

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

Court No. 1

Ex.A.No. 19 of 2019  
Inre T.A.No. 34 of 2010

Vinay Kumar  
By Legal Practitioner for Petitioner

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Petitioner

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri, Advocate filed on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p><b>Present:</b> Shri Yashpal Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><b><u>Ex.A.No.19 of 2019</u></b></p> <p>This is second application for execution of the order dated 09.08.2017 passed in T.A.No.34 of 2010.</p> <p>The first Execution Application has been disposed of by this Tribunal on 04.12.2018 with liberty to the petitioner to approach the Tribunal in case he does not receive the payment in pursuance of the PPO within a reasonable time.</p> <p>Learned counsel for the petitioner has filed a statement of salary and D.A. prepared by the Chartered Accountant in compliance of the order under execution and submits that there is a deficiency of Rs.8,43,714.29p. in the total amount paid to the petitioner towards arrears of salary.</p> <p>Learned counsel for the respondents prays for and is granted two weeks’ time to seek instructions and to file compliance report.</p> <p>List this case on <b>26.03.2019</b> for orders.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A) PKG</div><div>(Justice S.V.S. Rathore) Member (J)</div></div>

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

Court No. 1

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

Ashok Kumar  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>None appears for the applicant.</div><div>Present: Shri Sunil Sharma, learned counsel for the respondents.</div><div><div>Ex.A.No.97 of 2018</div><div>This is an application for execution of the order dated 20.12.2017 passed in O.A.No.506 of 2017.</div><div>By the order under execution, the only direction to the respondents was to dispose of the statutory petition of the applicant.</div><div>Learned counsel for the respondents has produced before us a copy of the order dated 29<sup>th</sup> January 2019 whereby the Chief of the Army Staff has decided the statutory complaint of the applicant by a speaking order. A copy of the speaking order, so passed, is kept on record.</div><div>Since the order under execution has been complied with, this Ex. Application has become infructuions.</div><div>It is accordingly dismissed as infructuous.</div></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div></div>

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

Court No. 1

Ex.A.No. 109 of 2018  
Inre O.A.No.487 of 2017

Kuber Singh Shakya  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><p><b>Present:</b> Shri Om Prakash Kushwaha, learned counsel for the Applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p><p>On the last date, on the request of the learned counsel for the respondents, the case was adjourned to file compliance report, failing which they were directed to deposit additional cost of Rs.15,000/-, but even today the compliance report has not been filed and it is stated that the cost shall be paid within 15 days. Further adjournment is also prayed to file compliance report.</p><p>List this case on <b>29.03.2019</b> for filing compliance report, failing which the respondents will have to deposit cost of Rs.20,000/- in the Registry, which shall be paid to the applicant through cheque.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div>

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

Court No. 1

Ex.A.No.113 of 2018  
Inre O.A.No. 219 of 2011

Gupteshwer Singh  
By Legal Practitioner for Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Shri R Chandra, learned counsel for the Applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</div><div><div>Ex.A.No.113 of 2018</div><div>This is an application for execution of the order dated 19.01.2018 passed in O.A.No.219 of 2011.</div><div>On behalf of the respondents, it is submitted that the requisite sanction has been accorded on 10.12.2018, but certain formalities have to be completed by the applicant and learned counsel for the applicant has been given information to that effect, so that he may direct his client to contact his last unit and to complete the formalities, so that the order may be complied with at the earliest.</div><div>Learned counsel for the applicant shall inform the applicant accordingly.</div><div>List this case on 18.04.2019 for orders.</div></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
Ex.A.No. 234 of 2018  
Inre O.A.No. 248 of 2015

Smt Malti Devi wife of Hav (Late) Deo Lakhan Prasad  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Col RN Singh (Retd), learned counsel for the Applicant and Shri Amit Jaiswal, learned counsel for the respondents.</div><div><div>Ex.A.No.234 of 2018</div><div>This is an application for execution of the order dated 07.02.2018 passed in O.A.No.248 of 2015.</div><div>It is submitted on behalf of the respondents that in this Ex. Application, requisite Government sanction has already been accorded and the same has been forwarded to the PCDA (P), Allahabad on 21.01.2019 and he prays for and is granted four weeks' time to issue PPO.</div><div>List this case on 26.03.2019 for orders.</div></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div></div>

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

Court No. 1

M.A.No. 881 of 2017  
Inre O.A.No. Nil of 2017

Kudratullah & others  
By Legal Practitioner for Applicants

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Applicants

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Shri OP Kushwaha, Advocate holding brief of Shri Ashok Kumar, learned counsel for the Applicant and Shri VPS Vats, learned counsel for the respondents.</div><div>Shri OP Kushwaha, Advocate, holding brief, prays for adjournment on the ground of non availability of the learned counsel for the applicant.</div><div>In the interest of justice, the case is passed over for the day.</div><div>List this case on 04.04.2019 for orders.</div></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
M.A.No.587 of 2018  
Inre O.A.No. Nil of 2018

Janardan Tiwari  
By Legal Practitioner for Applicant  
Union of India & Others  
By Legal Practitioner for Respondents

Versus

Applicant  
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p><b>Present:</b> Shri VP Pandey, learned counsel for the Applicant and Shri Virendra Singh, learned counsel for the respondents.</p> <p><b><u>M.A.No.587 of 2018</u></b></p> <p>By means of this O.A., the applicant has made prayer for grant of service pension to the rank of Naib Subedar, which is a recurring cause of action.</p> <p>Objection and reply to the said objection have already been exchanged</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks’ time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>05.04.2019</b> for exchange of pleadings before the Registrar Court.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A) PKG</div><div>(Justice S.V.S. Rathore) Member (J)</div></div>

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

Court No. 1

M.A.No. 938 of 2018  
Inre O.A.No. Nil of 2018

Dhanesh Chandra Mishra  
By Legal Practitioner for Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p><b>Present:</b> Shri JN Mishra, learned counsel for the Applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p><b><u>M.A.No.938 of 2018</u></b></p> <p>By means of this O.A., the applicant has made prayer for grant of service pension to the rank of Naib Subedar, which is a recurring cause of action.</p> <p>Objection and reply to the said objection have already been exchanged</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks’ time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>05.04.2019</b> for exchange of pleadings before the Registrar Court.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A) PKG</div><div>(Justice S.V.S. Rathore) Member (J)</div></div>



Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
M.A.No.1445 of 2018  
Inre O.A.No. Nil of 2018

Ex Naik Dina Nath  
By Legal Practitioner for Applicant  
Union of India & Others  
By Legal Practitioner for Respondents

Versus

Applicant  
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>05.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><p>Present: Shri Vijay Kumar Pandey, learned counsel for the Applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p><p><b>M.A.No.1445 of 2018</b></p><p>By means of this O.A., the applicant has made prayer for grant of disability pension, which is a recurring cause of action.</p><p>Objection and reply to the said objection have already been exchanged</p><p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p><p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p><p><b>Admit.</b></p><p>Let the case be registered as O.A.</p><p>Learned counsel for the respondents prays for and is granted one week's time to file counter affidavit. Rejoinder affidavit, if any, may be filed within one week thereafter.</p><p>List this case on <b>22.02.2019</b> for hearing.</p><p>On the date fixed, original documents, including medical papers, pertaining to the applicant shall be produced by the respondents.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1606 of 2018 Inre O.A. No. Nil of 2018

Ex Nk Vinod Kumar Singh Teotia

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India &amp; Others

## Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u></p> <p><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' time to file reply to the objection on application for condonation of delay.</p> <p>As prayed, list the case on 27.03.2019 for orders.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>gsr</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 143 of 2019 Inre O.A. No. Nil of 2018

Ex Gnr Naresh Kumar Sharma

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India &amp; Others

## Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Nishant Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>In this case the applicant has challenged the Summary Court Martial proceedings.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay.</p> <p>List this case on 28.03.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>gsr</p>

Form No. 4

{See rule 11(1)}  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 355 of 2017

Pratap 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
	<div><div><u>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></div><div><p>Present: Shri Nishant Verma, Advocate holding brief for Shri Prabhav Srivastava, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p><p>Shri Nishant Verma, Advocate holding brief for Shri Prabhav Srivastava, Ld. Counsel for the applicant prays for adjournment on the ground that Shri Prabhav Srivastava is out of station.</p><p>As prayed, the case is adjourned and passed over for the day.</p><p>List this case on 29.03.2019 for orders.</p></div><div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div></div> <div>gsr</div>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 459 of 2017

KK 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>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri VK Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>In this case pleadings are complete.</p> <p>List this case on 20.02.2019 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce the original records pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>gsr</p>

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 478 of 2017

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>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: None for the applicant. Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>On 16.01.2019 the following order was passed by the Registrar Court:-</p> <p><i>“None appears on behalf of the applicant. Counter affidavit has been filed on 17.05.2018. Since then, applicant’s counsel availed several opportunities to file rejoinder affidavit and even after grant of no more time, rejoinder affidavit has not yet been filed. Today and last two occasions, applicant’s counsel has not come to the Court. It shows that he is not interested to file the same. In such circumstances, this case is sent to the Hon’ble Bench for further orders.”</i></p> <p>From the above order, it appears that Ld. Counsel for the applicant is not interested to file rejoinder affidavit. Therefore, opportunity to file rejoinder affidavit by Ld. Counsel for the applicant is hereby closed.</p> <p>List the case on 09.04.2019 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce the original records pertaining to the case for perusal of the Bench.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>gsr</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 554 of 2017

Parasuram

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>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that he does not intend to file rejoinder affidavit.</p> <p>List this case on 15.04.2019 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce the original records pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>gsr</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 705 of 2017

Upendra Thakur

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>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri OP Kushwaha, Advocate holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Shri OP Kushwaha, Advocate holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant submits that Shri Ashok Kumar is out of station and prays for adjournment.</p> <p>Accordingly, the case is adjourned and passed over for the day.</p> <p>List the case on 21.02.2019 for orders.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>gsr</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No 1

O.A. No. 47 of 2018

Col (Retd) Rajnish Kumar Sharma

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><u>05.02. 2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></div><div>Present: Ms Pushpila Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.  Arguments heard.  Judgment is reserved.</div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>gsr</div></div>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 239 of 2018

Sant Lal Sharma

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u> <u>Hon’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 Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>This case was admitted on 23.04.2018 and thereafter seven dates were fixed, but, no Counter Affidavit has been filed on behalf of the respondents. Even today it is submitted by the Ld. Counsel for the respondents that she shall file the Counter Affidavit in the Registry during the course of the day.</p> <p>In the interest of justice, we hereby permit the Ld. Counsel for the respondents to file Counter Affidavit in the Registry during the course of the day and if the same is not filed then opportunity to file the Counter Affidavit shall stand closed.</p> <p>List this case on 21.02.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 374 of 2018

Santosh Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u> <u>Hon’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. Rakesh Johri (Retd.), Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>It is informed at the Bar that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 21.02.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 393 of 2018

Ram Poot 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
	<div><div>05.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div></div> <div><div>Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</div><div>Heard arguments of Ld. Counsel for the applicant.</div><div>We repeatedly asked from the Ld. Counsel for the respondents whether he intends to argue the case on behalf of the respondents then he said that this is a matter of pension of Honorary Naib Subedar and apart from it he has not said any word.</div><div>Arguments heard.</div><div>Order is reserved.</div></div> <div><div>(Air Marshal B.B.P. Sinha)</div><div>Member (A)</div><div>(Justice S.V.S. Rathore)</div><div>Member (J)</div></div> <div>AKD/UKT/-</div>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. (A) No. 594 of 2018

Nk. Gyaneshwar Prasad Pandey

Appellant

By Legal Practitioner for the Appellant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Pankaj Kumar holding brief of Shri S.P. Tripathi, Ld. Counsel for the appellant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for time to file Counter Affidavit. In this case the applicant has challenged the punishment awarded by S.G.C.M.</p> <p>List this case on 15.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 140 of 2019 with M.A. No. 141 of 2019

Inre : Ex.A. No. 178 of 2018 Inre : O.A. No.342 of 2017

Kali Sahai

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>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Amit Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent Nos. 1 to 4 and Shri Amit Chandra, Ld. Counsel for the respondent Nos. 5 and 6.</p> <p><u>M.A. No. 140 of 2019 and M.A. No. 141 of 2019</u></p> <p>This is an application for preponement of the case which has been moved on behalf of the Respondents Nos. 5 and 6.</p> <p>It is submitted that the hearing be preponed asailable warrant have been issued against respondent Nos. 5 and 6.</p> <p>Since the Ld. Counsel for the respondent Nos. 5 and 6 i.e. Punjab National Bank is present, therefore, we hereby cancelailable warrant issued against them. Office is directed to inform all concerned accordingly. So there is no need to prepone the hearing.</p> <p>List this case on the date fixed i.e. 11.03.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 75 of 2015

Ravi Singh Thakur

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><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>The Power filed by Shri Sudhir Kumar Singh, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the applicant when the case is listed next.</p> <p>Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for time for preparation.</p> <p>Since this Original Application pertains to the year 2015, therefore, no adjournment shall be granted on the next date fixed.</p> <p>List this case on 28.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Court No.1**

**O.A. No. 491 of 2017**

**Mange Ram** **Applicant**

**By Legal Practitioner for the Applicant**

**Versus**

**Union of India & Others** **Respondents**

**By Legal Practitioner for Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><u><b>05.02.2019</b></u></p> <p><u><b>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</b></u></p> <p><u><b>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</b></u></p> <p><b>Case was taken up in the revised list.</b></p> <p><b>Present: Shri Amit Sharma, Ld. Counsel for the respondents.</b></p> <p><b>None is present on behalf of the applicant.</b></p> <p><b>Perusal of order-sheet shows that the Ld. Counsel for the applicant is not appearing to press this Original Application for the last two dates. It transpires that the applicant is not interested to pursue the case.</b></p> <p><b>Hence, the Original Application No. 491 of 2017 is dismissed for want of prosecution.</b></p> <p><b>(Air Marshal B.B.P. Sinha)</b> <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b> <b>Member (J)</b></p> <p><small>AKD/UKT/-</small></p>



Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 578 of 2017

Lakshayadeep Singh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Krishna Lal, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Arguments heard.</p> <p>Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

**{See rule 11(1)}**  
**ORDER SHEET**

**Court No.1**

**Applicant**

## Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.02.2019</u></b>  <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b>  <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri K.K. Misra, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments heard.</p> <p style="text-align: center;">Order is reserved.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> </div> </div> <p>AKD/UKT/-</p>

## Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Court No.1**

**O.A. No. 587 of 2018**

**Lt. Col. Rameshwar Dayal (Retd.)**

## 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><b><u>05.02.2019</u></b></p> <p><b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b></p> <p><b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p>Counter Affidavit filed by the Ld. Counsel for the respondents in the Court is taken on record.</p> <p>Arguments heard.</p> <p>Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 948 of 2010

Raghunandan Prasad

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><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Vinay Pandey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On 07.01.2019 we have passed the following order :-</p> <p><i>“Ld. Counsel for the applicant prays for time to prepare the case.</i></p> <p><i>Since, this T.A. pertains to the year 2010, therefore, last opportunity is being granted to the applicant to argue the case and file the case laws. No further adjournment shall be granted to any of the parties.”</i></p> <p>Today again adjournment is being prayed by the Ld. Counsel for the petitioner.</p> <p>Adjournment is allowed subject to payment of cost of Rs.2,000/- which shall be remitted in the AFT Bar Association to enrich it’s Library. Payment of cost shall be a condition precedent to right to argue.</p> <p>List this case on 11.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 22 of 2016

Lal Chand Ram

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>05.02.2019</u> <u>Hon’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 petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Arguments heard.</p> <p>Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 17 of 2017

R.K. Kashyap

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><b><u>05.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the petitioner prays for time for better preparation of the case. Accordingly, the case is adjourned.</p> <p>List this case on 16.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 41 of 2017

Sushil Kumar Rangawa

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>05.02.2019</u> <u>Hon’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 Ld. Counsel for the respondents when the case is listed next.</p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>On the last date we have directed the Ld. Counsel for the petitioner to provide a copy of Writ Petition to the Ld. Counsel for the respondents. Today in the Court the same has been provided to the Ld. Counsel for the respondents.</p> <p>List this case on 18.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>AKD/UKT/-</p>

**Form No. 4**

**{See rule 11(1)}**  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Court No.1**

**O.A. No. 328 of 2018**

**Brij Bhushan 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><b><u>05.02.2019</u></b>  <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b>  <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;"><b>Present: Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</b></p> <p style="text-align: center;"><b>....</b></p> <div style="display: flex; justify-content: space-around; margin-top: 100px;"> <div style="text-align: center;"> <p><b>(Air Marshal B.B.P. Sinha)</b>  <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><b>(Justice S.V.S. Rathore)</b>  <b>Member (J)</b></p> </div> </div> <p>AKD/UKT/-</p>



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

Court No. 1

Ex.A.No. 210 of 2018  
Inre T.A.No. 83 of 2013

Ex Hav Uma Shankar Pandey  
By Legal Practitioner for Petitioner

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Petitioner

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Shri Manish Mishra, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents.</div><div>Ex.A.No.210 of 2018</div><div><div>This is an application for execution of the order dated 13.09.2017 passed in T.A.No.83 of 2013.</div><div>Learned counsel for the respondents prays for and is granted further adjournment to ensure the compliance of the order under execution.</div><div>List this case on 29.03.2019 for filing compliance report, failing which the respondents will have to deposit cost of Rs.10,000/- in the Registry, which shall be paid to the petitioner through cheque.</div></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
Ex.A.No. 219 of 2018 with M.A.No.2018 of 2018  
Inre O.A.No.416 of 2017

Ex Sigmn Naresh Kumar Verma  
By Legal Practitioner for Applicant  
Applicant  
Versus  
Union of India & Others  
By Legal Practitioner for Respondents  
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><p>Present: Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p><p><u>Ex.A.No.219 of 2018</u></p><p>This is an application for execution of the order dated 15.11.2017 passed in O.A.No.416 of 2017.</p><p>In this case it is submitted by the learned counsel for the respondents that partial compliance report has been filed. RSMB has been conducted and the report of the RSMB has also been annexed with the compliance report.</p><p>So far as the grant of disability pension is concerned, it is submitted by the learned counsel for the respondents that there is error apparent on the face of record that the disability pension of the applicant has been rounded off from the date of discharge which is much prior to 01.01.1996, when the policy of rounding off of disability pension came into existence.</p><p>He prays for and is granted one week's time to move application for correction of the order under execution.</p><p>List this case on 14.02.2019 for orders.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div><div>PKG</div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
Ex.A.No. 232 of 2018  
Inre O.A.No. 584 of 2017

Ex Hav (Hony Nb Sub) Radhey Shyam Pandey  
By Legal Practitioner for Applicant  
Applicant  
Versus  
Union of India & Others (Army)  
By Legal Practitioner for Respondents  
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>04.02.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div><div><p>Present: Ms Kavita Belaura, learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p><p><u>Ex.A.No.232 of 2018</u></p><p>This is an application for execution of the order dated 15.05.2018 passed in O.A.No.584 of 2017.</p><p>It is submitted on behalf of the applicant that inspite of the PPO issued in the month of September 2018, no amount has been credited in the account of the applicant.</p><p>Let notices be issued to the respondent nos.5 and 6 by speed post as well as by ordinary mode of service to explain as to why the amount has not been credited in the account of the applicant. Steps be taken within a week.</p><p>List this case on 02.04.2019 for orders.</p><div><div>(Air Marshal B.B.P. Sinha) Member (A) PKG</div><div>(Justice S.V.S. Rathore) Member (J)</div></div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
M.A.No.2132 of 2017  
Inre O.A.No. Nil of 2017

Parmeshwari Dayal  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>04.02.2019 Hon’ble Mr. Justice S.V.S. Rathore, Member (J) Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div><div><p>Present: Shri Beer Prakash, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p><p>By means of this O.A., the applicant has challenged the SCM proceedings, which took place in the year 1985.</p><p>On the last date, the case was presented before the Registrar and the Registrar has passed the following order :</p><p><i>“List has been revised. Present: Shri RC Shukla, Ld. Counsel for the respondents. None appears on behalf of the applicant. Objection on the application for condonation of delay filed on 12.02.2018, since then, applicants’ counsel seeks several opportunities to file reply to objection and even after grant of a last opportunity, the same has not yet been filed. Today and on last two occasions, applicants’ counsel has not come to the Court. It shows that he is not interested to file the same. In such circumstances, this case is sent to the Hon’ble Bench for orders. List this case before the Hon’ble Bench on 04.02.2019 for orders”.</i></p><p>Today learned counsel for the applicant is present and he has not filed the reply to the objection on the application for condonation of delay. Therefore, we hereby close the opportunity to file reply to the objection on the application for condonation of delay.</p><p>He prays for time to argue on the application for condonation of delay.</p><p>List this case on 03.04.2019 for orders on the application for condonation of delay.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A) PKG</div><div>(Justice S.V.S. Rathore) Member (J)</div></div></div>

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

Court No. 1

M.A.No.55 of 2018  
Inre O.A.No. Nil of 2018

Vijay Paul  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><p>Present: Shri R Chandra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p><p><u>M.A.No. 55 of 2018</u></p><p>By means of this O.A., the applicant has made prayer for grant of disability pension, which is a recurring cause of action.</p><p>Objection and reply to the said objection have already been exchanged</p><p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p><p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p><p>Admit.</p><p>Let the case be registered as O.A.</p><p>Learned counsel for the respondents prays for and is granted one week’s time to file counter affidavit. Rejoinder affidavit, if any, may be filed within one week thereafter.</p><p>List this case on 21.02.2019 for hearing.</p><p>On the date fixed, original documents, including medical papers, pertaining to the applicant shall be produced by the respondents.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div><div>PKG</div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
M.A.No. 1491 of 2018  
Inre O.A.No. Nil of 2018

Court No. 1

Ex Hav (Hony Nb Sub) Virendra Pal  
By Legal Practitioner for Applicant

Versus

Union of India & Others (Army)  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>04.02.2019 Hon’ble Mr. Justice S.V.S. Rathore, Member (J) Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div><div><p>Present: Shri Virendra Kumar Gupta, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p><p><u>M.A.No.1491 of 2018</u></p><p>By means of this O.A., the applicant has made prayer for grant of revised pension, which is a recurring cause of action.</p><p>Objection and reply to the said objection have already been exchanged</p><p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p><p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p><p>Admit.</p><p>Let the case be registered as O.A.</p><p>Learned counsel for the respondents prays for and is granted four weeks’ time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p><p>List this case on 01.04.2019 for exchange of pleadings before the Registrar Court.</p></div><div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div><div>PKG</div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
O.A.No. 271 of 2017

Court No. 1

Chintamani Mishra  
By Legal Practitioner for Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Shri Yashpal Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</div><div>It is informed at the bar that the pleadings are complete.</div><div>List this case on 02.04.2019 for hearing.</div><div>On the date fixed, original records, including the medical papers of the applicant, shall be produced by the respondents.</div></div><div><div>(Air Marshal B.B.P. Sinha)</div><div>Member (A)</div><div>PKG</div></div><div><div>(Justice S.V.S. Rathore)</div><div>Member (J)</div></div></div>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
O.A.No. 28 of 2018

Court No. 1

Rajendra Prasad  
By Legal Practitioner for Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>04.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div></div> <div><p>Present: Shri VK Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p><p>By means of this O.A., the applicant has made prayer for grant of disability pension, which is a recurring cause of action.</p><p>The matter needs to be adjudicated.</p><p>Admit.</p><p>Let the case be registered as O.A.</p><p>Learned counsel for the respondents prays for and is granted one week’s time to file counter affidavit. Rejoinder affidavit, if any, may be filed within one week thereafter.</p><p>List this case on 21.02.2019 for hearing.</p><p>On the date fixed, original documents, including medical papers, pertaining to the applicant shall be produced by the respondents.</p></div> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div><div>PKG</div></div>



Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 79 of 2019

Ex Sub Virendra Kumar Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>O.A. No. 79 of 2019</u></p> <p>This Original Application has been filed by the applicant against his illegal premature discharge. There is no delay in filing the O.A.</p> <p>The matter needs to be adjudicated.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks’ time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 18.04.2019 before Registrar Court for exchange of pleadings.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>SB</p>

{See rule 11(1)}  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

EX.A. No. 18 of 2019 Inre T.A. No. 79 of 2016

Smt Kanti 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>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Anurag Mishra, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Yashpal Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>EX.A. No. 18 of 2019</u></p> <p>This is fresh application filed by the petitioner for execution of order dated 10.01.2018 passed in T.A. No. 79 of 2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 27.03.2019 for orders.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>SB</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 138 of 2019 with M.A. No. 139 of 2019 Inre O.A. No. 259 of 2018

Union of India & Others

Applicant-respondents

By Legal Practitioner for the Applicants

Versus

Ex Guardsman Chintamani

Respondent-applicant

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: Dr. Gyan Singh, learned counsel for the applicant-respondents.</p> <p><b><u>M.A. No. 138 of 2019</u></b></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 17.12.2018, passed by this Court in O.A. No. 259 of 2018, which is delayed by 15 days in filing the application for leave to appeal.</p> <p><b><u>M.A. No. 139 of 2019</u></b></p> <p>This application for leave to appeal has been filed by the applicant-respondents after expiry of the period of limitation. Learned counsel for the applicant-respondents has only argued that this application for leave to appeal is barred by time and no question of law of general public importance involved could be brought to our notice during the course of arguments.</p> <p>Accordingly, application for leave to appeal is rejected on the ground of delay as well as on merits.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>SB</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex-A No. 202 of 2017 Inre T.A. No. 15 of 2014 & Inre T.A. No. 1368 of 2010

Maj Kunwar Ambreshwar Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri P.K. Shukla, Advocate holding brief of Shri Virat Anand Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><u>Ex.A. No. 202 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 11.08.2017 passed in T.A. No. 15 of 2014.</p> <p>Shri P.K. Shukla, learned counsel holding brief prays for adjournment of the case.</p> <p>It is submitted on behalf of the respondents that in this case requisite sanction has been passed. SLP preferred against the order under execution has been dismissed by the Hon’ble Apex Court. It is further submitted that PCDA has requested certain documents from the respondents and it will take some more time to execute the order. He prays for and is granted eight weeks time to file compliance report.</p> <p>List this case on 09.04.2019 for filing compliance report.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex-A No. 115 of 2018 Inre O.A. No. 51 of 2017

Chandrapal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

SB Yadav, Appellate Authority,

Respondents

Additional Director general PS (ADG, PS)

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal BBP Sinha, Member (A)</div></div><div><div>Present: Shri Brij Kishore Singh, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents assisted by Capt Pooja Aurora, Departmental Representative.</div><div>Ex.A. No. 115 of 2018</div><div><div>This is an application filed by the applicant for execution of order dated 21.02.2017 passed in O.A. No. 51 of 2017.</div><div>It is submitted on behalf of the respondents that order under execution has been complied with and first appeal of the applicant has been dismissed by a speaking and reasoned order.</div><div>Learned counsel for the respondents is directed to provide a copy of the order to learned counsel for the applicant during the course of day and also deposit the cost imposed by us earlier within a week. Registry is directed to ensure payment of cost to the applicant through cheque.</div><div>Since the order under execution has been complied with, this execution application is dismissed as infructuous.</div></div><div><div>(Air Marshal BBP Sinha)</div><div>(Justice S.V.S. Rathore)</div><div>Member (A)</div><div>Member (J)</div></div><div>SB</div></div></div>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex-A No. 149 of 2018 Inre T.A. No. 86 of 2013

Smt Jai 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>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Vikas Singh Chauhan, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>Ex.A. No. 149 of 2018</u></p> <p>This is an application filed by the petitioner for execution of order dated 21.12.2017 passed in T.A. No. 86 of 2013.</p> <p>Even after lapse of one year, order has not been complied with. Even today stands of the respondents is same that requisite sanction has been granted and PPO shall be issued within a short time. The same submission was made by the respondents on 16.11.2018 also. Virtually no progress has been made with regard to compliance of the order under execution. Today, further time is prayed by the respondents to ensure compliance of the order.</p> <p>List this case on 09.04.2019 for filing compliance report, failing which the respondents will have to pay cost of Rs. 15,000/- in the Registry which shall be paid to the petitioner through cheque.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

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

Prakash Swarup 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><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>Ex.A. No. 158 of 2018</u></b></p> <p>This is an application filed by the applicant for execution of order dated 06.12.2017 passed in O.A. No. 438 of 2017.</p> <p>Representative of PCDA (P) Allahabad is present and submits that claim of the applicant has been received by PCDA and prays for two weeks time to issue PPO.</p> <p>As prayed, list this case on 26.03.2019 for filing compliance report by the respondents.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>SB</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

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

Krishna Murari Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>Ex.A. No. 161 of 2018</u></b></p> <p>This is an application filed by the applicant for execution of order dated 05.07.2017 passed in O.A. No. 96 of 2016.</p> <p>It is submitted on behalf of the respondents that order under execution has been corrected in the month of October 2018 and thereafter case is under process to comply with the order. He prays for and is granted four weeks time to comply with the order.</p> <p>List this case on 14.03.2019 for filing compliance report by the respondents, failing which they will have to pay cost of Rs. 10,000/- in the Registry, which shall be paid to the applicant through cheque.</p> <div><div>(Air Marshal BBP Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>SB</p>



Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 328 of 2018

Brij Bhushan Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others (Army)

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>The applicant has been declared deserter and an apprehension roll has been issued against him.</p> <p>Today learned counsel for the applicant states that the applicant is present in the Tribunal and respondents be directed to take him in custody.</p> <p>Learned counsel for the respondents prays for one day time to make arrangements for military police to take him in custody.</p> <p>List this case on 05.02.2019 for orders.</p> <p>Copy of this order be given to learned counsel for the respondents today itself, free of cost.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 642 of 2017

Onkar Nath Yadava

By Legal Practitioner for Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal BBP Sinha, Member (A)</div></div><div><div>This case was listed on 25.01.2019 and judgment was reserved.</div><div>While dictating the judgment, some discrepancies have been noticed which require clarification.</div><div>List this case on 06.02.2019 for further hearing.</div><div>Shri Ghanshyam Verma, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents be informed accordingly.</div><div><div>(Air Marshal BBP Sinha)</div><div>(Justice S.V.S. Rathore)</div><div>Member (A)</div><div>Member (J)</div></div><div>gsr</div></div></div>

{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 589 of 2018

Smt Meera Devi, W/o L/ Nk Late Vishesh Chandra

Srivastava and Another Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri M.K. Awasthi , Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Last opportunity is granted to learned counsel for the applicant to cite case law showing as to how the O.A. with the prayer of compassionate appointment is maintainable after death of the deceased Army personnel which took place in the year 1998 i.e. after about 20 years.</p> <p>List this case on 02.04.2019 for orders.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A. 1/2016 Inre T.A. 1188 of 2010

Ex ME-II Vijay Kumar Rathi

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><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Rajeev Pandey, Ld. Counsel for the respondents and Alind Kumar Dixit for Respondent No 5.</p> <p>Learned counsel for the petitioner submitted that in compliance of order dated 23.09.2015 the respondents have not prayed a single penny to the petitioner even after issuance of PPO.</p> <p>Learned counsel for the petitioner submits that he shall file application for impleadment of authorities of the bank who may be required to explain as to why the amount has not been paid to the petitioner.</p> <p>Copy of the Original Corrigendum PPO has been supplied to learned counsel for the petitioner in the Court today.</p> <p>List this case on 27.03.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No 1515 of 2018 with M.A. No 1516 of 2018, R.A. No 46 of 2018 alongwith Ex. A. No 133  
of 2017 Inre T.A. No 1451 of 2010

Union of India & Others

Applicant-Respondents

By Legal Practitioner for the Applicant- Respondents

Versus

Ex Lance Dafedar Anil Kumar

Respondent-Petitioner

By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Amait Jaiswal, Ld. Counsel for the applicant-respondents and Shri Rohit Kumar, Ld. Counsel for the respondent-petitioner.</p> <p>Objection on Review Application has been filed.</p> <p>The case is ripe for hearing.</p> <p>List the case on 26.03.2019 for hearing on Review Application.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 213 of 2018

Jaivir Singh

By Legal Practitioner for the Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u></p> <p><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></p> <p><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri J.N. Mishra, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>On the previous date, when the case was listed before the Registrar Court, learned counsel for the applicant had submitted that he shall file rejoinder affidavit during the course of the day. Rejoinder affidavit has not been filed by learned counsel for the applicant and today again a prayer has been made for time to file the same.</p> <p>List this case on 27.03.2019 before Registrar Court for filing of rejoinder affidavit.</p> <p>It is made clear that last opportunity is granted to the applicant to file rejoinder affidavit. If rejoinder affidavit is not filed by next date of listing, opportunity to file the same shall stand closed automatically.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 430 of 2018

Babu Ram

By Legal Practitioner for the Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>04.02.2019</div><div>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</div><div>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</div></div><div><div>Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</div><div>Heard learned counsel for the parties.</div><div>Arguments concluded</div><div>Order is reserved.</div></div><div><div>(Air Marshal B.B.P. Sinha)</div><div>Member (A)</div></div><div><div>(Justice S.V.S. Rathore)</div><div>Member (J)</div></div><div>UKT/-</div></div>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 509 of 2018 with M.A. No. 73 of 2019 and M.A. No. 74 of 2019

Ex. Sep. Vinay Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani and Shri D.C. Lohumi, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 74 of 2019</u></b></p> <p>By means of this O.A., the applicant has made prayer for setting aside the order of stopping payment of disability element of applicant’s pension.</p> <p>It is submitted by learned counsel for the applicant that during pendency of O.A., the respondents have started making recovery of disability element of disability pension already paid to the applicant @ 5,500/- per month. It is further submitted that in this view of the matter, amendment in the O.A. is necessary.</p> <p>We have also heard learned counsel for the parties.</p> <p>The amendment application is allowed.</p> <p>Let necessary amendment be incorporated in the memo of the petition within ten days.</p> <p>List the case on 18.03.2019 for orders.</p> <p>The respondents shall file counter affidavit to the amended portion of the O.A. by the date fixed.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>



Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 39 of 2017

Govind Singh Negi

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>04.02.2019</u> <u>Hon’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 Anand Yadav, Advocate holding brief for Shri S.G. Singh, Ld. Counsel for the petitioner and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p>This case was listed in the Registrar Court on 19.07.2018 when a prayer was made on behalf of the applicant to file rejoinder affidavit within a week. It transpires from a perusal of the record that thereafter four dates have been fixed in the case but till date no rejoinder affidavit has been filed by the learned counsel for the applicant. It appears that learned counsel for the applicant is not interested in early disposal of the case. His opportunity to file rejoinder affidavit is closed.</p> <p>List this case on 10.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 141 of 2012

Smt. Rekha

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>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Nishant Verma, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that in the Summary of Evidence, there is a reference to a letter moved by the deceased Army personnel that he is going to be involved in some false case.</p> <p>List the case on 18.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 212 of 2016

Smt. Vinod

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>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: None for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is informed at Bar that learned counsel for the applicant has not come to Court due to certain personal work.</p> <p>It is submitted by learned counsel for the respondents that the learned counsel for the applicant is unnecessary delaying disposed of the c case by taking unnecessary adjournments.</p> <p>In the interest of justice, the case is adjourned.</p> <p>List this case on 05.04.2019 for hearing.</p> <p>It is clarified that the case shall not be adjourned on the next date of listing and shall be disposed of on merits.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 09 of 2017

Smt. Radha Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>During course of hearing of the case, learned counsel for the respondents has drawn our attention to certain Annexures alleged to have been annexed along with the counter affidavit. On perusal of the counter affidavit, it transpires that no Annexure is attached to the counter affidavit. This is a sorry state of affairs.</p> <p>Learned counsel for the respondents has drawn our attention towards page 15 of the O.A. and stated that though the disease suffered by the applicant was NANA but the Records Officer has mentioned the disease of the applicant as attributable to military service. Learned counsel for the respondents prays for short adjournment to seek instruction and clarify this point.</p> <p>List this case on 27.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 318 of 2017 along with T.A. No. 330 of 2010 (Decided)

Jag Mohan Sharma

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’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 VR Chaubey, Advocate holding brief for Shri Dharmesh Sinha, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The brief holder Advocate appearing on behalf of the applicant submits that the learned counsel for the applicant is not available today and prays for adjournment of the case.</p> <p>Accordingly the case is adjourned.</p> <p>List this case on 10.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <div><div>(Air Marshal B.B.P. Sinha) Member (A)</div><div>(Justice S.V.S. Rathore) Member (J)</div></div> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 322 of 2017

Bijendra 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>04.02.2019</u> <u>Hon’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 is taken on record. His name shall be shown in the cause list as counsel for the respondents when the case is next listed.</p> <p>Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>In this case the applicant is alleged to have been enrolled in the Army on production of forged and fabricated birth certificate. After enquiry, a show cause notice was issued and the applicant was discharged from service.</p> <p>By means of this O.A. the applicant has claimed for grant of disability pension which has been denied by the PAO (OR) of the Records on the ground that the very initial entry of the applicant in the Army was fraudulent and as per the correct date of birth of the applicant, he was not entitled to be enrolled in the Army.</p> <p>Learned counsel for the applicant prays for time to show case law on the point that the applicant is entitled to disability pension.</p> <p>List this case on 11.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 79 of 2018

Smt. Raj Kumari (Deceased) through Ashok Kumar

& Another

Applicants

By Legal Practitioner for the Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, Advocate holding brief for Shri B.B. Tripathi, Ld. Counsel for the applicants and Shri Virendra Singh, Ld. Counsel for the respondents.</p> <p>Sri Rohit Kumar, Advocate holding brief for Shri BB Tripathi, learned counsel for the applicant prays for adjournment of the case on the ground that learned counsel for the applicant is not available today on account of some personal work.</p> <p>List this case on 12.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 123 of 2018

Krishna Kumar S.

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>04.02.2019</u> <u>Hon’ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon’ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri S.K. Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment is reserved.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>



**Form No. 4**

**{See rule 11(1)}**  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Court No.1**

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

**Smt. Sunita Singh W/o Abhishek Kumar Singh (In Custody)                      Appellant**

**By Legal Practitioner for the Appellant**

## Versus

### Union of India & Others

## Respondents

### By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.02.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Dr. Ashish Asthana and Shri Shailendra Kumar Singh, Ld. Counsel for the appellant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>During course of hearing, learned counsel for the applicant referred to certain portion of the record, but learned counsel for the respondents submitted that today they are not having the original record though it was available with them on the previous date of hearing.</p> <p>We fail to understand that when the record was available on the previous date of listing of the case, why the same was not retained and was sent back resulting in delay of disposal of the case wherein the applicant is languishing in jail.</p> <p>List this case on 14.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall positively produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 700 of 2010

Smt. Poonam Srivastava W/o Anand Kumar

Srivastava (Deceased) & Others

Petitioners

By Legal Practitioner for the Petitioners

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.02.2019</u> <u>Hon’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, Ld. Counsel for the petitioners and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>On the previous date of hearing, it was directed that the case relating to the year 2010 shall not be adjourned.</p> <p>Today again adjournment is prayed for by learned counsel for the petitioners. In the interest of justice, we adjourn the case for the day.</p> <p>List this case on 13.03.2019 for hearing.</p> <p>We make it clear that no adjournment shall be granted on the next date of listing and in case learned counsel for the petitioners is not available, the petition shall be disposed of after perusal of the record.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 49 of 2016

Vijay Kumar Upadhyaya

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>04.02.2019</u> <u>Hon’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 Virat Anand Singh, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Learned counsel for the respondents prays for adjournment of the case on the ground that original record is not available today and perusal of the same is necessary for disposal of the case.</p> <p>List this case on 02.04.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>