No. 380 of 2018

Ex JWO Vishnu Deo Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</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 Amit Jaiswal, 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 Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>O.A. No. 380 of 2018</u></p> <p>This Original Application has been filed by the applicant being aggrieved by the denial of medical facilities/issue of ECHS Card.</p> <p>Having heard learned counsel for the parties, we find this is a fit case for adjudication.</p> <p>Admit.</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>List this case on 29.10.2018 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
Court No.1

O.A. No. 387 of 2018

Ex AC (U/T) Krishna Pratap Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri A.K. Sahu, 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 style="text-align: center;">Present: Shri S.K. Singh, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>O.A. No. 387 of 2018</u></p> <p style="text-align: center;">This Original Application has been filed by the applicant being aggrieved by the illegal discharge order dated 05.06.2018.</p> <p style="text-align: center;">Having heard learned counsel for the parties, we find this is a fit case for adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">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 25.10.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

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

D.Y. No. 1797 of 2018 Inre: O.A. No. 479 of 2017

Union of India & Others
By Legal Practitioner for the Applicant-Respondents
Versus
Col H M Maheshwari (Retd)
By Legal Practitioner for Respondent-Applicants
Applicant-Respondents
Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashish Saxena, Ld. Counsel for the applicant-respondents.</p> <p><u>D.Y. No. 1797 of 2018</u></p> <p>This is an application for condonation of delay in moving the application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 14.03.2018, passed by this Court in O.A. No. 479 of 2017.</p> <p>This application has been filed by the applicant after a period of limitation. As per office report, there is delay of 02 months & 25 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.</p> <p>Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, application for leave to appeal is rejected.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1507 of 2018 with M.A. No. 1508 of 2018

Inre: O.A. No. 471 of 2017

Union of India & Others

Applicant-Respondents

By Legal Practitioner for the Applicant-Respondents

Versus

Ex Hav Chet Ram

Respondent-Applicants

By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Dr. S.N. Pandey, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1507 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 27.04.2018, passed by this Court in O.A. No. 471 of 2017.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 02 months & 22 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 condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble 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 style="text-align: center;"><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 technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

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 1508 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 BBP Sinha)
Member (A)

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

SB

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

M.A. No. 1509 of 2018 with M.A. No. 1510 of 2018

Inre: O.A. No. 173 of 2018

Union of India & Others

Applicant-Respondents

By Legal Practitioner for the Applicant-Respondents

Versus

Ex Hav (Hony Nb Sub) Ravinder Kumar Pandey

Respondent-Applicants

By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Ms Anju Singh, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1509 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 21.03.2018, passed by this Court in O.A. No. 173 of 2018.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 03 months & 28 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 condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble 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 style="text-align: center;"><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 technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

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 1510 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 BBP Sinha)
Member (A)

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

SB

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

M.A. No. 1511 of 2018 with M.A. No. 1512 of 2018

Inre: O.A. No. 60 of 2018

Union of India & Others

Applicant-Respondents

By Legal Practitioner for the Applicant-Respondents

Versus

Ex Sub Jitendra Singh

Respondent-Applicants

By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>24.08.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u> Present: Shri Rajiv Pandey, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1511 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 14.03.2018, passed by this Court in O.A. No. 60 of 2018.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 04 months & 08 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 condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble 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 style="text-align: center;"><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 technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

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 1512 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 BBP Sinha)
Member (A)

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

SB