

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

M.A. No. 1230 of 2018 Inre. O.A. No. Nil of 2018

Gokul Ram

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1230 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 04 years, 06 months & 07 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 24.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A No. 1232 of 2018 Inre: O.A. No. Nil of 2018

Akhilesh Kumar Verma 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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, Advocate holding brief of Ms. Kavita Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1232 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 07 years, 09 months & 20 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 24.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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

Raju **M.A. No. 1233 of 2018 Inre. O.A. No. Nil of 2018**
By Legal Practitioner for the Applicant Applicant
Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Mrs. Deepti P Bajpai, 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: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1233 of 2018</u></p> <p style="text-align: center;">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 01 year, 04 months & 03 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, 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 25.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 1234 of 2018 Inre.O.A. No. Nil of 2018

Shiv Shankar

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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 Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1234 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 03 years, 02 months & 01 day 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 27.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1235 of 2018 Inre. O.A. No. Nil of 2018

Dharampal Balmiki

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">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 style="text-align: center;">Present: Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1235 of 2018</u></p> <p style="text-align: center;">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 08 years, 01 month & 29 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, 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 27.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 1236 of 2018 Inre. O.A. No. Nil of 2018

Krishna Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. S.N. Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1236 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 01 year, 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 27.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 88 of 2018 Inre: O.A. No. 258 of 2016

Smt Asha 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: justify;">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 style="text-align: justify;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 88 of 2018</u></p> <p style="text-align: justify;">This is an application filed by the applicant for execution of order dated 08.12.2017 passed in O.A. No. 258 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 01.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

Ex-A/89 of 2018 Inre T.A. No. 780 of 2010

Mangal Saran

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Ors

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Dr. Chet Narain 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 Parijaat Belaura, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 89 of 2018</u></p> <p style="text-align: justify;">This is an application filed by the petitioner for execution of order dated 05.05.2016 passed in T.A. No. 780 of 2010.</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 01.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A/91 of 2018 Inre. O.A. No. 23 of 2011

Jeet Bahadur 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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>Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 91 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 18.09.2015 passed in O.A. No. 23 of 2011.</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 01.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A/92 of 2018 Inre. Ex-A/61 of 2018
Inre. O.A. No. 39 of 2016

Talab Husain Shah Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 92 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 05.07.2017 passed in O.A. No. 39 of 2016.</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 01.08.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 26 of 2017 Inre: O.A. No. 239 of 2015

Santosh 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents has provided copy of the PPO dated 04.01.2018 to the learned counsel for the applicant in the Court itself and submitted that RSMB of the applicant has also been conducted and the outcome of the Board is awaited.</p> <p style="text-align: center;">List this case on 27.07.2018 for orders awaiting the outcome of the RSMB.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 112 of 2017 Inre: T.A. No. 1000 of 2010

Smt Kalawati Devi

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Sarvesh Kumar Pandey, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>Learned counsel for the petitioner submits that as per PPO issued, the order has not been fully complied with. He shall file objection during the course of the day in the Registry after providing a copy of the same to learned counsel for the respondents.</p> <p>List this case on 24.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 93 of 2018 Inre: O.A. No. 540 of 2017

L Gannaya

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogsh Kesarwani, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 93 of 2018</u></p> <p>This is an application for execution of the order dated 14.12.2017 passed in O.A.No. 540 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions as to why the statutory complaint of the applicant has not been decided and file compliance report.</p> <p>List this case on 30.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>PKG</p>

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

Court No 1

Ex-A No. 94 of 2018 Inre O.A. No. 541 of 2017

Vijay Malik

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Dr Gyan 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: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Dr Gyan Singh, Ld. Counsel for the respondents alongwith Major Rajshri Nigam, Departmental Representative.</p> <p style="text-align: center;"><u>Ex-A No. 94 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 22.11.2017 passed in O.A.No. 541 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions as to why the statutory representation of the applicant has not been decided and file compliance report.</p> <p style="text-align: center;">List this case on 30.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 95 of 2018 Inre: O.A. No. 143 of 2015

Shaikh Ibrahim

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 95 of 2018</u></p> <p>This is an application for execution of the order dated 18.12.2017 passed in O.A.No. 143 of 2015.</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 31.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 2302 of 2017 Inre O.A. No. Nil of 2017

Nathu 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Pravir Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A.No. 2302 of 2017</u></p> <p>This is an application for condonation of the delay in filing O.A.</p> <p>The grounds shown in the affidavit filed in support of the O.A. seem to be genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</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>Let the case be registered as O.A.</p> <p>Counter affidavit has already been filed by the learned counsel for the respondents. Learned counsel for the applicant submits that he does not intend to file rejoinder affidavit.</p> <p>Heard the learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 1219 of 2018 Inre. M.A. No. 34 of 2017
Inre. Ex-A No 210 of 2016 Inre
O.A. No. 377 of 2012

Arvind Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

nion of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1219 of 2018</u></p> <p>This is an application for recall of the order dated 10.01.2017 passed in Misc Application No. 34 of 2017 in Ex. Application No.210 of 2016 and O.A.No.377 of 2016. On 23.11.2016 Ex. Application 210 of 2016 was disposed off on the ground that the Government has granted sanction for reinstatement of the applicant vide order dated 18.11.2016, but it is submitted on behalf of the applicant that inspite of that, though applicant was reinstated, but the back wages of the applicant, as directed by the order under execution, has not been paid.</p> <p>Accordingly, we hereby recall the order dated 10.01.2017 and direct learned counsel for the respondents to seek instructions as to why the back wages of the applicant has not been paid, as directed by the Tribunal in its order dated 13.04.2016.</p> <p>List this case on 31.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 1222 of 2018 with M.A. No. 1223 of 2018

Inre: O.A. No. 196 of 2018

Union of India & Others Applicants-Respondents
Legal Practitioner for the Applicants-Respondents

Versus

Maj Rakesh Tomar (Retd) Respondent-Applicant
By Legal Practitioner for Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Dr. Shesh Narain Pandey, Ld. Counsel for the applicants-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1222 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 12.04.2018 passed by this Court in O.A. No. 196 of 2018.</p> <p>As per stamp reporter’s report, there is delay of 11 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon’ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon’ble Supreme Court in 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</i></p>

including the Government.”

The Hon’ble Supreme Court further observed as under :

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

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

M.A. No. 1223 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. This application has been moved only to wastage of time of the Tribunal. Accordingly, this application is also rejected.

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

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

PKG

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
M.A No.1228 of 2018 with M.A. No. 1229 of 2018
Inre: O.A. No. 158 of 2015

Indresh Vishwakarma
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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Ms Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Ms Anju Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1228 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 03.08.2016 passed by this Court in O.A. No. 158 of 2015.</p> <p>As per stamp reporter's report, there is delay of 01 year, 08 months and 20 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in 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</i></p>

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.”

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. 1229 of 2018

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

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

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

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

PKG

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

Ex-A No. 181 of 2017 along with R.A. No. 17 of 2018
Inre: O.A. No. 174 of 2016

Kailash 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Applicant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This is an application for execution of order dated 25.07.2017 passed in O.A. No 174 of 2016. It is admitted by both the parties that even after elapse of ten months period, RSMB of the applicant has not been conducted.</p> <p>Learned counsel for the respondents prays for and is granted further two months time to comply the order failing which a cost of Rs. 20,000/- shall be imposed on the respondents which shall be deposited in Registry and shall be released to the applicant through cheque.</p> <p>List this case on 14.08.2018 for orders.</p> <p>Copy of this order be provided to learned counsel for the respondents free of cost within 48 hours to ensure compliance.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

Ex-A No. 22 of 2018 Inre: O.A. No. 259 of 2015

Jaivir 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an application for execution of order of this Tribunal dated 19.07.2017 passed in O.A. No 259 of 2015 whereby disability pension was sanctioned to the applicant. Even after elapse of ten months, order has not been complied with.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks further time to file compliance report. In case compliance report is not filed by the date fixed, respondents shall have to pay cost of Rs 10,000/- which shall be deposited in the Registry and shall be released to the applicant through cheque.</p> <p style="text-align: center;">List this case on 31.07.2018 for orders.</p> <p style="text-align: center;">Copy of this order be provided to learned counsel for the respondents free of cost within 48 hours to ensure compliance.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

Ex-A No. 31 of 2018 Inre: T.A. No. 955 of 2010

Jagroop Singh Yadav

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	<p>Orders of the Tribunal</p> <p><u>25.05. 2018</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Applicant Shri Jagrup Singh Yadav in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This is an application for execution of order dated 23.11.2015 passed in T.A. No 955 of 2010. Even after elapse of three years, order of this Tribunal has not been complied with. Excuse has been taken by the respondents that Review Application was filed in this case in the year 2018 which was dismissed on 12.03.2018 hence delay in execution.</p> <p>A perusal of record shows that on 05.04.2018, six weeks’ time was granted to respondents to file compliance report, failing which cost of Rs 15,000/- shall be imposed.</p> <p>Today again learned counsel for the respondents prays for six weeks, further time to comply the order. He submits that cost shall be deposited in the Registry within a short period. If the cost is deposited, the same shall be paid to the petitioner through cheque. In case, respondents fail to file compliance report by the date fixed, they shall be saddled with cost of Rs. 20,000/- which shall be deposited in the Registry and same shall be paid to the petitioner through cheque.</p> <p>List this case on 31.07.2018 for orders.</p> <p style="display: flex; justify-content: space-around;">(Air Marshal B.B.P. Sinha) Member (A)(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

Ex-A No. 50 of 2018 Inre: O.A. No. 443 of 2017

Nitin Kumar Sharma

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>This is an application for execution of order dated 13.10.2017 passed in O.A. No 443 of 2017 whereby direction was given to the respondents to decide the representation of the applicant dated 06.03.2017 within a period of two months. Today, learned counsel for the respondents has produced a letter dated 13.04.2018 issued by Record Officer, Rajput Regiment Records, wherein it is stated that the applicant to approach 25 Rajput to rejoin from desertion for initiating suitable action. No such direction was given by this Tribunal. Direction was given to the respondents to dispose of representation of the applicant.</p> <p>We hereby direct Record Officer, Rajput Regiment Records, to remain present in the Court on the date fixed to explain as to why the order under execution has not been complied with.</p>

List this case on **18.07.2018** for orders.

(Air Marshal B.B.P. 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. 51 of 2018 Inre: O.A. No. 169 of 2011

Lt Col Lokesh Kandpal
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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p>This is an application for execution of judgment and order dated 06.10.2017 passed in OA No 169 of 2011 by means of which respondents were directed to <i>"consider afresh the applicant's claim with regard to ICR/pen-picture for the period from 23.07.2005 to 18.03.2006 and record in accordance to Rules therein the courageous act done by the applicant during rescue operation in the fateful night of 19/20.09.2005 whereby he had saved the lives of army persons of the ROP. We make it open to the respondents to look into the whole episode afresh keeping in view the material otherwise keeping in view the observations made in the present order and take appropriate corrective measures to tone up the unit and higher level administration of the Army."</i></p> <p>Learned counsel for the respondents submits that the process of correction of record is undergoing. He also submitted that Selection Board shall be conducted within a short period and the applicant shall be considered for promotion after correction of record.</p> <p>He prays for and is granted six weeks further time to file affidavit bring aforesaid fact on record.</p> <p>List this case on 31.07.2018 for orders.</p> <p>On the date fixed, name of Dr. Ashish Asthana shall also be shown as learned counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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

Ex-A No. 57 of 2018 Inre: O.A. No. 176 of 2015

Ganesh Prasad Kushwaha

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri O.P. Kushwaha, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Learned counsel for the respondents submits that order of Tribunal dated 25.07.2017 passed in O.A. No 176 of 2015 has been complied with and Corrigendum PPO has been issued in favour of the applicant. Parties are not aware about the outcome of RSMB.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to seek instructions from the authority concerned about the RSMB and inform present position of the case.</p> <p>List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 220 of 2016

Radhey Shyam

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents. Pleadings have been exchanged. List this case on 26.07.2018 for hearing. 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 B.B.P. 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. 256 of 2016

Ajay Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.S. Rajawat, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that orders of this Tribunal dated 12.12.2017 and 13.02.2018 shall be complied with within two weeks'.</p> <p style="text-align: center;">List this case on 06.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 233 of 2018 Inre: M.A. No. 1211 of 2018

Col Anil Kumar Singh Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Mukund Tewari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Capt Priya Prasad, OIC Legal Cell.</p> <p style="text-align: center;">There is an application moved on behalf of the respondents for deleting the name of respondent no.6 from the array of parties. Apart from this, an objection has been filed on behalf of the respondents challenging the maintainability of the instant O.A.</p> <p style="text-align: center;">List this case on 05.07.2018 for orders.</p> <p style="text-align: center;">Meanwhile objections to these applications may be filed by the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A. (A) No. 39 of 2017 with M.A. No. 1237 of 2018

Smt Sunita Singh W/o
Abhishek Kumar Singh (In Custody) 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">In this case an application has been moved by the applicant for interim bail. On behalf of the respondents it has been submitted by their learned counsel that he received copy of the aforesaid application only two days before, so he may be granted time to file written reply to the same.</p> <p style="text-align: center;">List this case on 04.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

C.A. No. 04 of 2018 along with O.A. No. 617 of 2017
With M.A. No. 2273 of 2017

Brig Dinesh Kumar Ahluwalia Applicant
By Legal Practitioner for the Applicant

Versus

Col Ajeen Kumar Col Ms (Legal) Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Brig Dinesh Kumar Ahluwalia in person and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col R.S. Chandel.</p> <p style="text-align: center;"><u>C.A. No. 04 of 2018</u></p> <p>There is objection about the maintainability of the contempt application. It is argued on behalf of the respondents that as per Section 19, sub clause (1) & (2) of the Armed Forces Tribunal Act, 2007 the Tribunal can take cognizance of only any insulting or threatening language, which has been used in the Tribunal while in the instant case said language has been used in the writ petition filed by the contemnor before the Hon'ble High Court. Section 19 sub clause (1) & (2) of the Armed Forces Tribunal Act, 2007 reads as under :-</p> <p style="text-align: center;">“19. Power to punish for contempt.- (1) Any person who is guilty of contempt of the Tribunal by using any insulting or threatening language, or by causing any interruption or disturbance in the proceedings of such Tribunal shall, on conviction, be liable to suffer imprisonment for term which may extend to three years.</p> <p style="text-align: center;">(2) For the purposes of trying an offence under this section, the provisions of sections 14,15,17,18 and 20 of the Contempt of Courts Act, 1971 shall mutatis mutandis</p>

apply, as if a reference therein to-

- (a) Supreme Court or High Court were a reference to the Tribunal;
- (b) Chief Justice were a reference to the Chairperson;
- (c) Judge were a reference to the Judicial or Administrative Member of the Tribunal;
- (d) Advocate- General were a reference to the prosecutor; and
- (e) Court were a reference to the Tribunal. ”

A bare perusal of Section 19(1) aforesaid clearly indicates that two conditions are entirely different and do not supplement each other and the two conditions have been separated by use of word ‘or’ in between. If the submission of the learned counsel for the respondents is considered then it would mean that any contempt of the Tribunal which takes place outside the Tribunal by any mode of publication or in any other manner then this Tribunal shall have no jurisdiction to entertain such matter of contempt. Such an interpretation is against the spirit of Section 19 of the Armed Forces Tribunal Act. Insulting or threatening language used at any place may be contempt. Therefore the objection on the maintainability of contempt petition has no substance.

In this case the contemnor has already put in his appearance and has also filed his affidavit. Therefore, it shall be appropriate to hear the case in his presence on the point of admission.

Col Ajeen Kumar, respondent is not present today.

List this case on **16.07.2018** for hearing.

O.A. No. 617 of 2017

Admittedly in this case a transfer application has been moved on behalf of the respondent no.5 and it is informed on behalf of the respondents that the same is listed before the Principal Bench for hearing today. Therefore, we consider it appropriate to refrain ourselves from hearing this case and await decision on transfer application.

List this case on **16.07.2018** for hearing.

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

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

JPT

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

O.A. No. 138 of 2016

VK Prajapati & Ors

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Dr. Shailendra Sharma Ata Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam.</p> <p>Case called out.</p> <p>None is present on behalf of the applicants.</p> <p>We are informed that the Lawyers are busy in the election of the Bar Association.</p> <p>List this case on 31.07. 2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>Case called out.</p> <p>None is present on behalf of the applicant.</p> <p>We are informed that the Lawyers are busy in the election of the Bar Association.</p> <p>List this case on 30.07. 2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A. No. 522 of 2017

Niyaz Ahmed

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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Ms Anju Singh, Ld. Counsel for the respondents. Case called out. None is present on behalf of the applicant. We are informed that the Lawyers are busy in the election of the Bar Association. List this case on 30.07. 2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A. No. 527 of 2017

I S 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>25.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Case called out.</p> <p>None is present on behalf of the applicant.</p> <p>We are informed that the Lawyers are busy in the election of the Bar Association.</p> <p>List this case on 31.07. 2018 for hearing.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 87 of 2018 Inre: O.A. No. 184 of 2010

Inre: Ex-A No. 240 of 2016

Ramesh Chandra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ramesh Chandra Shukla, Advocate 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 R Chandra, Advocate holding brief of Shri K.C. Ghildiyal, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 87 of 2018</u></p> <p>This is an application for execution of the order dated 12th January 2016 passed in O.A.No. 184 of 2010.</p> <p>It transpires from perusal of the order that earlier an Ex. Application was also filed, which was rejected on 25th April 2017 as infructuous.</p> <p>Learned counsel for the applicant submits that the order under execution has not yet been completely complied with.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to seek instructions and to file complete compliance report.</p> <p>List this case on 18.07. 2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 1220 of 2018 with M.A. No. 1221 of 2018

Inre: T.A. No. 107 of 2011

Union of India & Others

Applicant-Respondents

By Legal Practitioner for the Applicant-Respondents

Versus

Lekh Raj Singh

Respondent-Petitioner

By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Md Zafar Khan, Ld. Counsel for the applicant-respondents.</p> <p><u>M.A. No. 1221 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 27.02.2018 passed by this Court in T.A. No. 107 of 2011.</p> <p>As per stamp reporter's report, there is delay of 01 month and 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 grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and Another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody</i></p>

including the Government.”

The Hon’ble Supreme Court further observed as under :

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

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

M.A. No. 1220 of 2018

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

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

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

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

PKG

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
R.A. No. 38 of 2018 with M.A. No. 1210 of 2018
Inre: T.A. No. 70 of 2016

Union of India & Others Applicant-Respondents
By Legal Practitioner for the Applicant-Respondents
Versus
Smt Shanti Devi Respondent-Petitioner
By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Asheesh Agnihotri, Ld. Counsel for the Applicant-Respondents.</p> <p style="text-align: center;"><u>ORDER (Oral)</u></p> <p><u>R.A. No. 38 of 2018 with M.A. No. 1210 of 2018</u></p> <p>1. The Applicant-Respondents have filed this Review Application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 alongwith an application for condonation of delay. The Applicant-Respondents have prayed for review and setting aside of the order dated 15.09.2017 passed in T.A No. 70 of 2016, by means of which this Court had directed that the Petitioner shall be entitled to the disability pension payable to her husband @ 90%, rounded off to 100% from 14.12.1962 to 20.02.1968. The respondents were directed to pay the arrears of disability pension within four months, failing which the petitioner shall be entitled to get 9% interest per annum on the sum accrued from due date till actual date of payment.</p> <p>2. As per stamp reporter's report, the application is delayed by 07 months and 01 day. Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 postulates that no application shall be entertained beyond the period of thirty days from the date of receipt of copy of the order sought to be reviewed. Review Application No. 38 of 2018 seeks review of the order dated 15.09.2017 passed in T.A. No. 70 of 2016 by the Bench comprising of (Justice D.P.Singh, Member (J) and Air Marshal Anil Chopra (since both retired). Admittedly, the Review Application has been filed beyond the period of 30 days, as such it is not entertainable.</p> <p>3. We have gone through the grounds and reasons indicated in the affidavit filed in support of the application for condonation of delay. In our considered opinion, the grounds urged in support of the application do not appear to be germane; rather they are casual in nature and each day's delay has not been</p>

explained. The application for condonation of delay (M.A. No. 1210 of 2018), therefore, has no force.

4. That apart, it is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the order sought to be reviewed, the same cannot be reviewed. For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure is reproduced below :-

*“1. Application for review of judgment.- (1) any person considering himself aggrieved-
(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,
(b) by a decree or order from which no appeal is allowed, or
(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.”*

5. In view of the principles of law laid down by the Hon’ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. Hon’ble the Supreme Court in Para 9 of its judgment in the case of **Parsion Devi and others vs. Sumitri Devi and others**, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

“9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise.”

6. We have also gone through the order sought to be reviewed and the Review Application, which is time-barred. Even from the grounds taken therein, no illegality or irregularity or error apparent on the face of record has been shown to us so as to review the aforesaid order of this Court. We are of the considered view that there is no error apparent on the face of record in the impugned order dated 15.09.2017, which may be corrected/reviewed in exercise of review jurisdiction.

7. Accordingly, the application for condonation of delay (M.A. No. 1210 of 2018) as well as Review Application No.38 of 2018 are hereby rejected.

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

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

PKG

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
Ex-A No. 109 of 2017 with M.A. No. 1497 of 2017
Inre: O.A. No. 122 of 2011

Sanjay Kumar Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Sanjay Kumar Verma, Applicant in person and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 109 of 2017</u></p> <p>This is an application for execution of the order dated 28th February 2017 passed in O.A.No. 122 of 2011.</p> <p>It is submitted by the learned counsel for the respondents that SLP, preferred by the respondents against the said judgment, has been dismissed on 12th March 2018. This Ex. Application is pending since 24th July 2017 and till date the order under execution has not yet been complied with.</p> <p>Today again adjournment is prayed on behalf of the respondents. On 21st November 2017, cost of Rs.15,000/- was imposed on the respondents and the same has been deposited, but inspite of that, no progress in filing the compliance report has been made. Hence, we grant one more opportunity to the learned counsel for the respondents to file compliance report, subject to payment of cost of Rs.25,000/- which shall be deposited in the Registry and the same shall be released in favour of the applicant by the next date.</p> <p style="text-align: center;">List this case on 20.07. 2018 for orders.</p> <p style="text-align: center;">Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 148 of 2017 Inre: O.A. No. 35 of 2016

Jitendra 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Pradeep Chandola, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 148 of 2017</u></p> <p>This is an application for execution of the order dated 25th November 2016 passed in O.A.No. 35 of 2016, whereby the respondents were required to comply with the order within a period of two months, but till date the order under execution has not been complied with even after lapse of more than two years. This is a very sorry state of affairs on the part of the respondents and the respondents are not taking interest in the execution of the order.</p> <p>Today learned counsel for the respondents has produced before us a copy of letter dated 19th April 2018, but that is only a departmental correspondence of the respondents and no relief to the applicant has been given.</p> <p>Accordingly, we hereby direct the respondents to file complete compliance report positively by the next date fixed, subject to payment of cost of Rs.15,000/- which shall be deposited in the Registry and the same shall be released in favour of the applicant by the next date fixed.</p> <p>List this case on 23.07.2018 for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 19 of 2018 Inre: O.A. No. 44 of 2011

Ex Sep Phiroj Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Md Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 19 of 2018</u></p> <p>This is an application for execution of the order dated 06th January 2012 passed in O.A.No. Nil (44) of 2011.</p> <p>On 10th April 2018, we have passed the following order :</p> <p style="text-align: center;"><u>“EX-A. No. 19 of 2018</u></p> <p style="text-align: center;"><i>This is an application for execution of the order dated 06th January 2012 passed by this Tribunal in O.A.No. 44 of 2011.</i></p> <p style="text-align: center;"><i>The Execution Application was filed on 29th January 2018. Even after a lapse of about six years, the order under execution could not be complied with by the respondents. This is a very sorry state of affairs and gross negligence on the part of the respondents. By the order under execution, disability pension was granted to the applicant, but even in such cases, the respondents failed to show sympathetic approach to the Army personnel to execute the order of this Court. It is nowhere the case of the respondents that the order under execution has been challenged by filing appeal or any stay order has been passed staying the operation of the order, but inspite of that, the order under execution has not been complied with by the respondents.</i></p> <p style="text-align: center;"><i>In view of the aforesaid, we hereby direct the respondents to comply with the order under execution positively within one month from today, subject to payment of cost of Rs.10,000/- payable to the applicant. Apart from it, the respondents are further directed to conduct an enquiry and to hold responsibility of the erring official/officer for the same and take a suitable action against him.</i></p> <p style="text-align: center;"><i>Registry is directed to communicate this order to the respondents within 24 hours.</i></p> <p style="text-align: center;"><i>Let a copy of this order be also provided to the learned counsel for the respondents within 24 hours for follow up action.</i></p> <p style="text-align: center;"><i>List this case on 14.05.2018 for orders.”</i></p> <p>Today the position is the same. The applicant admittedly has not received the disability pension, as directed by the Tribunal. It is submitted on behalf of the respondents that the PPO was issued to the wrong branch of the bank, but the copy of the PPO is not with the respondents. Further time is</p>

prayed on behalf of the respondents to seek instructions and to file compliance report.

In the interest of justice, we grant four weeks' time to file compliance report, subject to payment of cost of Rs.15,000/- which shall be deposited in the Registry and the same shall be released in favour of the applicant by the next date fixed.

Learned counsel for the respondents are directed to furnish the name of the officer, who has issued the PPO to the wrong branch of the bank, so that suitable action may be taken against him.

List this case on **13.07.2018** for orders.

Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.

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

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

PKG

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

M.A No. 1194 of 2018 Inre: O.A. No. Nil of 2018

Ram Bhajan

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri R.N. Tripathi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>M.A. No. 1194 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 09 years, 04 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 19.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A No. 1218 of 2018 Inre: O.A. No. Nil of 2018

Smt Ranju 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri B.B. Tripathi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>M.A. No. 1218 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of family pension. As per office report, it is delayed by 11 years, 03 months & 16 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 20.07.2018 for orders.</p> <p style="text-align:center">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align:right">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

O.A. No. 271 of 2018

Shiv Bhushan Mishra & Another
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by 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 Akhilesh Tripathi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>O.A. No. 271 of 2018</u></p> <p>By means of this application, the applicant has challenged his discharge order dated 28.02.2018. The controversy involved in this case requires hearing.</p> <p>Heard learned counsel for the parties on the point of admission. The matter needs to be adjudicated.</p> <p>Admit.</p> <p>Learned counsel for the respondents 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 13.08.2018 for orders.</p> <p>(Air Marshal B.B.P. 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. 272 of 2018

Prem Kishore

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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 Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>O.A. No. 272 of 2018</u></p> <p>By means of this application, the applicant has challenged his discharge vide order dated 03.03.2018. The controversy involved in this case requires hearing.</p> <p>Heard learned counsel for the parties on the point of admission. The matter needs to be adjudicated.</p> <p>Admit.</p> <p>Learned counsel for the respondents 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 13.08.2018 for orders.</p> <p>Air Marshal B.B.P. 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. 273 of 2018

Babu Lal Saini

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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>Present: Shri Virendra Prasad, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>O.A. No. 273 of 2018</u></p> <p>By means of this Original Application, the applicant has made the following prayer :-</p> <p><i>“i. That the order contained in annexure no. 1 & 2 to the O.A. may kindly be quashed and the applicant may kindly be permitted to join at 1 PARA (SF)/Opposite Part no. 3 & he may kindly paid the arrears of salary from date of impugned order dated 29.12.2017 Annexure No. 1 & 18.01.2018 Annexure No. 2 till the date of taking back to duty in 12 PARA (SF)/Opposite Party No. 3.</i></p> <p><i>ii. In the alternative – the applicant may kindly be allowed to retire from the service as employee of 12 PARA (SF)/Opposite Part No. 3 & e paid the retieral benefits as retired Havaldar of 12 PARA (SF)/Opposite Party No. 3.</i></p> <p><i>iii. In the alternative the opposite parties may kindly be directed to decide the representation marked Annexure No. 05 to 09 with original application within the time is fixed by this Hon'ble Tribunal.”</i></p> <p>Learned counsel for the applicant submits that the applicant is still in</p>

service and his statutory petition dated 02.04.2018 has not been decided and is still pending with the respondents.

With the consent of learned counsel for the parties, we proceed to decide this O.A. finally at admission stage itself with the direction to the respondents to decide the statutory petition of the applicant dated 02.04.2018, if not already decided, by a speaking and reasoned order in accordance with law and rules expeditiously say within a period of two months, from the date of production of certified copy of this order and communicate the decision to the applicant.

With the aforesaid direction, Original Application is **disposed** of finally.

A copy of the order shall be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission to ensure compliance.

(Air Marshal B.B.P. 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

O.A. No. 274 of 2018

Narendra 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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 Virendra Prasad, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>O.A. No. 274 of 2018</u></p> <p>By means of this Original Application, the applicant has made the following prayer :-</p> <p><i>“i. The Hon’ble Tribunal may kindly be pleased to quash the impugned order 01.12.2017 of reverting the applicant to non-para being illegal, unjust and not supported by any test/Training after summoning the records relevant in demotion.</i></p> <p><i>ii. The Hon’ble Tribunal may kindly be pleased to quash the impugned orders dated 01.12.2017, 11.12.2017 and 13.12.2017 contained in Annexure No. 1,2&3 respectively to the Original Application.</i></p> <p><i>iii. That the Hon’ble Tribunal may kindly be directed to opposite parties to appoint/post the applicant on the post of paratrooper/Commando in 2 PARA “S.F.” PARA-regimental Bangalore & to pay the arrears of salary from 1 December, 2017 till reinstatement in 2 PARA Regiment Bangalore/opposite party no. 3.</i></p>

iv. The Hon'ble Tribunal may kindly be directed to the opposite parties to decide the representation dated 02.04.2018 contained in Annexure No. 7 to this O.A. within time to be fixed by the Hon'ble Tribunal."

Learned counsel for the applicant submits that the applicant is still in service and his statutory petition dated 02.04.2018 has not been decided and is still pending with the respondents.

With the consent of learned counsel for the parties, we proceed to decide this O.A. finally at admission stage itself with the direction to the respondents to decide the statutory petition of the applicant dated 02.04.2018, if not already decided, by a speaking and reasoned order in accordance with law and rules expeditiously say within a period of two months, from the date of production of certified copy of this order and communicate the decision to the applicant.

With the aforesaid direction, Original Application is **disposed** of finally.

A copy of the order shall be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission to ensure compliance.

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

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

SB

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

Ex-A No. 158 of 2017 with M.A. No. 910 of 2018

Inre: T.A No. 65 of 2016

Sanjay Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri K.S. Pawar & Shri Vishwajeet Singh, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 158 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 22.03.2017 passed in T.A. No. 65 of 2016.</p> <p>Learned counsel for the petitioner submits that the respondents have not yet complied with the order under execution.</p> <p style="text-align: center;"><u>M.A. No. 910 of 2018</u></p> <p>This is an application for direction/contempt in pursuance of execution of final order of the Tribunal, filed by the petitioner whereby he has made the following prayers :-</p> <p style="text-align: center;"><i>“(1) to initiate contempt proceedings against the respondents u/s 19 of the Act for non-implementation of the directions issued in final order dated 22.03.2017;</i></p> <p style="text-align: center;"><i>(2) to direct the respondents to implement the order dated 22.03.2017 in true letter and spirit and reinstate the petitioner in service with all consequential benefits and may be placed at the same rank where his batchmates are working today.”</i></p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file reply to the aforesaid application (M.A. No. 910 of 2018). List this case on 25.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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

D.Y. No. 1513 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 the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesh Kesharwani, on behalf of respondents is taken on record. Office is directed to show his name as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesharwani, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Learned counsel for the applicant submits that he has made a prayer for grant of disability pension. On perusal of prayer clause, we find that no direct prayer for grant of disability pension has been made in the prayer clause.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to move amendment application.</p> <p>List this case on 09.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
M.A. No. 1224 of 2018 with M.A. No. 1225 of 2018
Inre: T.A. No.77 of 2016

Ashok Kumar

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, on behalf of respondents is taken on record. Office is directed to show his name as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1224 of 2018</u></p> <p>This is an application for condonation of delay under Section 5 of the Indian Limitation Act preferred by the applicant in filing application for leave to appeal. The application for leave to appeal has been filed with the delay of six days. Since the application has been filed after lapse of statutory period, the Tribunal lacks jurisdiction to condone the delay.</p> <p>In view of above, the application for condonation of delay in filing application for condonation of delay is rejected.</p> <p style="text-align: center;"><u>M.A. No. 1225 of 2018</u></p> <p>Since the application for condonation of delay in filing application for leave to appeal has been rejected, as a consequence thereof, application for leave to appeal is also</p>

rejected.

(Air Marshal B.B.P. 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. 24 of 2017 with M.A. No. 460 of 2018

Inre: T.A. No. 93 of 2010

Prayag Singh Parihar

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The case was taken up in the revised list. The matter pertains to Navy. Departmental Representative of the Navy is not present. It is submitted that the Departmental Representative of the Navy shall be present before this Tribunal on 27.07.2018. The case is adjourned.</p> <p>List this case on 27.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

Ex-A No. 101 of 2017 with M.A. No. 16 of 2018
Inre: Ex-A No. 40 of 2013 & O.A. No. 332 of 2012

Ram Saiwan Pandey Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shyam Bihari Tiwari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>This is an application for execution. Admittedly, PPO has been issued. Learned counsel for the applicant has filed objection. The objections are twofold, firstly that in the PPO it has wrongly been mentioned that no consolidation will be permitted and secondly, 8% interest granted by the Tribunal by order under execution has not been paid.</p> <p>Learned counsel for the respondents prays for and is granted time to seek instructions.</p> <p>List this case on 11.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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

Ex-A No. 45 of 2018 Inre: Ex-A No. 20 of 2017
Inre: O.A. No. 125 of 2015

Smt Manoj Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri S.K. Singh, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Both the learned counsel for the parties indulge in arguments between themselves having scant respect for decorum of Court. In these circumstances, we feel appropriate to postpone hearing of the case. The case is accordingly adjourned.</p> <p>List this case on 10.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

Ex-A No. 56 of 2018 Inre: O.A. No. 303 of 2016

Rajiv Tandon

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that in compliance of the order under execution, sanction has been granted on 17.01.2018 and requisite PPO shall be issued within a short period. The case is adjourned to enable learned counsel for the respondents to seek instructions and file compliance report.</p> <p style="text-align: center;">List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

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

Mahesh Singh

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>By means of order under execution dated 24.04.2017, the applicant was directed to be restored in service within four months. Admittedly, till date the applicant has not been permitted to join duty. Learned counsel for the respondents submits that letter has been forwarded to the competent authority for grant of Govt sanction for reinstatement. This letter is dated 16.04.2018. The process to comply with the order under execution has been initiated after lapse of one year from the date of order. It is a sorry state of affair.</p> <p>Learned counsel for the respondents prays for time to comply with the order. Subject to payment of cost of Rs. 20,000/- four weeks' time is granted to the respondents to comply with the order. Cost shall be deposited by the respondents in this Tribunal within four weeks and shall be paid to the applicant by the Registry through cheque.</p> <p>Apart from above, learned counsel for the respondents shall furnish the names of officers/officials who are responsible for initiation of process to comply with the order under execution with such inordinate delay of about one year so that, if required, necessary action may be initiated against them.</p> <p>List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 2222 of 2017 with M.A. No. 967 of 2018
Inre: O.A. No. Nil of 2017

Smt Mithlesh 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri PK Shukla, Advocate, holding brief of Shri V.A. Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 967 of 2018</u></p> <p>Reply to objection on application for condonation of delay filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Shri PK Shukla, Advocate, submits that learned counsel for the applicant is out of station and prays for adjournment of the case. The case is accordingly adjourned.</p> <p>List this case on 16.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 171of 2018 Inre: O.A. No. Nil of 2018

Lala Ram Saini

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri PK Shukla, Advocate, holding brief of Shri J.N. Mishra, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">Shri PK Shukla, Advocate, submits that learned counsel for the applicant is out of station and prays for adjournment of the case. The case is accordingly adjourned.</p> <p style="text-align: center;">List this case on 17.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

M.A No. 599 of 2018 with M.A. No. 600 of 2018
Inre: T.A. No. 708 of 2010

Shiv Vir Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri DS Tiwari, Advocate, holding brief of Shri R.N. Tripathi, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay.</p> <p>List this case on 18.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 636 of 2018 with M.A. No. 637 of 2018
Inre: T.A. No. 90 of 2010

Gurmani V

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: None for the petitioner and Shri Asheesh Saxena, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">Case called out in revised list. Neither the petitioner nor his counsel is present nor there is any request to adjourn the case.</p> <p style="text-align: center;">The case is accordingly, dismissed for non prosecution.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 188 of 2016

Durga 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Advocate, holding brief of Shri M.K. Singh, Ld. Counsel for the applicant and Ms Anju Singh, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">It is informed at Bar that Shri MK Singh, learned counsel for the application is out of station and prayer for adjournment of the case has been made. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 19.07.2018 for orders.</p> <p style="text-align: center;">Meanwhile supplementary counter affidavit may be filed by learned counsel for the respondents.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</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

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri A.K. Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Since controversy involved in the present O.A. is under consideration before Hon'ble Supreme Court, the case is adjourned awaiting judgment by the Hon'ble Supreme Court.</p> <p>List this case on 17.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 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 the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">Since controversy involved in the present O.A. is under consideration before Hon'ble Supreme Court, the case is adjourned awaiting judgment by the Hon'ble Supreme Court.</p> <p style="text-align: center;">List this case on 17.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 41 of 2018

Firen Bahadur 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri B.B. Tripathi, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 108 of 2018

Suresh Chandra 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri KK Singh Bisht, Advocate, holding brief of Shri V.P. Pandey, Ld. Counsel for the applicant and Shri A.K. Gupta, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;">Shri KK Singh Bisht, Advocate, prays for adjournment of the case on the ground that learned counsel for the applicant is not available today. The case is accordingly, adjourned.</p> <p style="text-align: center;">List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>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 2018

Smt Rubina Begum & Another

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Nishant Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>By means of this O.A. the applicant has prayed for grant of maintenance allowance from her husband JC-450840K Sub Harun Ahmed Respondent No 5. Learned counsel for the applicant has produced before us copy of letter dated 03.05.2018 whereby the application for grant of maintenance allowance has been allowed and maintenance allowance has been sanctioned in favour of the applicant. Copy of the letter dated 03.05.2018 is placed on record.</p> <p>Since maintenance allowance has already been sanctioned by the competent authority in favour of the applicant, therefore, this O.A. is rendered infructuous and is dismissed accordingly.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

EX-A No. 192 of 2017 Inre: O.A. No. 249 of 2016

Samser Singh (through his wife
Smt Prabeena 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri D.S. Tiwari, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>It is admitted by learned counsel for the parties, that Army Doctors have visited the Civil Mental Hospital, Bareilly to visit the ex soldier. However, learned counsel for the parties are not aware as to whether, RSMB was conducted or not and what was its outcome.</p> <p>Learned counsel for the respondents prays for time to seek instructions and place on record the report of the RSMB.</p> <p>List this case on 10.07.2018 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 111 of 2017

Raj Kumar Verma

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Admittedly, the applicant was convicted under Section 307 IPC. He is being paid provisional pension after his conviction. Learned counsel for the applicant has made a prayer for grant of full pension on the ground that the applicant has been released on bail. The submission has no force of law.</p> <p>List this case on 26.07. 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>On the date fixed, learned counsel for the applicant shall also inform the Tribunal with regard to the status of the criminal appeal.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 189 of 2017

Smt Pushpa Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 536 of 2017

Raja Ram

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri Siddharth Dhaon, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>On 17.02.2018 opportunity was granted to learned counsel for the respondents to file counter affidavit subject to payment of cost of Rs. 10,000/-. As per office report, cost has been deposited but counter affidavit has not yet been filed.</p> <p>Learned counsel for the respondents undertakes to file counter affidavit in the Registry during the course of the day. The case is adjourned.</p> <p>List this case on 11.07.2018 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 B.B.P. 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. 643 of 2017

Narendra 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Advocate, holding brief of Shri V.K. Pandey, Ld. Counsel for the applicant and Ms Amrita Chakraborty, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Shri Parijaat Belaura, submits that learned counsel for the applicant is out of station today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on 27.07.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit may be filed by learned counsel for the applicant.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 686 of 2017 with M.A. No. 627 of 2018

Azaz Noor Khan

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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: None for the applicant and Shri A.K. Gupta, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 627 of 2018</u></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>It is informed at Bar that Shri Ashok Kumar, learned counsel for the applicant is not available today. Accordingly, the case is adjourned.</p> <p>List this case on 24.07.2018 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 B.B.P. 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. 57 of 2018

Vijay Suman Sharma & Others

By Legal Practitioner for the Applicants

Versus

Applicants

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri KK Singh Bisht, Advocate, holding brief of Shri Harshvardhan, Ld. Counsel for the applicants and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri KK Singh Bisht, Advocate, prays for adjournment of the case. The case is accordingly adjourned.</p> <p style="text-align: center;">List this case on 18.07.2018 for orders.</p> <p style="text-align: center;">Meanwhile, counter affidavit may be filed by learned counsel for the respondents.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

T.A. No. 40 of 2017

Lakhan 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>24.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Satish Chandra, Advocate, holding brief of Shri R.C. Pandey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Learned counsel for the respondents submits that original documents are not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>In this case, perusal of the petitioner's enrolment form and the order discharging the petitioner are necessary to be perused for just decision of the case.</p> <p>List this case on 05.07.2018 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 B.B.P. 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

RESERVED
Court No. 1

O.A. No. 14 of 2018

Jahad Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05.2018</u> <u>Hon'ble Mr. Justice SVS Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Judgment pronounced. Original Application is allowed. For order, see our order of date passed on separate sheets.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice SVS Rathore) Member (J)</p> <p>anb</p>

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

M.A. No. 1217 of 2018 Inre: O.A. No. Nil of 2018

Smt Hemlata 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by 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>Present: Shri Lohitaksha Shukla, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><u>M.A. No. 1217 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of family pension. As per office report, it is delayed by 05 months & 23 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, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 23.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
D.Y. No. 1377 of 2018 Inre: O.A. No. 254 of 2017
Inre: R.A. No. 28 of 2018

Narendra 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u> Memo of appearance filed by Shri D.K. Pandey, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p><u>Dy. No. 1377 of 2018</u></p> <p>This is an application moved by the applicant 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 in O.A. No. 254 of 2017 and order dated 09.04.2018 in Review Application No. 28 of 2018 Inre O.A. No. 254 of 2017 passed by this Court.</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 24 days in filing the application for leave to appeal, but the application for condonation of delay has not been filed by the learned counsel for the applicant.</p> <p>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 the affidavit filed in support of the application for leave to appeal 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.</p> <p>In view of the decision of the Hon'ble Supreme Court in the aforesaid case, 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 rejected.</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. 1213 of 2018 with M.A. No. 1214 of 2018
Inre: O.A. No. 72 of 2015

Shreepad Bhat
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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Maj Rajshri Nigam, Departmental representative for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1213 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 29.08.2016, passed by this Court in O.A. No. 72 of 2015.</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 01 year, 07 months & 21 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)</p>

46200 SC in which the Hon'ble Supreme Court has observed as under:

“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.”

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 1214 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. 1215 of 2018 with M.A. No. 1216 of 2018
Inre: O.A. (A) No. 279 of 2013

Manoj Kumar 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u> Present: Shri K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No 1215 of 2018</u></p> <p>This is an application for condonation of delay in filing the recall application. As per office report, this application is delayed by 17 days in filing the recall application.</p> <p>The grounds shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient.</p> <p>Accordingly, the application for condonation of delay is allowed and the the delay is condoned.</p> <p style="text-align: center;"><u>M.A. No 1216 of 2018</u></p> <p>This is an application for recall of the order dated 03.04.2018 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 03.04.2018 is hereby recalled, subject to payment of cost of Rs. 2000/- to be paid to the Bar Association, AFT, Lucknow within a week from today.</p> <p>Let the case be registered to its original number.</p> <p>List this case on 11.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 37 of 2018 Inre: O.A. No. 206 of 2016

Dhan 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Tiwari, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 37 of 2018</u></p> <p style="text-align: center;">This is an application for execution of order dated 23.08.2017 passed in O.A. No. 206 of 2016.</p> <p style="text-align: center;">Learned counsel for the respondents submits that requisite sanction has been issued in the month of February 2018 and requisite PPO shall be issued within a short period. He prays for and is granted four weeks' time to file compliance report.</p> <p style="text-align: center;">List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 41 of 2018 Inre: O.A. No. 417 of 2017

Muneesh Kumar

By Legal Practitioner for the Applicant

Applicant

Versus

Addl DGPS-4 DHQ PO New Delhi

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 41 of 2018</u></p> <p>This is an application for execution of order dated 27.09.2017 passed in O.A. No. 417 of 2017.</p> <p>Learned counsel for the respondents prays for time to execute the order dated 27.09.2017. As prayed, last opportunity is granted to the respondents to file compliance report by the date fixed, failing which a cost of Rs. 5,000/- to be deposited by the respondents in the Registry which shall be paid to the applicant.</p> <p style="text-align: center;">List this case on 18.07.2018 for orders.</p> <p>A copy of the order shall be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission to ensure compliance.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 312 of 2018 Inre: M.A. No. 906 of 2018

Inre: O.A. No. Nil of 2018

Bhagwan 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on the application for condonation of delay in moving the recall application.</p> <p>List this case on 09.07.2018 for orders.</p> <p>(Air Marshal B.B.P. 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. 1110 of 2018 Inre: O.A. No. 541 of 2017

Vijay Malik
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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1110 of 2018</u></p> <p style="text-align: center;">This is an application for extension of time moved by the respondents for compliance of order dated 22.11.2017.</p> <p style="text-align: center;">Virtually this application has been moved by the respondents, but instead of moving the application on behalf of the respondents, learned counsel for the respondents has moved this application on behalf of Vijay Malik, applicant in the O.A.</p> <p style="text-align: center;">Learned counsel for the respondents submits that this application may be rejected as withdrawn with liberty to file a fresh.</p> <p style="text-align: center;">Accordingly, the application is rejected with liberty to file afresh.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 267 of 2013

Kitab 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he shall file substitution application during the course of the day, after providing a copy of the same to the learned counsel for the respondents, who prays for and is granted two weeks time to file objection.</p> <p>List this case on 13.07. 2018 for orders.</p> <p>(Air Marshal B.B.P. 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. 285 of 2013

Smt Sunita Devi

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri KKS Bisht, Advocate holding brief of Shri VP Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Shri KKS Bisht, Advocate submits that Shri VP Pandey, learned counsel for the applicant is out of station and has not come to the Tribunal and prays for adjournment of the case.</p> <p>In the interest of justice, the case is adjourned for the day with the condition that no further adjournment shall be granted to the learned counsel for the applicant.</p> <p>List this case on 16.07. 2018 for orders.</p> <p>(Air Marshal B.B.P. 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. 61 of 2017

Ram Badan 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shri Kant Mishra, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p>It is informed by the learned counsel for the parties that the pleadings are complete and the case may be listed for hearing.</p> <p>List this case on 05.07.2018 for hearing. Interim order is extended with the condition that it shall not be extended in case any adjournment is prayed on behalf of the applicant.</p> <p>Parties shall file compilation of case law and chart of events on the date fixed. Original record pertaining to the case shall also be produced by the respondents.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

O.A. No. 120 of 2017

VP 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Ms Poonam Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he does not intend to file better affidavit, hence the opportunity to file better affidavit is hereby closed.</p> <p>List this case on 04.07.2018 for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case shall also be produced by the respondents.</p> <p>(Air Marshal B.B.P. 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. 675 of 2017

Thiyam Tomba 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: None appears for the applicant. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Since Shri PN Chaturvedi, learned counsel for the applicant has expired, let administrative notice be sent to the applicant to engage another counsel.</p> <p>List this case on 20.07.2018 for orders in the Registrar Court.</p> <p>(Air Marshal B.B.P. 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. 269 of 2018

Smt Rubina Begum & another

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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, on behalf of respondents is taken on record. Office is directed to show his name as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Nishant Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>As prayed by learned counsel for the applicant, list this case on 24.05.2018 for orders</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 704 of 2017

Irshad Ali Khan

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri O.P. Kushwaha, Advocate, holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Shri O.P. Kushwaha, Advocate submits that learned counsel for the applicant is out of station and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on 11.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 76 of 2018

Satendra 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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col Rakesh Johri (Retd) & Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case, applicant is claiming that he suffered head injury during training while he was climbing a rope. No other document has been enclosed by learned counsel for the applicant along with Original Application in support of this contention.</p> <p style="text-align: center;">Learned counsel for the applicant is directed to bring on record any document pertaining to this fact.</p> <p style="text-align: center;">List this case on 12.07.2018 for hearing.</p> <p style="text-align: center;">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 B.B.P. 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. 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 the Registry	Orders of the Tribunal
	<p><u>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that his senior Shri KC Ghildyal is not available today and prays for adjournment of the case. Accordingly, the case is adjourned</p> <p>List this case on 17.08.2018 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 B.B.P. 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. 653 of 2017

Rajesh Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri O.P. Kushwaha, Advocate, holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri O.P. Kushwaha, Advocate submits that learned counsel for the applicant is out of station and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 30.07.2018 for hearing.</p> <p style="text-align: center;">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 B.B.P. 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. 46 of 2016

Dhirendra Narayan Giri

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>23.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri O.P. Kushwaha, Ld. Counsel for the petitioner and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the petitioner prays for further time to file supplementary rejoinder affidavit.</p> <p style="text-align: center;">This petition pertains to the year 2003. Perusal of record shows that inspite of availing various opportunities, learned counsel for the petitioner has not filed supplementary rejoinder affidavit. He himself is responsible for the delay in adjudication of the case.</p> <p style="text-align: center;">As a matter of last opportunity, two weeks' further time is granted to file supplementary rejoinder affidavit.</p> <p style="text-align: center;">List this case on 02.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 268 of 2018

Sub Nand Lal Gupta

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Col Rakesh Johri (Retd), Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>This application has been filed by the applicant under Section 14 of the Armed Forces Tribunal Act, 2007 being aggrieved for non approval for promotion to the rank of Subedar Major. The applicant has submitted a Statutory Complaint dated 03.11.2017 to the respondents but the same has not been decided and is still pending with the respondents. Applicant is still in service.</p> <p>With the consent of learned counsel for the parties, we proceed to decide the pending representation of the applicant finally at admission stage itself and direct the respondents to decide the statutory complaint of the applicant dated 03.11.2017 by a speaking and reasoned order in accordance with law expeditiously say within a period of six weeks from the date of production of certified copy of this order and communicate the decision to the applicant.</p> <p>With the aforesaid direction, Original Application is disposed of finally.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 86 of 2018 Inre: T.A. No. 595 of 2010

Vijay Keshav 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri 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 S.K. Malviya, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 86 of 2018</u></p> <p>This is an application filed by the petitioner for execution of order dated 17.11.2017 passed in T.A. No. 595 of 2010.</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 24.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>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 Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: None for the petitioner and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 155 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 18.04.2017 passed in T.A. No. 1288 of 2010.</p> <p>Learned counsel for the respondents submits that order under execution has been stayed by the Hon'ble Supreme Court.</p> <p>List this case on 17.08.2018 for orders awaiting the outcome of the stay order.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 17 of 2018 Inre: O.A. No. 28 of 2015

Hav Brijesh 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Krishna Lal, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 17 of 2018</u></p> <p>This is an Execution Application filed by the applicant for non implementation of the judgment and order dated 21.10.2016 passed in O.A. No. 28 of 2015.</p> <p>It is submitted by the learned counsel for the respondents that cost of Rs. 1 lakh, awarded vide order dated 21.10.2016 has been deposited. So far as directions for the pay fixation and the arrears is concerned, it is submitted that pay has also been revised with effect from 01.01.2018 vide letter dated 13.03.2018 and arrears are being calculated which shall be paid to the applicant.</p> <p>Learned counsel for the applicant submits that the applicant has not received the revised pay till date.</p> <p>In view of the above situation, we hereby direct to learned counsel for the applicant to seek instruction from his client whether he has received any amount or not and inform the court accordingly.</p> <p>We also direct the respondents to file compliance report positively by the next date.</p> <p>List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 29 of 2018 Inre: T.A. No. 837 of 2010

Dinesh Singh Kushwaha Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the petitioner and Shri Md Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The matter pertains to Navy.</p> <p style="text-align: center;">List this case on 27.07.2018 for orders.</p> <p style="text-align: center;">On the date fixed, representative of Navy shall remain present in the Court to explain his position.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 36 of 2018 Inre: O.A. No. 64 of 2011

Vijay 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Vakalatnama filed by Shri S.K. Singh, Advocate on behalf of the applicant is taken on record. His name be shown as learned counsel for the applicant, when the case is next listed.</p> <p>Present: Shri S.K. Singh, Ld. Counsel for the applicant and Maj Rajshri Nigam, Departmental Representative for the respondents.</p> <p>Departmental Representative submits that learned counsel for the respondents is not available today and prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>List this case on 13.07.2018 for orders.</p> <p>By the next date, learned counsel for the respondents shall file compliance report.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

C.A. No. 07 of 2017 Inre: O.A. No. 104 of 2017

Col Ran Singh Dudee

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Bhanu Pratap Singh Chauhan, Advocate, holding brief of Shri V.A. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an application for contempt. Order of this Tribunal passed in O.A. No 104 of 2017 has been stayed by Hon'ble Apex Court vide order dated 13.12.2017.</p> <p style="text-align: center;">List this case on 20.08.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Bhanu Pratap Singh Chauhan, Advocate, holding brief of Shri V.A. Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Bhanu Pratap Singh, Chauhan, submits that learned counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 26.07. 2018 for orders.</p> <p style="text-align: center;">Meanwhile, learned counsel for the applicant shall file documents relating to the case in terms of order dated 25.04.2018.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

O.A. No. 3 of 2016 with M.A. No. 1797 of 2017

Prakash Narain Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Abhishek Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant prays for time to bring on record certain documents by means of supplementary affidavit . He has produced before us copy of letter which is not legible.</p> <p>List this case on 06.07. 2018 for hearing.</p> <p>On the date fixed, learned counsel for the applicant shall file typed copy of the letter and shall also inform from where he has received this copy.</p> <p>It is clarified that no further adjournment shall be granted.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</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 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Ld. Counsel for the applicant and Shir Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he has filed counter affidavit in which wrong documents have been enclosed. A perusal of the counter affidavit and the documents enclosed show that inconsistent and self contradictory stands have been taken.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file better affidavit mentioning all the correct facts of this case.</p> <p>List this case on 18.07. 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 B.B.P. 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. 611 of 2017

Sunil Kumar

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Agnihotri, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he has served upon a copy of the counter affidavit to learned counsel for the applicant and shall file the same in the Registry during the course of the day.</p> <p>List this case on 05.07.2018 for orders before Registrar Court.</p> <p>In the meantime, learned counsel for the applicant may file rejoinder affidavit by the date fixed.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

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

T.A. No. 38 of 2012

Subhash Chandra Singh Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R Chandra, Advocate, holding brief of Shri Yash Pal Singh, Ld. Counsel for the petitioner and Shri Md Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri R Chandra, submits that learned counsel for the petitioner is not available today and prays for adjournment of the case.</p> <p style="text-align: center;">From perusal of record, it transpires that the case pertains to the year 1999. Petitioner himself is responsible for delay in disposal of the case. It is clarified that no further adjournment shall be granted.</p> <p style="text-align: center;">List this case on 04.07.2018 for hearing.</p> <p style="text-align: center;">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 B.B.P. 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. 6 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd) and Bhanu Pratap Singh Chauhan, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Learned counsel for the petitioner 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 26.07.2018 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 B.B.P. 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. 116 of 2017 Inre: O.A. No. 21 of 2013

Pramod 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col R.N. Singh (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No. 116 of 2017</u></p> <p>This is an application for execution of the order dated 23rd January 2017 passed in O.A.No. 21 of 2013.</p> <p>This Ex. Application is pending since 1st August 2017, but inspite of that, the order under execution has not been complied with by the respondents. This is a very sorry state of affairs on the part of the respondents in not complying with the order of this Tribunal, which is against the spirit of the Armed Forces Tribunal Act, which envisages speedy relief to the litigants.</p> <p>It is submitted by the learned counsel for the respondents that the PPO has been issued, but some audit report is still awaiting. Whatever the reason may be, the net result is that the order under execution has not yet been complied with.</p> <p>Learned counsel for the respondents submits that last opportunity be granted to the respondents for filing compliance report.</p> <p>In the interest of justice, we grant last opportunity to the respondents to file compliance report by the next date fixed, failing which they will have to pay a cost of Rs.10,000/-.</p> <p>List this case on 19.07. 2018 for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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.147 of 2017 Inre: T.A. No. 1332 of 2010

Shiva Nand Chaubey
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

R espondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shiva Nand Chaubey, Petitioner in person and Shri Virendra Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex-A No.147 of 2017</u></p> <p>This is an application for execution of the order dated 12th April 2016 passed in T.A.No. 1332 of 2010.</p> <p>This Ex. Application is pending since 07th December 2017, but the order has not yet been complied with.</p> <p>Today learned counsel for the respondents has drawn our attention towards a letter dated 17th April 2018 written by Major RS Singh, Senior Record Officer. We have perused the said letter and it appears that the officer concerned is trying to shift the responsibility in not complying with the order under execution and is trying to mislead the Court. Hence, we hereby direct Major RS Singh, Senior Record Officer, Record Office, Bengal Engineer Group, Roorkee to appear in person before the Tribunal on 12.07.2018 and explain the reasons for non compliance of order. We would also like to know the authority under which the applicant's pension has been stopped and he is not in receipt of any pension since last 05 months.</p> <p style="text-align: center;">It is made clear that in case the order is complied with prior to the date fixed, then the personal appearance of the officer concerned shall not be required.</p> <p style="text-align: center;">List this case on 12.07.2018 for orders.</p> <p style="text-align: center;">Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 52 of 2018 Inre: O.A. No. 189 of 2010

Shiv Kumar 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd), Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 52 of 2018</u></p> <p>This is an application for execution of the order dated 26th September 2017 passed in O.A.No. 189 of 2010.</p> <p>Learned counsel for the respondents submits that steps have been taken on 03rd of April 2018 for obtaining Government sanction and direction. This is really a very sorry state of affairs on the part of the respondents. On 21.03.2018 a direction was issued to the respondents to comply with the order within four weeks, but no steps have been taken within a period of four weeks. It is only after eight weeks that the steps have been initiated for obtaining Government sanction.</p> <p>Learned counsel for the respondents is directed to furnish the name of the officer/officers, who is/are responsible for delaying in execution of the order positively by the next date, so that suitable action may be taken against him/them.</p> <p>List this case on 30.07.2018 for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost for onward transmission.</p> <p>(Air Marshal B.B.P. 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.1907 of 2017 along with O.A(A) No. 500 of 2017

Vijai Misra

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he shall file counter affidavit in the Registry during the course of the day, after providing a copy of the same to the learned counsel for the applicant.</p> <p>List this case on 27.07.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit may be filed by the learned counsel for the applicant.</p> <p><u>M.A. No.1907 of 2017 (Bail Application)</u></p> <p>Bail granted.</p> <p>For orders, see our order of date passed on the separate sheets.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

M.A No 1969 of 2017 with M.A. No. 1970 of 2017

Inre: O.A. No.166 of 2011

Sachchida Nand Tiwari

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file reply to the objection on application for condonation of delay in filing the recall application.</p> <p>List this case on 31.07. 2018 for orders.</p> <p>(Air Marshal B.B.P. 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. 418 of 2017

Vidyawati Devi

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to bring on record the case laws on the point of maintainability of the O.A. before this Tribunal.</p> <p style="text-align: center;">List this case on 12.07. 2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 433 of 2017 with M.A. No. 871 of 2018

Smt Mithlesh Devi alias Lali Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 871 of 2018</u></p> <p>Rejoinder affidavit filed by the learned counsel for the applicant, has already been taken on record. M.A. stands disposed of.</p> <p>List this case on 25.07.2018 for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case shall be produced by the respondents.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

O.A. No. 67 of 2018

Arun Kumar 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: None appears for the applicant. Mrs Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that counter affidavit is ready and prays for and is granted two weeks' time to file the same.</p> <p style="text-align: center;">List this case on 03.07.2018 for orders in the Registrar Court.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 82 of 2017 Inre: O.A. No. Nil of 2017

Sukhvinder Singh Kandari
& Ex Sub Gauri 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri VR Chaubey, Advocate holding brief of Shri Satendra Kumar Mishra, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri VR Chaubey, Advocate prays for and is granted two weeks' time to file reply to the objection on the application for condonation of delay.</p> <p style="text-align: center;">List this case on 09.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. 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. 282 of 2016

Varun 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>22.05.2018</u></p> <p><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Judgment/order pronounced.</p> <p>For orders, see my judgment/order of date passed on separate sheets.</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>LN/</p>

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

O.A. No. 239 of 2012

Ram Roop 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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri I.P. Singh, Ld. Counsel for the applicant and Shri Asheesh Saxena, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The case was taken up in the revised list. Heard learned counsel for the parties. Arguments concluded. Judgment reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>LN/-</p>

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

O.A. No. 625 of 2017 with M.A. No. 618 of 2018
M.A. No. 595 of 2018

Rauf Khan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The case was taken up in the revised list. None is present on behalf of the applicant.</p> <p>The respondents have filed their counter affidavit.</p> <p>In the interest of justice, the case is adjourned. List it for hearing on 11.07.2018. The applicant may file rejoinder affidavit in the meantime.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>LN/-</p>

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

T.A. No. 185 of 2009

Vijay Kumar Yadav

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>22.05. 2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.A. Singh, Ld. Counsel for the petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The case was taken up in the revised list.</p> <p style="text-align: center;">Shri V.A.Singh, learned counsel for the applicant has filed written submissions. Learned counsel for the respondents prays for time to go through it and file their written submissions.</p> <p style="text-align: center;">List this case alongwith application under Section 340 Cr.P.C moved by the respondents for hearing on 11.07.2018.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>LN/-</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

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>22.05. 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 and Deepti P Bajpai, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Learned counsel for the applicant is not prepared with the brief. He prays for further time to prepare the case.</p> <p>As prayed, list this case for hearing on 19.07.2018.</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>LN/-</p>