

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
Ex-A No. 64 of 2018 Inre: O.A. No. 211 of 2010
Inre: Ex-A No. 107 of 2017

Shyam Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05.2018</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 Dr Chet Narain Singh, Ld. Counsel for the respondents alongwith Major Rajshri Nigam, Departmental Representative.</p> <p>It is submitted by the learned counsel for the respondents that copy of the Execution application has not yet been received by him. Learned counsel for the applicant has drawn our attention towards the endorsement whereby copy has been received in the office of CGSC on 09th April 2018. However, learned counsel for the applicant is unable to disclose the name of the person to whom the copy was handed over.</p> <p>Registry is directed to provide a copy of the Execution Application to the learned counsel for the respondents today free of cost.</p> <p>List this case on 10.07.2018 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 808 of 2018 with M.A. No. 809 of 2018
Inre: O.A. No. 228 of 2015

Ramesh Chandra Dixit Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Ramesh Chandra Dixit, Applicant in person and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents alongwith Major Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents submits that he shall file objection on the application for condonation of delay in moving the recall application 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>Learned counsel for the applicant prays for and is granted two weeks' time to file reply to the said objection.</p> <p>List this case on 23.07. 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. 223 of 2015

Sub Arun Kumar Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 K.K.S. Bisht, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p>Shri PK Shukla, Advocate submits that Shri KKS Bisht, learned counsel for the applicant is out of station and has not come to the court and prays for adjournment of the case.</p> <p>In the interest of justice, the case is passed over for the day.</p> <p>List this case on 30.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 244 of 2015

Sub Nagendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 K.K.S. Bisht, Ld. Counsel for the applicant and Dr Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri PK Shukla, Advocate submits that Shri KKS Bisht, learned counsel for the applicant is out of station and has not come to the court and prays for adjournment of the case.</p> <p style="text-align: center;">In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 30.07.2018 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>PKG</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
O.A. No. 214 of 2016 with M.A. No. 478 of 2018
M.A. No. 462 of 2018

Smt Rajni Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 SK Malviya, 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 SK Malviya, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents and Shri Himanshu Vaish, learned counsel for the respondent no.2 alongwith Major Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant submits that he has been engaged today.</p> <p>Learned counsel for the respondent no.2 submits that an application for amendment on behalf of the applicant is pending, but the copy of the same has not been provided to him. Learned counsel for the applicant is directed to provide a copy of the amendment application to the learned counsel for the respondent no.2 within one week.</p> <p>Learned counsel for the respondents has served a copy of the supplementary affidavit to the learned counsel for the applicant, which has already been filed.</p> <p>List this case on 26.07.2018 for orders.</p> <p>Meanwhile, objection on the amendment application on the amendment application may be filed.</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. 227 of 2017

Smt Preeti

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 alongwith Major Rajshri Nigam, Departmental Representative. None is present on behalf of the respondent no.6 .</p> <p>Learned counsel for the respondent nos. 1 to 5 submits that he shall file counter affidavit in the Registry during the course of the day and shall provide a copy of the same to the learned counsel for the applicant.</p> <p>List this case on 20.07.2018 for orders.</p> <p>Meanwhile, rejoinder affidavit and counter affidavit on behalf of the respondent no.6 may be filed.</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. 414 of 2017

Gajanan Upadhyay
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Rang Nath Pandey, Ld. Counsel for the applicant and Major Rajshri Nigam, Departmental Representative.</p> <p style="text-align: center;">Since pleadings are complete, list this case on 11.07.2018 for hearing.</p> <p style="text-align: center;">On the date fixed, parties shall file compilation of case law and chart of events. Original record pertaining to the case may also be submitted by the respondents.</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. 497 of 2017

Ajaipal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 alongwith Major Rajshri Nigam, Departmental Representative.</p> <p style="text-align: center;">Learned counsel for the applicant is granted one week's further time to file substitution application to bring on record legal heirs of the applicant.</p> <p style="text-align: center;">List this case on 23.07.2018 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

C.A. No. 03 of 2018 along with Ex-A No. 150 of 2017
Inre: O.A. No. 102 of 2012

Jeetendra Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

General Bipin Rawat,
Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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.K. Pandey, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">This case has been taken up in the revised list.</p> <p>Learned counsel for the respondents submits that the order under execution has been challenged before the Hon'ble Apex Court vide Diary No.15635 of 2018. Admittedly there is no stay order passed by Hon'ble Apex Court. On the last date adjournment was granted to the respondents, subject to the payment of cost of Rs.25,000/- but the same has not yet been deposited by them. Learned counsel for the respondents submits that he shall pay the cost by the next date fixed.</p> <p style="text-align: center;">List this case on 06.07.2018 for filing compliance report, failing which they will have to pay an additional amount of cost of Rs.30,000/-.</p> <p style="text-align: center;">Let a copy of this order be provided to the learned counsel for the respondents for onward submission on payment of usual charges today itself.</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. 113 of 2018

Col Akhila Nand Pandey (Retd)
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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.G. Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Last opportunity is granted to the respondents to file counter affidavit, annexing therewith copies of opinion of the Release Medical Board and Invaliding Medical Board.</p> <p style="text-align: center;">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>JPT</p>

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

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

Mohd Idu Ansari Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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.C. Dixit, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant was directed to file statutory petition filed by him challenging his dismissal. Today again adjournment is prayed on behalf of the applicant for filing the same.</p> <p style="text-align: center;">List this case on 24.07.2018 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

M.A. No. 876 of 2018 Inre: M.A. No. 452 of 2014

Sone Devi Mishrain

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Virendra Singh, Advocate on behalf of the respondents is taken on record. His name be shown in the cause list when the case is next listed.</p> <p>Present: Shri Rakesh Kumar, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p>This matter pertains to the payment of disability pension, which is a recurring cause of action. Accordingly, the delay in filing O.A. is condoned. M.A. No. 452 of 2014 stands disposed of.</p> <p style="text-align: center;">Admit.</p> <p>The respondents are granted four weeks time to file counter affidavit. Applicant may have two weeks' time thereafter to file rejoinder affidavit, if any.</p> <p style="text-align: center;">List this case on 18.07.2018 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. 101 of 2016

Smt Madhubala

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Sunil Sharma, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">None is present on behalf of the applicant.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the respondents to comply with the order dated 19.04.2018.</p> <p style="text-align: center;">List this case on 13.07.2018 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. 165 of 2016

Ajit Kumar Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Office.</p> <p>Adjournment is prayed on behalf of the respondents.</p> <p>List this case on 18.07.2018 for hearing.</p> <p>Meanwhile the respondents may file supplementary counter affidavit in reply to the supplementary affidavit filed by the applicant. No further time shall be granted for this purpose.</p> <p>On the next date of hearing, original record shall also be produced by the respondents pertaining to this case.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A No. 90 of 2017

Smt Anju Rani

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Ashok Singh, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">In this case the applicant has made prayer for her appointment on compassionate ground. Admittedly there is a Policy covering the field but the same has not been filed by any of the parties.</p> <p style="text-align: center;">Learned counsel for both the parties, are hereby directed to bring the said Policy, with latest amendments, if any on record by way of affidavit.</p> <p style="text-align: center;">List this case on 17.07.2018 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. 114 of 2017

Udai Narain Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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.N. Pandey, Ld. Counsel for the applicant and Shri Md Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Heard the learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order reserved.</p> <p style="text-align: center;">(Air Marshal 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. 498 of 2017

Smt Kavita Devi

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Shri Ashutosh Kumar Srivastava and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">In this case the applicant is claiming interest on the amount of Insurance through AGI Fund. It is submitted that the issue whether the case of AGI Fund is amenable to the jurisdiction of this Tribunal is pending before Hon'ble the Apex Court, hence the hearing of this case is adjourned.</p> <p style="text-align: center;">List this case on 17.08.2018 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

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>21.05. 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 Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the respondents on the ground of non availability of their paper book.</p> <p style="text-align: center;">As prayed, list this case on 22.05.2018 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

T.A. No. 33 of 2017

Jeewan Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Point of maintainability of this petition is pending in this case. Learned counsel for the petitioner has placed reliance upon the judgment and order passed in T.A. No. 30 of 2017, Chandan Kumar on the point of maintainability. Learned counsel for the respondents submits that he is searching the case law and for this purpose he wants some time. Let the learned counsel for the respondents file case law on the point of non maintainability of this case by the next date fixed.</p> <p style="text-align: center;">List this case on 17.07.2018 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

T.A. No. 34 of 2017

Suraj

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.05. 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 Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Rajshri Nigam, OIC Legal Cell.</p> <p style="text-align: center;">Point of maintainability of this petition is pending in this case. Learned counsel for the petitioner has placed reliance upon the judgment and order passed in T.A. No. 30 of 2017, Chandan Kumar on the point of maintainability of the case. Learned counsel for the respondents submits that he is searching the case law and for this purpose he wants some time. Let the learned counsel for the respondents file case law on the point of non maintainability of this case by the next date fixed.</p> <p style="text-align: center;">List this case on 17.07. 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. 214 of 2017

Gyan 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>18.05.2018</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>O.A.No. 214 of 2017 (Gyan Singh vs. Union of India & others) is dismissed.</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. 1198 of 2018 with M.A. No. 1199 of 2018

Inre: O.A. No. 44 of 2010

Paras Nath 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>18.05. 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 is taken on record.</p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1198 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 of appeal against the judgment and order dated 16.05.2017 passed by this Court in O.A. No. 44 of 2010.</p> <p>As per stamp reporter's report, there is delay of more than 10 months in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 indicates 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 including the Government.”</i></p> <p>The Hon'ble Supreme Court further observed as under :</p> <p style="text-align: center;"><i>“Since the person(s) concerned were well aware or conversant with the issues</i></p>

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. 1199 of 2018

This is an application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, has 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 and is 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

M.A No. 1200 of 2018 with M.A. No. 1201 of 2018

Inre: T.A. No. 23 of 2016

Shyam Sunder Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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</p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A No. 1200 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 of appeal against the judgment and order dated 07th December 2017 passed by this Court in T.A. No. 23 of 2016.</p> <p>As per stamp reporter's report, there is delay of more than four months in filing the application for leave to appeal. Section 31 of the Armed Forces Tribunal Act 2007 indicates 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 including the Government.”</i></p> <p>The Hon'ble Supreme Court further observed as under :</p>

“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. 1201 of 2018

This is an application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, has been moved by the petitioner 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 and is accordingly 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. 98 of 2017 with M.A. No. 980 of 2017,
M.A. No. 1580 of 2017, R.A. No. 26 of 2017
Inre O.A. No. 6 of 2016

Rajendra Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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 A.K. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal and shri Yogesh Kesharwani, Ld. Counsel for the respondents.</p> <p><u>R.A. No. 26 of 2017</u></p> <p>By means of this review application, the Union of India & others have made the prayer for review of the order dated 01.12.2016 passed in O.A.No. 06 of 2016, whereby the following order was passed :</p> <p style="text-align: center;"><i>“Present: Shri A.K.Singh, learned counsel for the applicant and Mrs. Deepti P. Bajpai, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental representative. Heard learned counsel for the parties. It has been admitted by the parties that the controversy raised in the present case is squarely covered by the judgment and order dated 14.01.2008, rendered by Hon'ble the Punjab and Haryana High Court in CWP No.15400 of 2006, which was duly affirmed by Hon'ble the Supreme Court vide its judgment dated 21.11.2008 by means of which the SLP filed by the Union of India against the aforesaid judgment was dismissed. The aforesaid judgment was followed by this Tribunal in O.A.No. 310 of 2012 decided on 22.08.2012 and M.A.No. 59 of 2012 decided on 12.10.2012. In view of above, the applicant would be entitled to the same reliefs as were granted to the applicants in the aforesaid petitions. Accordingly, the O.A. is allowed and the respondents are directed to grant similar relief as were granted to the applicants in the aforesaid petitions i.e. to re-calculate the amount of pension of the applicant on the basis of recommendations of the anomaly committee dated 10.10.1997 with effect from 01.01.1996. The re-fixation of pay must be done and arrears of pay be paid within four months from the date of production of a certified copy of this order.”</i></p> <p>Learned counsel the Review Applicant submits that the Committee has made recommendation on 10th October 1997 and the Court has given benefit of the said recommendation to the applicant from 01.01.1996. A perusal of the order under review shows that this case was decided on the basis of the pronouncements of a catena of decisions rendered by the Coordinate Benches, which were mentioned in the order under review and which was confirmed by the Hon'ble apex Court vide its judgment dated 21.11.2008.</p> <p>We have examined the orders passed in the earlier O.A. In this order under review, the Court has not expressed any opinion, but simply directed the case to be decided in the light of the earlier pronouncements which stands confirmed by the</p>

Hon'ble Apex Court. Learned counsel for the Review Applicant is unable to show any justification to refer this order.

Accordingly, the Review Application is misconceived and is hereby rejected.

Ex-A No. 98 of 2017

Review Application was pending in this court and the same has been dismissed today vide our order. Therefore, adjournment is granted to the learned counsel for the respondents to file compliance report.

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

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

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

PKG

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

Ex-A No. 206 of 2017 Inre O.A. No.
(A) 314 of 2015

Shiv Ram Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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 Asheesh Agnihotri, 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, he has received an intimation that necessary orders have been passed for making payment of Rs.3,59,382/- to the applicant.</p> <p style="text-align: center;">List this case on 16.07.2018 for orders.</p> <p style="text-align: center;">Meanwhile, respondents shall ensure the actual payment of the said amount to the bank account of 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>PKG</p>

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

Court No 1

Ex-A No. 3 of 2018 Inre T.A. No. 1402 of 2010

Anurag 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>18.05. 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. Dr Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On 05.02.2018, learned counsel for the respondents was granted time to file compliance report, but no compliance report has been filed.</p> <p style="text-align: center;">List this case on 20.07. 2018 for orders.</p> <p style="text-align: center;">Meanwhile, compliance report may be filed by the learned counsel for the respondents, failing which they will have to pay cost of Rs.5000/- to 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>PKG</p>

Form No. 4

{See rule 11(1)}

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 10 of 2018 Inre T.A. No. 41 of 2012

Smt Indra Kumari Gurung

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>18.05. 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.C. Dixit, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that Smt. Indra Kumari Gurung, petitioner has expired on 29th March 2018 during the pendency of the application for execution. He prays for and is granted four weeks' time to take steps for substituting the legal heirs of the petitioner.</p> <p>List this case on 05.07. 2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 18 of 2010 Inre: T.A. No. 133 of 2010

Yogendra Singh Tomar
By Legal Practitioner for the Petitioner

Petitioner

Versus

**Govt of India through Secretary
Defence Sena Bhawan**
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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.K.S. Rathore, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents submits that the respondents shall file Review Application against the order under execution.</p> <p>List this case on 06.07. 2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

M.A. No. 104 of 2018 with M.A. No. 105 of 2018

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

Jayant Ram Verma

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>18.05. 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 Colonel (Retd) YR Sharma, Advocate on behalf of the petitioner is taken on record. His name be shown as learned counsel for the petitioner, when the case is next listed.</p> <p style="text-align: justify;">Present: Colonel (Retd) YR Sharma,, Ld. Counsel for the petitioner and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">Since earlier counsel for the petitioner has expired and Colonel (Retd) YR Sharma has filed his memo today on behalf of the petitioner, he prays for time to go through the record. It is submitted by him that several applications are pending for disposal.</p> <p style="text-align: justify;">List this case on 10.07. 2018 for orders showing the name of Colonel (Retd) YR Sharma as learned counsel for the petitioner.</p> <p style="text-align: justify;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: justify;">(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. 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>18.05. 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 I.P. Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Case has been taken up in the revised list.</p> <p>Learned counsel for the applicant has made his submissions and submits that he shall conclude the same on some short date fixed and shall also furnish case laws in support of his submissions. Learned counsel for the respondents submits that today he has no record pertaining to this case with him. However, he could not make any proper reply to the arguments raised on behalf of the applicant. It seems that he is not prepared with the case. Hence, as prayed we adjourn the case for the day.</p> <p>List this case on 22.05.2018 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. 164 of 2016

Rajveer 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>18.05. 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 Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Case has been taken up in the revised list.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order 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>JPT</p>

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

O.A. No. 235 of 2016

Dheerendra Pal 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>18.05. 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 V.A. Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The point involved in this case is whether a person who has been declared deserter after reporting to any Unit of the Army shall be treated to be a deserter or his desertion shall come to an end on the date he has reported to the nearest Army Unit. Learned counsel for the respondents argues that the desertion shall continue in spite of his reporting to the nearest Army Unit.</p> <p>In the instant case the applicant has admittedly reported to the nearest Army Unit and thereafter he was directed in writing by the nearest Army Unit to report to his own Unit.</p> <p>Learned counsel for the respondents prays for time to show a policy according to which desertion shall continue even after reporting to nearest Army Unit.</p> <p>List this case on 06.07.2018 for hearing.</p> <p>On the date fixed the learned counsel for the respondents shall also produce the original records, including dismissal order of 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. No. 24 of 2018 with M.A. No. 879 of 2018

Naval Kishor

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>18.05. 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. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Case has been taken up in the revised list.</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;">Order 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>JPT</p>

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

O.A. No. 190 of 2018

Satyendra 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>18.05. 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 Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Case has been taken up in the revised list.</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;">Order 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>JPT</p>

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

M.A. No. 1193 of 2018 Inre: O.A. No. Nil of 2018

Lallan Tiwari

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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. Shesh Narain 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 Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1193 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 06 years, 04 months & 08 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted only one opportunity to file objection on the application for condonation of delay within two weeks. Replication, if any, to the objection may be filed by the learned counsel for the applicant within a week, 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: 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. 1196 of 2018 Inre: O.A. No. Nil of 2018

Shankar Dutt Bhatt

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>18.05. 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 Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Arun Kumar, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1196 of 2018</u></p> <p>This is an application for condonation of delay by means of which the applicant has challenged the SCM proceedings. As per office report is delayed by 13 years & 25 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted only one opportunity to file objection on the application for condonation of delay within two weeks. Replication, if any, to the objection may be filed by the learned counsel for the applicant within a week, thereafter.</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>

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

M.A. No. 1202 of 2018 Inre: O.A. No. Nil of 2018

Smt Kaimul Nisha
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>18.05. 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. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p style="text-align: justify;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1202 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay, which as per office report is delayed by 04 years, 09 months & 28 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted only one opportunity to file objection on the application for condonation of delay within two weeks. Replication, if any, to the objection may be filed by the learned counsel for the applicant within a week, thereafter.</p> <p style="text-align: justify;">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

O.A. No. 263 of 2018

MK 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>18.05. 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 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: justify;">Present: Col Y.R. Sharma (Retd), Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">By means of this O.A., the applicant has only prayed for the benefit of rounding off of disability pension. He is getting disability pension @ 20% for life and copy of the PPO has been annexed alongwith the original application.</p> <p style="text-align: justify;">Learned counsel for the respondents is directed to verify the documents positively by the next date, so that the case may be disposed of at an early date.</p> <p style="text-align: justify;">List this case on 06.07.2018 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/82 No. of 2018 Inre O.A. No. 468 of 2017

Yogesh Chandra Singh 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>18.05. 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 Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex.A. No. 82 of 2018</u></p> <p>This is an application for execution of order dated 20.12.2017 passed in O.A. No. 468 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report explaining as to why the order under execution has not been complied with.</p> <p>List this case on 09.07.2018 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. 83 of 2018 Inre T.A. No. 51 of 2016

Harendra Paswan

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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 Mrs. Deepti P Bajpai, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Mrs. Deepti P Bajpai, Ld. Counsel for the respondents.</p> <p><u>Ex.A. No. 83 of 2018</u></p> <p>This is an application for execution of order dated 21.12.2017 passed in T.A. No. 51 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 13.07.2018 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. 84 of 2018 Inre: T.A. No. 39 of 2016

Shiv Sewak

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>18.05. 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 V.P.S. Vats, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Yash Pal Singh, Ld. Counsel for the petitioner and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>Ex.A. No. 84 of 2018</u></p> <p>This is an application for execution of order dated 03.07.2017 passed in T.A. No. 39 of 2016.</p> <p>Learned counsel for the petitioner submits that for execution of order dated 03.07.2017, requisite PPO has been issued to the petitioner. However, it was sent to wrong bank address for the payment. The PPO has since been returned back to Record Office. The petitioner was informed by the Record Office to fulfil certain additional formalities with relation to Bank address. The petitioner has submitted the said documents to the Record Office on 08.03.2018 but inspite of that corrigendum PPO has not been issued.</p> <p>It is very sad state of affairs on the part of the respondents. The Respondents are directed to correct the bank address of the petitioner so that pension is credited in the bank account of the petitioner at the earliest.</p> <p>List this case on 16.07.2018 for orders.</p> <p>Copy of this order shall be provided to learned counsel for the respondents within 48 hours free of cost for onward transmission and 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>SB</p>

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

M.A. No. 1168 of 2018 with M.A. No. 1169 of 2018
Inre O.A. No. 293 of 2016

Prashant 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>18.05. 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. 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>Present: Shri Rao Narendra Singh, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 1168 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 20.03.2018, passed by this Court in O.A. No. 293 of 2016.</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 13 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</p>

India Ltd and another reported in 2012 STPL (LE) 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 1169 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. 1190 of 2018 Inre T.A. No. 69 of 2013

Union of India & Ors **Applicant-Respondents**
By Legal Practitioner for the Applicant-Respondents
Versus

Smt Omi Devi W/O Col Dayanand **Respondent-Petitioner**
By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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.K.S. Chauhan, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1190 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 order dated 17.04.2018 passed in T.A. No. 69 of 2013 by means of which the punishment awarded to the applicant by the GCM was set aside.</p> <p>We do not find any point of law of general public importance involved in the decision so as to grant leave to appeal, hence this application is rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p style="text-align: left;"><small>SB</small></p>

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

M.A. No. 1191 of 2018 with M.A. No. 1192 of 2018
Inre T.A. No. 970 of 2010

Chief of Army Staff & Ors Applicant-respondents
By Legal Practitioner for the applicant-respondents
Versus

Rajput Chandrapal Singh Respondent-Petitioner
By Legal Practitioner for Respondent-petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>18.05. 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.K. Pandey, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 1191 of 2018</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 11.04.2018, passed by this Court in T.A. No. 970 of 2010.</p> <p>As per stamp reporter's report, there is delay of 03 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used</i></p>

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 1192 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. 1185 of 2018 Inre: O.A. No. Nil of 2018

Smt Rupa Kumari Thapa

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2018</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 R.K.S. Chauhan, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1185 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 02 years, 06 months & 05 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted only one opportunity to file objection on the application for condonation of delay within two weeks. Replication, if any, to the objection may be filed by the learned counsel for the applicant within a week, thereafter.</p> <p>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>SB</p>

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

M.A. No. 1186 of 2018 Inre: O.A. No. Nil of 2018

Nabab Ali

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2018</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1186 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 08 years, 05 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 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>SB</p>

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

M.A. No. 1187 of 2018 Inre: O.A. No. Nil of 2018

Rajendra 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>17.05.2018</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1187 of 2018</u></p> <p>This is an application for condonation of delay by means of which the applicant has challenged the order of severe reprimand. As per office report, it is delayed by 03 years, 07 months & 15 days in filing the Original Application</p> <p>Learned counsel for the respondents submits that as per AFT Act, 2007, the O.A. is not maintainable.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to produce case law on the point of admitability of the case.</p> <p>Respondents are also directed to produce case laws on the subject.</p> <p>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>SB</p>

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

M.A. No. 1188 of 2018 Inre: O.A. No. Nil of 2018

Gajendra 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>17.05.2018</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 Namit Sharma, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p style="text-align: center;">Present: Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1188 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay, which as per office report is delayed by 01 month & 07 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 03.07.2018 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. 1189 of 2018 Inre: O.A. No. Nil of 2018

Binod 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>17.05.2018</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 Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1189 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 11 years, 10 months & 13 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 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>SB</p>

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

Ex-A No. 78 of 2018 Inre: O.A. No. 651 of 2017

Sham Lal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2018</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.K. Pandey, Advocate holding brief of Shri R. Chandra, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an execution application filed by the applicant for non execution of order dated 24.01.2018 by the respondents by means of which the statutory petition of the applicant dated 26.05.2017 was decided.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report.</p> <p style="text-align: center;">List this case on 25.07.2018 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. 79 of 2018 Inre: O.A. No. 652 of 2017

Sham Lal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2018</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 V.K. Pandey, Advocate holding brief of Shri R. Chandra, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>This is an execution application filed by the applicant for non execution of order dated 24.01.2018 by the respondents by means of which the statutory petition of the applicant dated 31.05.2017 was decided.</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 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

Ex-A No. 81 of 2018 Inre: O.A. No. 293 of 2017

Jhaboo Lal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2018</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 applicant and Shri A.N. Tripathi, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is an execution application filed by the applicant for non execution of order dated 30.08.2017 by the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report clarifying as to why the order of the Tribunal has not been complied with.</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) 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. 80 of 2018 Inre: R.A. No. 17 of 2011
Inre: T.A. No. 288 of 2010

Chhote Lal
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05. 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 on behalf of respondents is taken on record. Office is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>Present: Shri R. Chandra, Ld. Counsel for the petitioner and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' further time to seek instructions from the authority concerned as to why order dated 31.07.2012 of this Tribunal has not been complied with and file compliance report.</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: 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. 33 of 2017

Jeewan Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05. 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 Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Question of maintainability is involved in this case. Learned counsel for the petitioner has placed judgment and order passed in TA No 30 of 2017, Chandan Kumar on the point of maintainability of the case. On 26.04.2018, learned counsel for the respondents was given time to file objection. Neither he has filed objection nor produced any case law. He prays for and is granted two days time to file objection on maintainability of the case.</p> <p style="text-align: center;">List this case on 21.05.2018 for hearing on the point of maintainability.</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. 34 of 2017

Suraj

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>17.05. 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 Maj Salex Xaxa, Departmental representative for the respondents.</p> <p style="text-align: center;">Question of maintainability is involved in this case. Learned counsel for the petitioner has placed judgment and order passed in <i>TA No 30 of 2017, Chandan Kumar</i> on the point of maintainability of the case. On 26.04.2018, learned counsel for the respondents was given time to file objection. Neither he has filed objection nor produced any case law. He prays for and is granted two days time to file objection on maintainability of the case.</p> <p style="text-align: center;">List this case on 21.05.2018 for hearing on the point of maintainability.</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. 235 of 2016

Dheerendra Pal 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>17.05. 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 applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During course of arguments, learned counsel for the applicant has placed reliance on the judgment of co-ordinate Bench of AFT, Kolkata, in <i>OA No 100 of 2013, Rakesh Kumar Choudhary Vs The Union of India & Others.</i></p> <p style="text-align: center;">Learned counsel for the respondents prays for time to go through it and prepare his case. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 18.05.2018 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>anb</p>

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

O.A. No. 86 of 2017

Awadhesh 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>17.05. 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 Arun Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During course of arguments an issue surfaced as to whether the applicant was responsible for the non initiation report (NIR) which is the primary reason for his loss of seniority as Naib Subedar or it was the duty of the respondents to initiate the annual report so as to be fair to the applicant while considering him for promotion. Submission of learned counsel for the respondents is that the applicant was responsible for NIR. He wants to bring on record the relevant policy and evidence for the same..</p> <p style="text-align: center;">List this case on 11.07.2018 for further 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>anb</p>

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

O.A. No. 478 of 2017 with M.A. No. 913 of 2018

Shiv Mohan 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>17.05. 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.S.L. Srivastava, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 913 of 2018</u></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>List this case on 16.07.2018 for hearing.</p> <p>Meanwhile, rejoinder affidavit may be filed by learned counsel for the applicant.</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>anb</p>

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

O.A. No. 114 of 2018

Uday Narayan 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>17.05. 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 (Retd) A.K. Srivastava, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case the respondents have raised preliminary objection on the point of maintainability of the case on the ground of multiplicity of reliefs.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to file reply to preliminary objection.</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>anb</p>

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

T.A. No. 55 of 2009

Smt Poonam Rana & Others

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>17.05. 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 Manoj Kumar Singh, Ld. Counsel for the petitioner and Ms Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p>In this case, learned counsel for the respondents submits that in the name of the wife of the deceased Army personal as mentioned in the substitution application, is not mentioned in the service record of the deceased Army personal. Learned counsel for the applicants has produced before us photo stat copy of Voter ID Card of Smt Poonam Rana. In said Voter ID Card, the address of the said applicant praying for substitution is different than that as mentioned in the O.A.</p> <p>Learned counsel for the applicant prays for time to bring on record some document to prima facie establish that the applicant Smt Poonam is wife of deceased Army personal.</p> <p>List this case on 06.07.2018 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>anb</p>

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

T.A. No. 11 of 2012

Krishan Lal

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05. 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 Rohit Kumar, Advocate, holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p>It is informed at Bar that learned counsel for the petitioner is out of station and adjournment is prayed for on his behalf. Since, this is a very old case, last opportunity is granted to learned counsel for the petitioner to argue 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 produced 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>anb</p>

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

Ex-A No. 196 of 2017 Inre: T.A. No. 1207 of 2010

Smt Vimla 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>17.05. 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 Rohit Kumar, learned counsel for the petitioner and Ms Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 196 of 2017</u></p> <p>This is an application for execution of the order dated 25th May 2017 passed in T.A.No. 1207 of 2010, whereby a direction was given to the respondents to comply with the order within a period of four months, but even after a lapse of one year, the order under execution has not been complied with.</p> <p>Today learned counsel for the respondents submits that inspite of the information sent to the Department, she has not received any instructions.</p> <p>This is a very sorry state of affairs on the part of the respondents and frustrating the very purpose of AFT i.e. to provide speedy reliefs to the applicants.</p> <p>Therefore, one month's time is granted to the learned counsel for the respondents to file compliance report, subject to payment of cost of Rs.10,000/- to be paid to the petitioner.</p> <p>List this case on 20.07.2018 for orders.</p> <p>On the next date, learned counsel for the respondents shall give the name the officer, who is responsible for such a delay in compliance of the order under execution, so that necessary action may be taken against him.</p> <p>Let a copy of this order be given to the learned counsel for the respondents 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>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

Ex-A No. 55 of 2018 Inre: O.A. No. 316 of 2016

Jitender 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>17.05. 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. Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 55 of 2018</u></p> <p>This is an application for execution of the order dated 30th August 2017 passed in O.A.No. 316 of 2016, whereby disability pension in favour of the applicant was granted.</p> <p>However, no compliance report has been filed on behalf of the respondents and today again further time is prayed by the learned counsel for the respondents.</p> <p>List this case on 05.07.2018 for orders.</p> <p>On the said date, compliance report may be filed by the learned counsel for the respondents, failing which the respondents shall have to pay a cost of Rs.5000/-.</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. 969 of 2017 with M.A. No. 970 of 2017
Inre: M.A. No. 1524 of 2016 & O.A. No. Nil of 2016

Sunil Datt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05. 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 applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 969 of 2017</u> This is an application for condonation of the delay in filing the recall application. The grounds shown in the application seems to be genuine. Accordingly, the application is allowed and the delay in filing the recall application is hereby condoned.</p> <p><u>M.A. No. 970 of 2017</u> This is an application for recall of the order dated 25.07.2016 passed by the Tribunal in M.A.No. 1524 of 2016. The grounds shown in the application seems to be genuine. Accordingly, the application for recall is allowed and the order dated 25.07.2016 is hereby recalled, subject to payment of cost of Rs.1000/- to be paid to the Bar Association, AFT, Lucknow within one week from today. List this case on 04.07.2018 for orders. Meanwhile, rejoinder affidavit may be filed by the 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>PKG</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
M.A No. 2045 of 2017 with M.A. No. 1071 of 2018
Inre: O.A. No. Nil of 2017

Jadhav Nilesh Dinkar
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>17.05. 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 Vinay Pandey, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1071 of 2018</u></p> <p style="text-align: center;">Reply to the objection filed by the learned counsel for the applicant is taken on record. M.A. stands disposed of.</p> <p><u>M.A No. 2045 of 2017</u></p> <p style="text-align: center;">This is an application for condonation of delay in filing the O.A. The grounds shown in the affidavit filed in support of the application seem to be justified. Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned. Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A. Learned counsel for the respondents submits that he shall file the counter affidavit in the Registry during course of the day, after providing a copy of the same to the learned counsel for the applicant. List this case on 18.07.2018 for orders. Meanwhile, rejoinder affidavit may be filed by the learned counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

M.A No. 2206 of 2017 with M.A. No. 2207 of 2017

Inre: T.A. No. 596 of 2010

Uday Veer 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>17.05. 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 petitioner. Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p>In this case, Shri PN Chaturvedi, learned counsel for the petitioner has expired, therefore, notice was sent to the petitioner to make alternative arrangement. Notice was sent to the applicant, but the same has been received unserved with remarks that the address is incomplete. We have verified the address given in the T.A.. Notice was issued not mentioning exactly the same address mentioned in the T.A.</p> <p>Therefore, Registry is directed to issue fresh notice to the petitioner on the correct address given in the T.A.</p> <p>List this case on 30.07.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

O.A. No. 261of 2014

Lakshmi Narayain Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Defence Minister, Govt of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05. 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 Shiv Kant Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case, the applicant has filed this O.A. without impleading Union of India as party.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks time to take steps to implead Union of India as one of the respondents.</p> <p style="text-align: center;">List this case on 10.07.2018 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1
Ex-A No. 54 of 2018 Inre: O.A. No. 268 of 2017

Kheem 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>16.05. 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 Ashish Asthana, Advocate holding brief of Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 54 of 2018</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 13th November 2017 passed in O.A. No. 268 of 2017.</p> <p>At the threshold of the arguments, learned counsel for the respondents submits that the order under execution has been complied with in its letter and spirit and this Execution Application has become infructuous. Learned counsel for the applicant has admitted this fact.</p> <p>Accordingly, this Execution Application is dismissed as infructuous.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex-A No. 63 of 2018 Inre: O.A. No. 20 of 2016

Bal Krishna M

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>16.05. 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 applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 63 of 2018</u></p> <p style="text-align: center;">This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 13th September 2017 passed in O.A. No. 20 of 2016.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' further time to seek instructions and to explain as to why the order under execution has not been complied with.</p> <p style="text-align: center;">It is submitted by the learned counsel for the respondents that the compensation of Rs.2 lacs, as imposed vide order under execution, has been given to the applicant.</p> <p style="text-align: center;">List this case on 11.07.2018 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>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

M.A. No. 1116 of 2018 with M.A. No. 1117 of 2018

Inre: O.A. No. 176 of 2012

Laxman 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>16.05. 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 respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay for recall of the order.</p> <p style="text-align: center;">List this case on 03.07.2018 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>PKG</p>

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

O.A. No. 55 of 2015

Jitendra Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Air Officer Commanding 17

Wing Air Force Stn Gorakhpur & ORs

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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.N. Tripathi, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On the last date, learned counsel for the applicant has made a prayer for adjournment of the case to amend the prayer clause of the O.A., but the same has not yet been done. Today also the same prayer has been made.</p> <p style="text-align: center;">In the interest of justice, two weeks' time is granted to the learned counsel for the applicant to amend the prayer clause of the O.A.</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>PKG</p>

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

O.A. No. 133 of 2017

Hari Shankar Singh Chauhan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that RSMB of the applicant has been conducted and he prays for time to bring on record the report of the RSMB of the applicant.</p> <p style="text-align: center;">List this case on 05.07. 2018 for orders.</p> <p style="text-align: center;">Meanwhile, report of the RSMB of the applicant may be brought on record by 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>PKG</p>

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

O.A. No. 177 of 2017

Smt Neelam Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 A.N. Shukla, Ld. Counsel for the applicant and Shri D.C. Lohumi, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri AN Shukla, learned counsel for the applicant submits that this O.A. may be dismissed as withdrawn.</p> <p style="text-align: center;">Accordingly, this O.A. is dismissed as withdrawn.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

O.A. No. 262 of 2017 with M.A. No.918 of 2018

Sub Sanjay Kumar Kushwaha
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>16.05. 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 Virendra Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks' time to file supplementary rejoinder affidavit.</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) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

M.A.No. 1181 of 2018
Inre M.A.No. 869 of 2017

Dhananjay 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>16.05. 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 Dhananjay Mishra, Applicant in person and Mrs Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A.No. 1181 of 2018</u></p> <p>This is an application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the order dated 16th April 2018. Vide order dated 16.04.2018 the application for condonation of delay was rejected and O.A. was accordingly dismissed. By the said O.A., the applicant had challenged his dismissal order dated 22.11.2001 and the O.A. was filed in this Tribunal on 22.05.2017. The Tribunal, after considering all the grounds taken by the applicant in support of his prayer for condoning the delay, have found no substance and accordingly, the prayer to condone the delay was rejected.</p> <p>We do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Therefore, the leave to appeal is hereby dismissed.</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

D.Y. No. 884 of 2018 Inre: O.A. No. Nil of 2018

Gurinder Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 Arvind Kumar, Advocate, holding brief of Shri Neeraj Kumar, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Arvind Kumar, Advocate, holding brief of Shri Neeraj Kumar, Ld. Counsel for the applicant has made a prayer for adjournment of the case.</p> <p style="text-align: center;">List this case on 18.07.2018 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

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

Vinay Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 Sachindra Pratap Singh, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Case has been taken up in the revised list.</p> <p style="text-align: center;">This is an application for execution of the order dated 09.08.2017. Respondents are praying for extension of time for implementation of the order under execution.</p> <p style="text-align: center;">Learned counsel for the respondents has submitted that necessary sanction has been accorded on 10.04.2018. The respondents were directed vide order dated 09.08.2017 to comply with the order within four months but the sanction has been accorded by them only after a lapse of 8 months. This is very sorry state of affairs on the part of the respondents.</p> <p style="text-align: center;">In the interest of justice, list this case on 13.07.2018 for compliance report, failing which the respondents shall have to pay a cost of Rs.20,000/-.</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

M.A. No. 2474 of 2016 with M.A. No. 639 of 2018
Inre: O.A. No. Nil of 2018

Jitendra Kumar Chaubey
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>16.05. 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.P. Pandey, Advocate, holding brief of Shri K.K.S. Bisht, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri V.P. Pandey, Advocate, holding brief of Shri K.K.S. Bisht, Ld. Counsel for the applicant has made a prayer for adjournment of the case.</p> <p style="text-align: center;">Last opportunity is granted to the learned counsel for the applicant to argue the case on the application for condonation of delay in filing the O.A.</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) 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. 271 of 2016 with M.A. No. 640 of 2017

Trilokee Nath 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>16.05. 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.P. Pandey, Advocate, holding brief of Shri K.K.S. Bisht, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Rejoinder affidavit filed on behalf of the applicant is taken on record. M.A. No. 640 of 2018 stands disposed of.</p> <p style="text-align: center;">It is submitted on behalf of the applicant that the case is ripe for hearing. List this case on 19.07.2018 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. 389 of 2017

Kulwant Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Counter affidavit and rejoinder affidavit filed by the parties are taken on record.</p> <p style="text-align: center;">List this case on 10.07. 2018 for hearing.</p> <p style="text-align: center;">On the next date, the learned counsel for the respondents shall also produce the policy letter which has been referred to by them in Para-16-B of the counter affidavit.</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. 435 of 2017 with M.A. No. 449 of 2018

Kuldeep Upadhyay
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>16.05. 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 Mrs Anju Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Rejoinder affidavit filed on behalf of the applicant is taken on record. M.A. No. 449 of 2018 stands disposed of.</p> <p style="text-align: center;">Heard the learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded. Order 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>JPT</p>

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

T.A. No. 91 of 2016

Nathi Ram Garg

By Legal Practitioner for the Petitioner

Petitioner

Versus

KK Ojha & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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: Ms Kavita Singh, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for time to comply with the order dated 08.02.2018, whereby the applicant was directed to provide copy of the entire pleadings and documents relied upon by them with English translation of the same.</p> <p style="text-align: center;">List this case on 16.07. 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>

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

M.A. No. 1678 of 2017 Inre: O.A. No. Nil of 2017

Smt Vinita 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>16.05. 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.K. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">As per office report there delay of about 18 days in filing the O.A.</p> <p style="text-align: center;">The applicant has made a claim for battle casualty pension.</p> <p style="text-align: center;">Heard the learned counsel for the parties on the application for condonation of delay.</p> <p style="text-align: center;">It is a fit case for condonation of delay. The delay in filing the O.A. is accordingly condoned.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">The copy of the O.A. provided to the learned counsel for the respondents shows that a incorrect copy of the O.A. has been given to the respondents. This act of the applicant is not correct and the applicant is directed to provide a correct copy of the O.A. to the learned counsel for the respondents and to remain careful in future.</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) 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. 239 of 2012

Ram Roop 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>16.05. 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 Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On 26.04.2018 last opportunity was granted to the applicant to argue the case. Today again adjournment is being prayed on behalf of the applicant.</p> <p style="text-align: center;">In the interest of justice adjournment is granted, subject to payment of Rs.500/- as cost, which shall be remitted to the AFT Bar Association, Lucknow for enrichment of the library of Bar.</p> <p style="text-align: center;">List this case on 18.05. 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. 269 of 2015 along with O.A. No. 213 of 2014

Radhey Shyam Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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 D.K. Pandey, Ld. Counsel for the respondents.</p> <p>On the last date the respondents were directed to bring on record policy on Hard luck vacancy, if any but the same has not been produced for the perusal of the Tribunal. The same letter which was produced on the last date i.e. 19.04.2018 has been produced today but the same reflects a one time action to create additional vacancy temporarily. Thus, keeping in view the controversy involved in this case, there is no submission of policy on creating a Hard luck vacancy by respondents.</p> <p>Last opportunity is granted to the respondents to bring on record the said policy. It is hereby made clear that in case the respondents fail to produce the copy of the aforesaid policy then it shall be presumed that they have nothing to say about Hard luck vacancy and the controversy shall be decided in accordance with law.</p> <p style="text-align: center;">List this case on 10.07. 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. 317 of 2015

Ataullah 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>16.05. 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 Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the applicant.</p> <p style="text-align: center;">Applicant himself is delaying the disposal of the case.</p> <p style="text-align: center;">List this case on 12.07. 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. 299 of 2016

Dinesh Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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.R. Yadav, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the respondents.</p> <p style="text-align: center;">Last opportunity is granted to the respondents to file counter affidavit.</p> <p style="text-align: center;">No further opportunity shall be granted for the aforesaid purpose.</p> <p style="text-align: center;">List this case on 13.07.2018 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. 36 of 2017 along with O.A. No. 101 of 2017

Venugopal P

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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.P. Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the applicant.</p> <p style="text-align: center;">List this case on 16.07. 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. 240 of 2017

Sinhasan 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>16.05. 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 Y.R. Sharma (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant prays for time for filing the synopsis and case laws on which he shall place reliance during his submissions on the date of hearing.</p> <p style="text-align: center;">List this case on 17.07. 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. 400 of 2017 with M.A. No. 2262 of 2017

Guru Prakash 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>16.05. 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 Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>Counter affidavit filed by the respondents is taken on record. M.A. No. 2262 of 2017 stands disposed of.</p> <p>Learned counsel for the applicant submits that he has not been provided copy of the counter affidavit by the respondents. Learned counsel for the respondents undertakes to provide the same to the learned counsel for the applicant during the course of the day.</p> <p>List this case on 10.07. 2018 for hearing.</p> <p>Meanwhile the learned counsel for the applicant may also file the rejoinder affidavit, if any.</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. 557 of 2017 with M.A. No. 641 of 2018

Col AK 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>16.05. 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 Gyanendra Kumar Pandey, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard the learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded. Order 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>JPT</p>

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

T.A. No. 37 of 2016

K N Dwivedi
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>16.05. 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: Petitioner in person and Shri D.C. Lohumi and Shri Virendra Singh Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents submits that during the pendency of the writ petition the DCM proceedings were not completed and therefore the petitioner has not challenged the punishment awarded by the DCM. Apart from that there are certain prayers which have already been rendered infructuous.</p> <p>Petitioner, who is present in person was asked to take necessary steps for correction in the T.A. and prayers clause. He was also asked for this purpose, if he likes, he may be provided the services of Amicus Curiae but he submitted that he shall engage his own counsel.</p> <p>List this case on 16.07.2018 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

O.A. No. 312 of 2017

Shyam Lal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2018</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;">O.A. No. 312 of 2017, Shyam Lal vs. Union of India and others is allowed.</p> <p style="text-align: center;">For order, see our judgment passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH</p>

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

M.A. No. 1166 of 2018 Inre: O.A. No. Nil of 2018

Jaya Nand Upadhyay
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>16.05. 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 Ramesh Chandra Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1166 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay, which as per office report is delayed by 10 years, 09 months & 07 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 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. 1167 of 2018 Inre: O.A. No. Nil of 2018

Nagendra Nath 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>16.05. 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 V.P. Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1167 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 08 years, 04 months & 26 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. 1176 of 2018 Inre: O.A. No. Nil of 2018

Shashi Kant Chaturvedi
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>16.05. 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 Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1176 of 2018</u></p> <p>This is an application for condonation of delay by means of which the applicant has challenged his dismissal order after expiry of period of limitation. As per office report, it is delayed by 01 year, 01 month & 06 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, 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. 1177 of 2018 Inre: O.A. No. Nil of 2018

Ram Otar 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>16.05. 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 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 style="text-align: justify;">Present: Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1177 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay, which as per office report is delayed by 47 years, 11 months & 14 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: justify;">List this case on 27.07.2018 for orders.</p> <p style="text-align: justify;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: right; text-align: justify;">(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. 1178 of 2018 Inre: O.A. No. Nil of 2018

Vijay Singh Kurmi
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>16.05. 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 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 style="text-align: justify;">Present: Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1178 of 2018</u></p> <p style="text-align: justify;">This is an application for condonation of delay, which as per office report is delayed by 47 years, 11 months & 16 days in filing the Original Application.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, to the objection may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: justify;">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. 1179 of 2018 Inre: O.A. No. Nil of 2018

Vishram 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>16.05. 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 Mohd. Zafar Khan, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p style="text-align: center;">Present: Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1179 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay, which as per office report is delayed by 23 years, 05 months & 14 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. 1180 of 2018 Inre: O.A. No. Nil of 2018

Basant Pawar Vaman
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>16.05. 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 Gaurav Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1180 of 2018</u></p> <p>This is an application for condonation of delay by means of which the applicant has challenged the order dated 23.09.2013 whereby he has been released as undesirable soldier. As per office report, it is delayed by 04 years & 02 months 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. 1182 of 2018 Inre: O.A. No. Nil of 2018

Brij Kishore 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>16.05. 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. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1182 of 2018</u></p> <p>This is an application for condonation of delay, which as per office report is delayed by 26 years, 08 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 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. 1174 of 2018 with M.A. No. 1175 of 2018
Inre: O.A. No. 160 of 2018

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

Applicant-Respondent

Malkhan Singh Sharma
By Legal Practitioner for Respondents-Applicant

Respondents-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05. 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. Shesh Narain Pandey, Ld. Counsel for the applicant-respondents.</p> <p><u>M.A. No. 1174 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 09.03.2018, passed by this Court in O.A. No. 160 of 2018.</p> <p>As per stamp reporter’s report, there is delay of 01 month & 04 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon’ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon’ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon’ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the</i></p>

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 1175 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

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>15.05.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Shri V.R. Chaubey, learned counsel for the applicant and Mrs. Deepti P Bajpai, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Learned counsel for the respondents submits that in pursuance of the order of this Tribunal dated 12.04.2018 she shall file the medical certificate during the course of the day. According to the learned counsel for the respondents she has provided copy of the same to the learned counsel for the applicant.</p> <p>List this case on 22.05.2018 for hearing after regular Bench.</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A. No. 282 of 2016 alongwith T.A. No.1221 of 2010

Varun 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>15.05.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p>Present: Shri A.K. Srivastava, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard learned counsel for both the parties.</p> <p>Arguments concluded. Order reserved.</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

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

Ex-A No. 141 of 2017 Inre: T.A. No. 947 of 2010

Lt Col Vinod Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05. 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 Y.R. Sharma, Ld. Counsel for the petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 141 of 2017</u></p> <p style="text-align: center;">This is an application for execution of the order dated 25th April 2017 passed in T.A. No. 947 of 2017.</p> <p style="text-align: center;">At the threshold of the arguments, learned counsel for the respondents states the order under execution has been fully complied with in its letter and spirit.</p> <p style="text-align: center;">Subject to the above, this Execution Application is disposed of 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>PKG</p>

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

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

Ex-A No. 167 of 2017 Inre: T.A. No. 1273 of 2010

Santosh Kumar 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>15.05. 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 petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 167 of 2017</u></p> <p style="text-align: center;">This is an application for execution of the order dated 25th May 2017 passed in T.A. No. 1273 of 2010.</p> <p style="text-align: center;">It is admitted to the learned counsel for the parties that in pursuance of the order under execution, the petitioner has been reinstated in service. It is submitted by the learned counsel for the petitioner that the salary has not been paid to the petitioner from the date of his reinstatement. Apart from it, Rs.Two Lacs as cost imposed by the Tribunal has also not been paid to the petitioner.</p> <p style="text-align: center;">Learned counsel for the respondents submits that action has been taken for payment of cost imposed by the Tribunal.</p> <p style="text-align: center;">Accordingly, we hereby direct the respondents to seek instructions and to explain as to why the salary as well as the cost of Rs. Two Lacs imposed by the Tribunal has not been paid to the petitioner within the time granted.</p> <p style="text-align: center;">List this case on 17.07.2018 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.</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. 171 of 2017 Inre: T.A. No. 1096 of 2010

Hare Ram 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>15.05. 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 Rohit Kumar, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri PK Shukla, Advocate submits that Shri Rohit Kumar, learned counsel for the petitioner is out of station and has not come to the Court and prays for adjournment of the case.</p> <p style="text-align: center;">Learned counsel for the petitioner is directed to seek instructions from his client whether the amount of Rs.20 lacs has been credited to the account of the applicant or not?</p> <p style="text-align: center;">List this case on 16.07.2018 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>PKG</p>

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

Ex-A No. 194 of 2017 Inre: O.A. No. 99 of 2016

Kishan Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05. 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.C. Kushwaha, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 194 of 2017</u></p> <p style="text-align: center;">This is an application for execution of the order dated 07th July 2017 2017 passed in O.A.No. 99 of 2016.</p> <p style="text-align: center;">It is submitted by the learned counsel for the respondents that the corrigendum PPO shall be issued within a very short period, as the Government has accorded sanction on 26th March 2018. So far as the payment of consequential benefits and arrears of salary to the applicant is concerned, the same shall be considered while disposing of this Execution application.</p> <p style="text-align: center;">Admittedly, the cost of Rs.50,000/- imposed by the Tribunal, has already been received by the applicant.</p> <p style="text-align: center;">List this case on 13.07.2018 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>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

Ex-A No. 01 of 2018 Inre: T.A. No. 1290 of 2010

Arvind Kumar Katiyar
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>15.05. 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 Jay Prakash Sharma, Ld. Counsel for the petitioner and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 01 of 2018</u></p> <p>This is an application for execution of the order dated 14.08.2017 passed in T.A. No. 1290 of 2010.</p> <p>It is submitted by the learned counsel for the petitioner that till date the order under execution has not been complied with.</p> <p>Learned counsel for the respondents submitted that the Union of India has preferred SLP before the Hon'ble Apex Court, but no notice has been issued nor there is any stay order passed by the Hon'ble Apex Court. This is a very sorry state of affairs on the part of the respondents as even after lapse of nine months, the order under execution has not been complied with.</p> <p>Accordingly, we hereby direct the respondents to file complete compliance report by the next date fixed, failing which the respondents will have to pay a cost of Rs.15,000/-.</p> <p>List this case on 17.07.2018 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.</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. 27 of 2018 Inre: O.A. No. 297 of 2017

Bijai Bahadur Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05. 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 Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 27 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 29.08.2017 passed in O.A. No.297 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents submits that in compliance of the order under execution, requisite PPO has been issued to the applicant on 04th December 2017.</p> <p style="text-align: center;">Learned counsel for the applicant submits that in pursuance of the said order, the applicant has not received a single penny.</p> <p style="text-align: center;">Therefore, it is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of communication/ presentation of a certified copy of this order.</p> <p style="text-align: center;">List this case on 26.07. 2018 for orders.</p> <p style="text-align: center;">Let a copy of this order be given to the learned counsel for the applicant within 48 hours on payment of usual charges.</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)}
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No 1

Ex-A No. 30 of 2018 Inre: O.A. No. 119 of 2017

Smt Rajwati 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>15.05. 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 Angrej Nath Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>Ex-A No. 30 of 2018</u></p> <p>This is an application for execution of the order dated 24.04.2017 passed in O.A. No.119 of 2017, whereby the respondents were directed to consider the prayer of the applicant for compassionate appointment.</p> <p>Learned counsel for the applicant has placed reliance on the letter dated 13th September 2017, but it is only an information that his prayer shall be considered on the next date.</p> <p>Apart from it, the applicant has already submitted the application on the fresh proforma in the month of November 2017, but despite that, no action has been taken by the respondents. This is a very sorry state of affairs on the part of the respondents. Therefore, we hereby direct the respondents to take immediate decision on the application of the applicant and to dispose of the same by a speaking and reasoned order positively by the next date, failing which the respondents will have to pay a cost of Rs.10,000/-.</p> <p style="text-align: center;">List this case on 10.07. 2018 for orders.</p> <p style="text-align: center;">Let a copy of this order be given to the learned counsel for the respondents 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>

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{See rule 11(1)}
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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>15.05. 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 Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted one week's time on personal ground to file reply and to explain as to why the order under execution has not been complied with?</p> <p style="text-align: center;">List this case on 22.05. 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>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. 53 of 2018 Inre: O.A. No. 231 of 2015

Guptesh 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>15.05. 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. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This matter relates to Navy.</p> <p style="text-align: center;">List this case on 27.07. 2018 for orders, when representative of Navy will be present.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No 1

M.A No. 2168 of 2017 Inre: O.A. No. 130 of 2015

Prashantha Kumar PG
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>15.05. 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 Ms Deepti P. Bajpai, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that on the instructions of his client, he does not intend to file supplementary rejoinder affidavit and the matter may be listed for hearing.</p> <p style="text-align: center;">List this case on 16.07. 2018 for hearing.</p> <p style="text-align: center;">On the date fixed, parties shall file compilation of case law and chart of events. Original record shall also be produced by the 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>PKG</p>