

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

Court No. 1

M.A.No. 142 of 2019
Inre O.A.No.Nil of 2019

Ex Nk Ajit Kumar Sarmah
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
	<p><u>06.02.2019</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 Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No.142 of 2019</u></p> <p>By means of this O.A., the applicant has made prayer for grant of service 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 27.03.2019 for exchange of pleadings before the Registrar Court.</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. 145 of 2019
Inre O.A.No.Nil of 2019

Col Satish Kumar Dubey (Retd)
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
	<p>06.02.2019 <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Col HM Maheshwari (Retd), learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p><u>M. A.No.145 of 2019</u></p> <p>By means of this O.A., the applicant has made prayer for grant of rounding off of disability pension.</p> <p>As per office report, there is delay of 06 months and 09 days in filing this O.A.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>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>Learned counsel for the respondents is directed to verify the documents filed alongwith this O.A., so that the matter may be disposed of.</p> <p>List this case on 20.02.2019 for hearing.</p> <p>On the date fixed, original documents, including medical papers, pertaining to the applicant shall be produced by the respondents.</p> <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. 144 of 2019
Inre M.A.No.36 of 2018
Inre O.A.No.Nil of 2018

Nb Sub Girish Kumar
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
	<p><u>06.02.2019</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 Ms Amrita Chakraborty Advocate on behalf of the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Col BP Singh (Retd), learned counsel for the applicant and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p><u>M.A. No.144 of 2019</u></p> <p>This is an application for recall of the order dated 08.01.2019 passed by this Tribunal dismissing the application for condonation of delay as well as O.A. as withdrawn.</p> <p>In this case, application for condonation of delay has been dismissed, as Col YR Sharma (Retd), who was appeared on behalf of the applicant, has not pressed the application for condonation of delay. Accordingly, the application for condonation of delay has been dismissed and in consequent thereof, the O.A. has also been dismissed.</p> <p>It is submitted by the applicant that he never instructed his earlier counsel Col YR Sharma (Retd) not to press the application for condonation of delay and he had already withdrawn the case from him and engaged Col BP Singh (Retd) as his counsel.</p> <p>In view of the aforesaid, the application for recall is allowed and the order dated 08.01.2019 is hereby recalled.</p> <p><u>M.A.No.36 of 2018</u></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report is delayed by 03 years, 08 months</p>

and 26 days.

Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the condonation of delay. Reply to the objection may be filed by the learned counsel for the applicant within two weeks thereafter.

. List this case on **28.03.2019** for orders before the Registrar Court.

(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.167 of 2017
Inre T.A.No. 1273 of 2010

Santosh Kumar Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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 style="text-align: center;">Present: Shri IP Singh, learned counsel for the petitioner and Shri GS Sikarwar, learned counsel for the respondents.</p> <p><u>Ex.A.No.167 of 2017</u></p> <p>This is application for execution of the order dated 25.05.2017 passed in T.A.No.1273 of 2010.</p> <p>On 20.11.2018, we have passed the following order :</p> <p style="text-align: center;"><i>“On the last date, we have passed the following order :</i></p> <p><u>“Ex-A No. 167 of 2017</u></p> <p style="text-align: center;"><i>This is an application for execution of the order dated 25th May 2017 passed in T.A.No. 1273 of 2010.</i></p> <p style="text-align: center;"><i>Learned counsel for the respondents submits that the petitioner has received the cost and is also getting regular salary. However, back wages has not been paid to the petitioner.</i></p> <p style="text-align: center;"><i>Learned counsel for the respondents submits that the payment of back wages is under process and prays for time to ensure payment of back wages.</i></p> <p style="text-align: center;"><i>Since this execution application is pending for the last about one year and the order under execution has not been complied with, therefore, on the request of the learned counsel for the respondents, we hereby adjourn the matter.</i></p> <p style="text-align: center;"><i>List this case on 20.11.2018 for filing compliance report, failing which the respondents shall have to deposit cost of Rs.25,000/- which shall be paid to the petitioner through cheque.”</i></p> <p style="text-align: center;"><i>Today again, adjournment is prayed on behalf of the respondents and the respondents undertake to deposit the cost of Rs.25,000/- within one week and prays for and is granted four weeks' time to ensure compliance of the order.</i></p> <p style="text-align: center;"><i>List this case on 07.01.2019 for filing compliance report, failing which the respondents will have to deposit additional cost of Rs. 30,000/- in the Registry which shall be paid to the petitioner through cheque.</i></p> <p>Even thereafter on 07.01.2019 the respondents again prayed for time to file compliance report.</p>

Even today compliance report has not been filed.

It is submitted on behalf of the respondents that the cost of Rs.20,000/- shall be deposited during the course of the day. Registry shall ensure payment of the same to the petitioner through cheque. Regarding balance cost of Rs.35,000/-, the same shall be deposited within a week from today and further time is prayed for filing compliance report.

List this case on **16.04.2019** for filing compliance report, failing which cost of Rs.50,000/- shall be deposited in the Registry, which shall be paid to the petitioner through cheque.

The respondents shall make an enquiry and are at liberty to recover the amount from the erring official/officer, who is found responsible for causing delay in execution of the order.

(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. 55 of 2018
Inre O.A.No. 316 of 2016

Jitender Ram
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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 style="text-align: center;">Present: Shri Yashpal Singh, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p><u>Ex.A.No.55 of 2018</u></p> <p>This is application for execution of the order dated 30.08.2017 passed in O.A.No.316 of 2016.</p> <p>On the late date, we have passed the following order:</p> <p style="text-align: center;"><u>"Ex.A.No. 55 of 2018</u></p> <p style="text-align: center;"><i>This is an application for execution of the order dated 30.08.2017 passed in O.A.No. 316 of 2016.</i></p> <p style="text-align: center;"><i>Major Vikas Sharma, Departmental Representative submits that cost of Rs.35,000/- imposed by us shall be deposited in the Registry during the course of the day. Registry is directed to ensure payment of the same to the applicant.</i></p> <p style="text-align: center;"><i>As a last opportunity, six weeks' time is given to the learned counsel for the respondents to filing compliance report, failing which respondents will have to deposit cost of Rs.20,000/- in the Registry, which shall be paid to the applicant through cheque.</i></p> <p style="text-align: center;"><i>List this case on 06.02.2019 for orders."</i></p> <p>Even today, there is absolutely no progress and further time is being prayed on behalf of the respondents to file compliance report. Cost earlier imposed by us has also not been deposited.</p> <p>Learned counsel for the respondents prays for and is granted one week's time to deposit the cost of Rs.35,000/- + Rs.20,000/- = Rs.55,000/-. Further time is prayed for filing compliance report.</p> <p>List this case on 18.04.2019 for filing compliance report, failing which cost of Rs.50,000/- shall be deposited in the Registry, which shall be paid to the applicant through cheque.</p> <p>The respondents shall make an enquiry and are at liberty to recover the amount from the erring official/officer, who is found responsible for causing delay in execution of the order.</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
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

Ex.A.No. 112 of 2018
Inre O.A.No. 116 of 2017

Smt Sadhana Sharma
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p>06.02.2019 <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R Chandra, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>Ex.A.No.112 of 2018</u></p> <p>This is application for execution of the order dated 07.02.2018 passed in O.A.No.116 of 2017.</p> <p>On the last date, we have passed the following order:</p> <p><u>"Ex.A.No. 112 of 2018</u></p> <p><i>This is an application for execution of the order dated 07.02.2018 passed in O.A.No. 116 of 2017.</i></p> <p><i>Learned counsel for the respondents submits that for compliance of the order, Government sanction is also under process and the same shall be received within a very short time.</i></p> <p><i>He prays for and is granted six weeks' time to comply with the order. It is submitted that cost of Rs.5000/- shall be deposited today. Registry is directed to ensure payment to the applicant through cheque.</i></p> <p><i>List this case on 06.02.2019 for filing compliance report, failing which the respondents shall have to deposit cost of Rs.10,000/- in the Registry, which shall be paid to the applicant through cheque."</i></p> <p>Today again adjournment is being prayed on behalf of the respondents to file compliance report. Cost earlier imposed has also not been paid.</p> <p>Learned counsel for the respondents submits that the same shall be deposited within one week. Further time is prayed to file compliance report.</p> <p>List this case on 22.04.2019 for filing compliance report, failing which cost of Rs.25,000/- shall be deposited in the Registry, which shall be paid to the petitioner through cheque.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

Ex.A.No.180 of 2018
Inre O.A.No. 201 of 2016

Renu 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>06.02.2019</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 style="text-align: center;">Present: Shri Yashpal Singh, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><u>Ex.A.No.180 of 2018</u></p> <p>This is application for execution of the order dated 27.10.2017 passed in O.A.No.201 of 2016.</p> <p>The claim of the applicant for grant of maintenance allowance and this Tribunal has passed the following operative portion of the order , which reads as under:</p> <p style="text-align: center;"><i>"14.The Original Application is accordingly allowed. Impugned order dated 08.06.2016 is hereby set aside. The matter is remanded back to the concerned Army Authorities who shall look into the matter and pass fresh order taking into account the pleadings on record after providing reasonable opportunity of hearing to the applicant as well as respondent no.5. decision shall be taken by the respondents within three months from the date of presentation of a certified copy of this order."</i></p> <p>Since the Hon'ble Co-ordinate Bench of Armed Forces Tribunal, Chandigarh in the case of Major Amit Kumar Mishra vs. Union of India (O.A.No.1229 of 2017) decided on 31st July 2018 has held that Army Authority has no power to grant maintenance, therefore, no useful purpose would be served to forward the matter again to the Army Authority for taking a decision for grant of maintenance allowance.</p> <p>We have been informed that Review Petition has been filed against the said order, therefore, we consider it appropriate to wait for the decision of the said review petition.</p> <p>List this case on 10.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A.No. 2758 of 2016 with M.A.No.698 of 2018, M.A.No. 2034 of 2017
Inre O.A.No. Nil of 2016

Mohd Yunus Khan
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>06.02.2019</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, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p>Learned counsel for the prays for adjournment to carry out the necessary amendments in the O.A. pursuant to the direction in the substitution application.</p> <p>List this case on 12.03.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No. 1

M.A.No. 1803 of 2017
Inre O.A.No. Nil of 2017

Prakash alias Om Prakash
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>06.02.2019</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 Namit Sharma, Advocate filed on behalf of the respondents is taken on record.</p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p style="text-align: center;"><u>ORDER (Oral)</u></p> <p><u>M.A.No. 1803 of 2017 Inre O.A.No. Nil of 2017</u></p> <p>1. By means of this O.A., the applicant has made the following prayer:</p> <p style="padding-left: 40px;"><i>“(a) Issuing/passing of an order directing the respondents to consider case of the applicant and provide details of service and related documents in receipt of SR-10693 SSD/GDS Sohan Lal, the deceased father of the applicant within a stipulated time, with reference to the letter dated 11.023.2015 (Annexure No.4),</i></p> <p style="padding-left: 40px;"><i>(b) Issuing/passing of any other order or direction as this Hon'ble Tribunal may deem fit in the circumstances of the case,</i></p> <p style="padding-left: 40px;"><i>(c) allowing this Application with cost.”</i></p> <p>2. The office has reported that there is delay of 02 years, 02 months and 11 days in filing the O.A.</p> <p>3. In this case the applicant happens to be the major son of the deceased soldier, who was discharged in the year 1973 and died in the year 1995.</p> <p>4. It transpires that on the basis of a letter dated 11th February 2015 the applicant has approached this Tribunal in the year 2018.</p> <p>5. It is submitted on behalf of the respondents that the applicant's father shall be entitled to the service element of the disability pension.</p> <p>5. Since the applicant's father died in the year 1995 and this O.A. has been filed in the year 2018, therefore, keeping in view of the pronouncement of the Hon'ble Apex Court in the case of Shiv Dass</p>

Vs Union of India reported in 2007 (3) SLR 445, the applicant shall not be entitled to arrears of more than three years prior to filing of the present O.A., even if his claim is found to be genuine. Therefore, we do not find any substances in the submission of the learned counsel for the applicant.

6. It is clear that the applicant's father during his entire life time, has not agitated his matter and for the first time, the applicant has raised this issue after about 23 years of his father death.

7. In view of the aforesaid, we do not find any sufficient explanation for delay in filing the O.A.

8. Accordingly, the application for condonation of delay is hereby dismissed.

9. Since the application for condonation of delay is dismissed, hence this O.A. is also dismissed.

(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

Diary No. 343 of 2019 Inre : O.A. No. (Nil) of 2019

Mohd. Saquib Jawaid

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>06.02.2019</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 Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Ld. Counsel for the respondents when the case is listed next.</p> <p>Present: Shri Mohammad Iqrar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>In this case the question of maintainability is involved. By means of the instant case the applicant has prayed for issuance of his joining letter. However, during the course of arguments, Ld. Counsel for the applicant argued that the applicant was enrolled and has joined and remained in training for five days. Thereafter, the applicant was sent back to home.</p> <p>Ld. Counsel for the respondents vehemently denied this fact and has submitted that the applicant was never enrolled and has not joined for training.</p> <p>In view of above controversy, Ld. Counsel for the respondents is directed to file an affidavit indicating as to whether the applicant was selected for enrolment, has he cleared medical examination, has he reported for training and whether he has been enrolled in the Air Force.</p> <p>List this case on 28.03.2019 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. 200 of 2016

Indra Tiwari Wife of Ram Murty Tiwari (Deceased) & Others

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><u>06.02.2019</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 Rajendra Yadav, Ld. Counsel for the applicants and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>As per the report of the Registry the amendments in the Original Application have been carried out in compliance of order dated 18.01.2019 passed by the Tribunal on the substitution application.</p> <p>Ld. Counsel for the applicant submitted that the applicant Nos. 1 and 2 have been substituted in place of applicant – Ram Murthy Tiwari.</p> <p>It is submitted by the Ld. Counsel for the applicant that the cost deposited by the respondents in compliance of order dated 11.01.2018 has not been paid to the applicants by the Registry of this Tribunal, since, at that time applicants were not a party in the Original Application. Now the applicants i.e. Smt. Indira Tiwari and Shri Rahul Tiwari have been substituted in place of Ram Murthy Tiwari, therefore, the applicants are entitled to receive the cost.</p> <p>Registry is directed to release the payment of cost of Rs.5,000/-, deposited by the respondents, to the newly substituted applicant No. 1 i.e. Smt. Indira Tiwari W/o Late Ram Murthy Tiwari.</p> <p>Otherwise, the case is ripe for hearing.</p> <p>List this case on 15.03.2019 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. 382 of 2018 with M.A. No. 1780 of 2018

Nitesh Rai

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>06.02.2019</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 Sharma, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1780 of 2018</u></p> <p>Heard Ld. Counsel for the parties on amendment application.</p> <p>With the consent of both the parties, this amendment application is allowed.</p> <p>Ld. Counsel for the applicant is directed to incorporate the amendment within ten days.</p> <p>List this case on 28.03.2019 before the Registrar for exchange of pleadings.</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. (A) No. 191 of 2014

Ravi Shankar Singh

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>06.02.2019</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 K.K. Singh Bisht, Ld. Counsel for the appellant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the appellant submits that he shall file reply to the objection regarding the maintainability of this case, in the Registry, during the course of the day. A copy of same has been given to the Ld. Counsel for the respondents.</p> <p>List this case on 12.03.2019 for consideration on the point of maintainability of Original Application.</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. (A) No. 239 of 2016

Shashi 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>06.02.2019</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 K.K. Singh Bisht, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that the Rejoinder Affidavit has been filed and the case is ripe for hearing.</p> <p>List this case on 05.04.2019 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) (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. 262 of 2017

Sub. Sanjay Kumar Kushwaha

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Maj. Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Departmental Representative prays for adjournment on the ground of non-availability of Ld. Counsel for the respondents.</p> <p>List this case on 13.03.2019 for further 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. 642 of 2017

Onkar Nath Yadava

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>06.02.2019</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 Ghanshyam Verma, Ld. Counsel for the appellant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>This case was listed for further hearing.</p> <p>Heard arguments.</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

O.A. No. 160 of 2015

Dhirendra 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>06.02.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On 13.12.2018 we have passed following order :-</p> <p><i>"Brief holder appearing on behalf of the Ld. Counsel for the applicant submits that the Ld. Counsel for the applicant is out of station today and prays for adjournment.</i></p> <p>On 14.11.2018 we have passed the following order :-</p> <p><i>"Learned Counsel for the applicant prays for adjournment of the case. The matter is pending since 2015.</i></p> <p><i>However, in the interest of justice, last opportunity is granted to the learned counsel for the applicant to argue the case."</i></p> <p><i>Even after grant of last opportunity today again brief holder appearing on behalf of Ld. Counsel for the applicant prays for adjournment of the case. In the interest of justice the adjournment is allowed to argue the case subject to payment of cost of Rs.1,500/- which shall be deposited in the Bar Association to enrich of Library. Payment of cost shall be a condition precedent to right to argue."</i></p> <p>But the cost imposed earlier has not been paid and today again adjournment is being prayed by the Ld. Counsel for the applicant.</p> <p>In the interest of justice, case is adjourned subject to payment of additional cost of Rs.2,000/- to be deposited in the Registry within a period of one week which shall be released in favour of the respondents. Payment of entire cost shall be a condition precedent to right to argue failing which the Tribunal shall peruse the record and pass the order in accordance with law.</p> <p>List this case on 14.03.2019 for hearing.</p>

On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.

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

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

AKD/UKT/-

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 271 of 2016

Trilokee Nath 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>06.02.2019</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 K.K. Singh Bisht, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Heard arguments.</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

O.A. No. 335 of 2017

Tomy Varghese

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>06.02.2019</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 Birendra Prasad Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for adjournment.</p> <p>Ld. Counsel for the respondents has opposed the adjournment.</p> <p>Last opportunity is being granted to the Ld. Counsel for the applicant.</p> <p>No further adjournment shall be entertained on the next date fixed.</p> <p>List this case on 03.04.2019 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) (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. 94 of 2018

Smt. Sundari 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>06.02.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to produce the copy of the order passed by the Hon'ble Apex Court.</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) (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. 161 of 2018

Wilson Andrews G.

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>06.02.2019</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. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to file the Written Arguments/Synopsis in terms of order dated 21.01.2019.</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) (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. 198 of 2018

Smt. Prabhawati

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>06.02.2019</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 Jay Prakash Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>In this case it is submitted by the Ld. Counsel for the respondents that the name of the applicant has been duly corrected in the records and Part II Order in this regard has been published on 31.01.2019.</p> <p>With regard to the prayer of the applicant for grant of Family Pension Ld. Counsel for the respondents prays for and is granted two months time to ensure the payment.</p> <p>List this case on 10.05.2019 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. 489 of 2018 along with T.A. No. 74 of 2013 (Decided)

Indra Dev 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>06.02.2019</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case tomorrow i.e. on 07.02.2019 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) (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. 40 of 2009

Sushil 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>06.02.2019</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 Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Heard arguments.</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

O.A. No. 128 of 2018

Ex. Risaldar Harbans Singh
By Legal Practitioner for the Petitioner

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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>Judgment pronounced. Original Application is partly allowed. For orders, see our judgment and order of date passed on separate sheets. Misc Applications, pending if any, shall be treated to have been disposed of.</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. 430 of 2018

Ex. Hav. (Hony. Nb. Sub.) Babu Ram
By Legal Practitioner for the Petitioner

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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>Judgment pronounced. Original Application is partly allowed. For orders, see our judgment and order of date passed on separate sheets. Misc Applications, pending if any, shall be treated to have been disposed of.</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

M.A. No. 466 of 2018 Inre O.A. No. Nil of 2018

Smt Sushila Tripathi

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>06.02.2019</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant is not sure whether husband of the applicant has expired or not though he has mentioned in the O.A. that husband of the applicant has expired.</p> <p>Submission of Ld. Counsel for the respondents is that husband of the applicant has expired and the applicant as wife is in receipt of family pension.</p> <p>Ld. Counsel for the applicant shall submit correct facts by tomorrow.</p> <p>List the case on 07.02.2019 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. 951 of 2018 Inre O.A. No. Nil of 2018

Capt Parit Sagar Baburao

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>06.02.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' time to file supplementary affidavit.</p> <p>List this case on 01.04.2019 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. 1179 of 2018 Inre O.A. No. Nil of 2018

Vishram 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>06.02.2019</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 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>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 23 years, 05 months and 14 days in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</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 by Ld. Counsel for the applicant within two weeks' thereafter.</p> <p>List this case in Registrar Court on 22.02.2019 for exchange of pleadings.</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. 1367 of 2018 Inre. O.A. No. Nil of 2018

Narayan Bahadur Khattri Chhetri

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>06.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u> 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. 1367 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for payment of amount of recovery made from pay and allowances of the applicant. As per office report, there is no delay, however, Ld. Counsel for the applicant has filed application for condonation of delay in filing the Original Application. The applicant has prayed to quash the order dated 16.02.2018. He has also challenged wrongful deduction from his salary w.e.f. 01.09.1998.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</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 by Ld. Counsel for the applicant within two weeks' thereafter.</p> <p>List this case in Registrar Court on 11.04.2019 for exchange of pleadings.</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. 1598 of 2018 with M.A. No. 1599 of 2018

Inre. T.A. No. 84 of 2016

Nk Devendra Singh Kushwaha

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.02.2019</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 petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>None is present on behalf of the petitioner.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' further time to file objection on application for condonation of delay in moving the restoration application.</p> <p>List this case on 26.03.2019 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. 1767 of 2018 Inre. O.A. No. Nil of 2017

Durga Singh Panchpal

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>06.02.2019</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that he shall file reply to the objection filed by the respondents during course of the day.</p> <p>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

MA. No. 1874 of 2018 with M.A. No. 1875 of 2018

Inre O.A. No. 285 of 2013

Smt Sunita 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>06.02. 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 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 prays for and is granted four week's further time to deposit cost imposed vide order dated 16.11.2018.</p> <p>List the case on 01.04.2019 for orders.</p> <p>(Air Marshal B.B.P. 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. 1997 of 2018 Inre O.A. No Nil of 2018

Ex Hav (Hony Nb Sub)

Kawal Deo Prasad

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>06.02. 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> Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1997 of 2018</u></p> <p>This is an application for condonation of delay filed by the applicant for payment of amount of recovery made from pay and allowances of the applicant. As per office report, there is no delay, however, Ld. Counsel for the applicant has filed application for condonation of delay in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</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 by Ld. Counsel for the applicant within two weeks' thereafter.</p> <p>List this case in Registrar Court on 11.04.2019 for exchange of pleadings.</p> <p>(Air Marshal B.B.P. 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. 2015 of 2018 Inre O.A. No. 266 of 2011

Chand Pati

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>06.02. 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 Pradeep Tiwari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents and Shri Diwakar Singh, Ld. Counsel for the respondent No 5.</p> <p>Ld. Counsel for the applicant prays for and is granted four week's further time to deposit cost imposed vide order dated 18.12.2018.</p> <p>As prayed, list the case on 06.05.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>gsr</p>