M.A. No. 1384 of 2018 Inre: O.A. No. (Nil) of 2018

Smt. Bhagwati Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Case was taken up in the revised list.	
	Present: Shri R.K.S. Chauhan, Ld. Counsel for the respondents.	
	None is present on behalf of the applicant.	
	By means of this Original Application the applicant has prayed for	
	grant of family pension. It appears that the applicant is not interested to	
	press the application for condonation of delay. As per office report there is	
	delay of 44 years, 08 months and 20 days in filing the Original Application.	
	Hence, the application for condonation of delay (M.A. No.1384 of	
	2018) is dismissed for want of prosecution and accordingly Original	
	Application No. (Nil) of 2018 stands dismissed .	
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	
	AKD/UKT/-	

M.A. No. 1576 of 2018 Inre: O.A. No. (Nil) of 2018

Ex. Sigmn. Bimal Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri Amit Pandey, Advocate holding brief of Shri Shiv	
	Kant Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld.	
	Counsel for the respondents.	
	Ld. Counsel for the respondents submits that objection against the	
	application for condonation of delay has been filed yesterday in the Office.	
	Brief holder appearing on behalf of the Ld. Counsel for the	
	applicant prays for time to file reply against the said objection.	
	List this case on 21.05.2019 for orders.	
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	
	AKD/UKT/-	

Ex.A. No. 150 of 2018 Inre : O.A. No. 569 of 2017

Along with

M.A. No. 2022 of 2018 with R.A. No. 81 of 2018 Inre : O.A. No. 569 of 2017

Hony. Nb. Sub. Ram Awadh Rai

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019	ave Manshau (I)
	Hon'ble Mr. Justice S.V.S. Rath Hon'ble Air Marshal B.B.P. Sinl	
	Present: Shri Vinay Pan	dey, Ld. Counsel for the applicant and Ms.
	Appoli Srivastava, Ld. Counsel fo	r the respondents.
	Ld. Counsel for the re	spondents prays for and is granted one
	month's time to seek instruction	on the point of implementation of order
	dated 09.01.2018 passed by this	Tribunal in O.A. No. 569 of 2017.
	List this case on 09.05.2	2019 for orders.
	(Air Marshal B.B.P. Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
	AKD/UKT/-	

M.A. No. 2022 of 2018 with R.A. No. 81 of 2018 Inre : O.A. No. 569 of 2017 Along with

Ex.A. No. 150 of 2018 Inre: O.A. No. 569 of 2017

Union of India & Others

Review Applicants

By Legal Practitioner for the Applicants

Versus

Hony. Nb. Sub. Ram Awadh RaiBy Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	11.04.2019
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)
	Present: Ms. Appoli Srivastava, Ld. Counsel for the review
	applicants and Shri Vinay Pandey, Ld. Counsel for the respondent.
	Ld. Counsel for the review applicants prays for and is granted one
	month's time to seek instruction on the point of implementation of order
	dated 09.01.2018 passed by this Tribunal in O.A. No. 569 of 2017.
	List this case on 09.05.2019 for orders.
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore)
	Member (A) Member (J)
	AKD/UKT/-

M.A. No. 1 of 2019 with M.A. No. 224 of 2019 Inre : Diary No. 01 of 2019 Inre : T.A. No. (Nil) of 2019

Lt. Col. Rahul Dagar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)
	Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Shri
	Amit Jaiswal, Ld. Counsel for the respondents.
	During the course of hearing a dispute arose as to whether the
	copy of reply filed by the Ld. Counsel for the applicant against the objection
	on application for condonation of delay has been provided to the Ld.
	Counsel for the respondents or not?
	Instead of entering into the individual claims of both the Counsels,
	we direct the Registrar to make an inquiry as to whether a copy of reply has
	been received by the Ld. Counsel for the respondents? Report is required
	to be submitted within ten days.
	Ld. Counsel for the applicant prayed for listing this case on
	03.05.2019 for orders.
	We have made it clear to the Ld. Counsel for the applicant that the
	Bench is not available on 03.05.2019 due to scheduled sitting of Circuit
	Bench at Nainital, however, he insisted on the date of 03.05.2019. Hence,
	as prayed, list this case on 03.05.2019 for orders.
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)
	AKD/UKT/-

O.A. No. 268 of 2016

Ex. Sep. Vinod Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Rajput Regiment Abhilekh Karyalaya & Anothers

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri R. Chandra, Ld. Counsel for the applicant and Si Sunil Sharma, Ld. Counsel for the respondents. Ld. Counsel for the applicant prays for adjournment. According the case is adjourned. List this case on 14.05.2019 for orders.	
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) AKD/UKT/-	

O.A. No. 519 of 2017

Smt. Sunita Jaiswal

Applicant

(Justice S.V.S. Rathore)

Member (J)

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Pra	actitioner for Respondents
Notes of the Registry	Orders of the Tribunal
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)
	Present: Shri Ashish Kumar Singh, Advocate holding brief of Shri
	Virat Anand Singh, Ld. Counsel for the applicant and Shri Namit Sharma,
	Ld. Counsel for the respondents.
	On 11.03.2019 the Registrar has passed the following order :-
	"Counter affidavit has been filed and taken on record on
	26.10.2018. Despite grant of several and even last opportunity,
	rejoinder affidavit has not yet been filed by the applicant's
	counsel. Today he has not come to the Court.
	In such circumstances, this case is sent to Hon'ble
	Bench on 11.04.2019 for further order.
	Meanwhile, rejoinder affidavit, if any, may be filed by
	applicant's counsel."
	Today brief holder appearing on behalf of the Ld. Counsel for the
	applicant submits that the Rejoinder Affidavit is ready and the same shall be filed in the Registry during the course of the day.
	Ld. Counsel for the applicant has availed several opportunities for
	filing Rejoinder Affidavit which are more than sufficient. In the interest of
	justice we grant further time to the Ld. Counsel for the applicant to file
	Rejoinder Affidavit subject to payment of cost of Rs.500/-, which shall be
	remitted to the AFT Bar Association to enrich the Library. Payment of cost
	shall be a condition precedent to right to file the Rejoinder Affidavit.
	List this case on 10.05.2019 for orders.
	List tills sadd on Televizore for orders.

(Air Marshal B.B.P. Sinha)

Member (A)

AKD/UKT/-

O.A. No. 189 of 2018

Baldev Prasad Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri Prahlad Maurya, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondent Nos. 1 to 4 and Shri Hari Prasad Srivastava, Ld. Counsel for the respondent No. 5 Bank of Baroda. List this case on 23.05.2019 before the Registrar Court for exchange of pleadings.	
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	

O.A. No. 272 of 2018

Prem Kishore Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.	
	In this case pleadings are complete and the case is ripe for hearing. List this case on 15.07.2019 for hearing.	
	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) (Justice S.V.S. Rathore) Member (A) Member (J)	

O.A. No. 423 of 2018

Smt. Monika **Applicant**

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

	By Legal Practitioner for Respondents Respondents	
Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A) Present: Shri Ashish Kumar Singh and Shri Shailendra Kumar	
	Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel	
	for the respondent Nos. 1 to 3 and Shri Mahendra Kumar Mishra, Ld.	
	Counsel for the respondent No. 5.	
	On 18.02.2019 we have passed the following order :-	
	"Shri Mahendra Nath Mishra, Advocate submits that he	
	shall file his power on behalf of respondent No. 5 in the	
	Registry during the course of the day.	
	It is submitted by the Ld. Counsel for the respondent No.	
	5 that the Insurance Company is ready to ensure the payment	
	of ensured amount of Rs.3.00 Lacs and if the party is ready to	

do so then the case may be disposed off amicably.

Ld. Counsel for the applicant submits that he will talk with the respondent No. 5 in this regard."

Today Ld. Counsel for the applicant submits that he has received instruction and he is ready to receive the payment as offered by the Respondent No. 5.

Ld. Counsel for the Respondent No. 5 prays for six weeks time to comply with the said offer.

List this case on 28.05.2019 for ensuring the payment of Rs.3.00 Lacs (Rupees Three Lacs only) as offered by the Ld. Counsel for the respondent No. 5 and accepted by the applicant.

Registrar is directed to provide a copy of this order to the Ld. Counsel for the Respondent No. 5 within a period of 48 hours.

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

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

AKD/UKT/-

O.A. No. 574 of 2018

Ex. Sub. Nand Lal Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and	
	Mohd. Zafar Khan, Ld. Counsel for the respondents.	
	Shri D.S. Kauntae, Ld. Counsel for the applicant submits that this	
	Original Application may be dismissed as withdrawn with liberty to file a	
	fresh Original Application after incorporating certain additional facts.	
	Accordingly, the Original Application No. 574 of 2018 is	
	dismissed as withdrawn with liberty as prayed by the Ld. Counsel for the	
	applicant.	
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	
	AKD/UKT/-	

O.A. No. 601 of 2018

Ex. Nk. Dhruvajit Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)	
	Present: Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant	
	and Ms. Anju Singh, Ld. Counsel for the respondents.	
	In this case it is informed by the Ld. Counsel for the parties that	
	the pleading are complete and the case is ripe for hearing.	
	List this case on 16.07.2017 for hearing.	
	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) (Justice S.V.S. Rathore) Member (A) Member (J)	

O.A. No. 80 of 2018

Warrant Officer Gore Lal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal		
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
	Present: Col. Rakesh Johri (Retd.) and Shri Parijaat Belaura, Ld.		
	Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the		
	respondents.		
	Ld. Counsel for the applicant prays for adjournment to seek		
	instruction from his client on the point of maintainability of this Original		
	Application before the Tribunal.		
	List this case on 15.07.2019 for further hearing.		
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)		
	AKD/UKT/-		

O.A. No. 116 of 2013

Applicant

Karamati Iqbal KhanBy Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal		
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
	Present: Shri V.P. Pandey, Advocate holding brief of Shri K.K.		
	Singh Bisht, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld.		
	Counsel for the respondents.		
	Brief holder appearing on behalf of the Ld. Counsel for the		
	applicant prays for adjournment.		
	This Original Application relates to the year 2013.		
	List this case on 13.05.2019 for hearing with the condition that no		
	further adjournment shall be entertained on the next date fixed.		
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)		

O.A. No. 31 of 2014

Jeetendra Bahadur Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal		
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
	Present: Shri K.K. Misra, Ld. Counsel for the applicant and Shri		
	Bhanu Pratap Singh, Ld. Counsel for the respondents.		
	Ld. Counsel for the applicant has filed Supplementary Affidavit.		
	Ld. Counsel for the respondents prays for time to file reply to the		
	Supplementary Affidavit filed by the Ld. Counsel for the applicant.		
	Since this case pertains to the year 2014, list this case on		
	15.05.2019 for hearing with the conditions that no further adjournment shall		
	be entertained.		
	(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)		
	AKD/UKT/-		

O.A. No. 217 of 2017

Brijesh Kumar Pandey

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes the Registry	of	Orders of the Tribunal		
		11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
		Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.		
		Ld. Counsel for the applicant submits that his senior is not		
		available today to argue the case and prays for adjournment.		
		List this case on 10.07.2019 for hearing.		
		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) (Justice S.V.S. Rathore) Member (A) Member (J)		

O.A. No. 322 of 2017

Bijendra Singh Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal		
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
	Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Dr.		
	Shailendra Sharma Atal, Ld. Counsel for the respondents.		
	Ld. Counsel for the applicant prays for time to argue the case. List this case on 15.04.2019 for hearing with the condition that no		
	further adjournment shall be entertained.		
	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) (Justice S.V.S. Rathore) Member (A) Member (J)		
	AKD/UKT/-		

O.A. No. 370 of 2017

Smt. Archana Singh Tomar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal		
Registry			
	11.04.2019		
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J)		
	Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
	Case called out.		
	Present: Dr. Shailendra Sharma Atal, Ld. Counsel for the		
	respondent No. 1 to 3 and Shri Shailendra Kumar Singh, Ld. Counsel for		
	the respondent Nos. 4, 5 and 6.		
	None is present on behalf of the applicant.		
	In the interest of justice, case is adjourned.		
	List this case on 22.05.2019 for hearing.		
	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) (Justice S.V.S. Rathore) Member (A) Member (J)		
	AKD/UKT/-		

O.A. No. 427 of 2017

Prem Kumar Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes the Registry	of	Orders of the Tribunal		
		11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal B.B.P. Sinha, Member (A)		
		Present: Shri Vinay Pandey, Ld. Counsel for the applicant and Shri		
		Rajiv Pandey, Ld. Counsel for the respondents.		
		Heard arguments.		
		Order is reserved.		
		(Air Marshal B.B.P. Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)	

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Ex.A.No.6 of 2019 Inre O.A.No.290 of 2016

Ex Sep Harendra Vikram Singh By Legal Practitioner for Applicant **Applicant**

Court No.1

Versus

Union of India & others (Army)

Respondents

By Legal Practitioner for Respondents			
Notes of	Orders of the Tribunal		
the			
Registry	44.04.2040		
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J)		
	Hon'ble Air Marshal BBP Sinha, Member (A)		
	The state of the s		
	Present: Shri Yashpal Singh, learned counsel for the applicant		
	and Shri VPS Vats, learned counsel for the respondents.		
	Ex. A.No. 6 of 2019		
	This is an application for execution of the order dated		
	18.02.2018 passed in O.A.No.290 of 2016.		
	It is admitted by the learned counsel for the parties that the		
	applicant has been reinstated on 26.07.2018. Learned counsel for the		
	applicant has informed the Tribunal that the applicant is not getting		
	salary.		
	Learned counsel for the respondents is directed to explain as to		
	why the salary is not being paid to the applicant and why the order		
	under execution has not been fully complied with.		
	List this case on 21.05.2019 for orders.		
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) PKG		

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Ex.A.No. 8 of 2019 Inre O.A.No.248 of 2016

Ex Sep Sant Lal

Applicant

Court No.1

By Legal Practitioner for Applicant

Versus

Respondents

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

Notes	of	Orders of the Tribunal			
the					
Registry					
		11.04.2019			
		Hon'ble Mr. Justice S.V.S. Rathor	Hon'ble Mr. Justice S.V.S. Rathore, Member (J)		
		Hon'ble Air Marshal BBP Sinha, Member (A)			
		Present: Shri R Chandra, I	earned counsel for the applicant and		
		Ms Anju Singh, learned counsel for the respondents.			
		Learned counsel for the respondents prays for and is granted			
		eight weeks' time to file compliance report.			
		List this case on 25.07.2019 for orders on the Ex. Application.			
		(Air Marshal BBP Sinha)	(Justice S.V.S. Rathore)		
		Member (A)	Member (J)		
		PKG	Michigal (b)		

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

R.A.No. 20 of 2019 with M.A.No.211 of 2019 Inre O.A.No.248 of 2016

Union of India & others

Applicants

By Legal Practitioner for Applicants

Versus

Ex Sep Sant Lal

Respondent

By Legal Pra	By Legal Practitioner for Respondent		
Notes of	Orders of the Tribunal		
the			
Registry			
	<u>11.04.2019</u>		
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J)		
	Hon'ble Air Marshal BBP Sinha, Member (A)		
	Present: Ms Anju Singh, learned counsel for the applicants and		
	Shri R Chandra, learned counsel for the respondent.		
	R.A.No. 20 of 2019		
	This is an application for review of the order dated 04.01.2018		
	passed in O.A.No.248 of 2016 moved by the applicants (Respondents		
	in O.A.).		
	It is argued on behalf of the applicants (Respondents in O.A.)		
	that by this order under recall, the benefit of rounding off has been		
	given to the respondent (Applicant in O.A.) from the date of discharge		
	i.e. 16.02.1991, while the policy of broad binding came into effect from		
	01 st January 1996.		
	Admittedly, it is an error apparent on the face of record and the		
	learned counsel for the respondent (Applicant in O.A.) has no		
	objection for correction of the order.		
	Accordingly, the application for review is allowed and the		
	original order is corrected accordingly.		
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)		
	PKG		

Court No.1

Ex.A.No.20 of 2019 Inre O.A.No.453 of 2017

Ex Sep Bhag Bahaudur Tamang By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others (Army)

Respondents

By Legal Pra	actitioner for Respondents		
Notes of the	Orders of the Tribunal		
Registry			
	11.04.2019		
	Hon'ble Mr. Justice S.V.S. Rathore, Meml	ber (J)	
	Hon'ble Air Marshal BBP Sinha, Member (A)		
	Present: Dr Ashish Asthana, Advocate holding brief of Shri Lalit		
	Kumar, learned counsel for the applicant and Shri Bhanu Pratap		
	Singh, learned counsel for the respondents.		
	Learned counsel for the respondents prays for and is granted		
	four weeks' time to file compliance report.		
	List this case on 28.05.2019 for orders.		
	(Air Marshal BBP Sinha) Member (A) PKG	(Justice S.V.S. Rathore) Member (J)	

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.No.1735 of 2016 Inre O.A.No. Nil of 2016

Uma Kant Sharma

Applicant

By Legal Practitioner for Applicant

Versus

Respondents

Union of India & others (Army)

By Legal Practitioner for Respondents

	ctitioner for Respondents		
Notes of	Orders of the Tribunal		
the			
Registry			
	11.04.2019		
	Hon'ble Mr. Justice S.V.S. Rathore, Men	nber (J)	
	Hon'ble Air Marshal BBP Sinha, Membe	r (A)	
	Present: Shri KK Misra, learned counsel for the applicant and		
	Ms Anju Singh, learned counsel for the respondents.		
	As a last opportunity, four weeks' time is granted to the learned		
	counsel for the respondents to file reply to the supplementary		
	affidavit.		
	List this case on 24.05.2019 for orders.		
	(Air Marshal BBP Sinha)	(Justice S.V.S. Rathore)	
	` Member (A)	` Member (J)	
	PKG		

Court No.1

M.A.No.826 of 2018 Inre O.A.No. Nil of 2018

Ugrasen Pandey By Legal Practitioner for Applicant

Applicant

Versus

Respondents

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

Notes		Orders of the Tribunal	
the	-		
Registry			
,		11.04.2019	
		Hon'ble Mr. Justice S.V.S. Rathore, M	<u>Member (J)</u>
		Hon'ble Air Marshal BBP Sinha, Men	nber (A)
			Singh, Advocate holding brief of
		Shri Virat Anand Singh, learned co	• •
		Yogesh Kesarwani, learned counsel	for the respondents.
		Shri Ashish Kumar Singh, A	Advocate holding brief prays for
		adjournment of the case.	
		On 09.04.2019, it was subm	itted on behalf of the applicant
		before the Registrar Court that	the reply to objection on the
		application for condonation of dela	y is ready and the same shall be
		filed during the course of the day. I	But no reply has been filed. Since
		no reply to objection has been filed	, hence the opportunity to file the
		same is hereby closed.	
		List this case on 21.05.2019 fo	or orders.
		(Air Marshal BBP Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
		FNG	

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.No.1432 of 2018 Inre O.A.No. Nil of 2018

Ex Hav Lal Babu Tiwari

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & others (Army)

By Legal Practitioner for Respondents

Respondents

By Legal Practitioner for Respondents		
Notes of	Orders of the Tribunal	
the		
Registry		
	<u>11.04.2019</u>	
	Hon'ble Mr. Justice S.V.S. Rathore, Me	
	Hon'ble Air Marshal BBP Sinha, Memb	<u>er (A)</u>
		vocate holding brief of Shri Shiv
	Kant Pandey, learned counsel for the	applicant and Shri Bhanu Pratap
	Singh, learned counsel for the respond	dents.
	Shri Amit Pandey, Advocate he	olding brief of Shri SK Pandey,
	learned counsel for the applicant app	ears to be not prepared with the
	case for submitting details of the earlie	er O.A. filed by the applicant.
	Hence, in the interest of justice,	, the case is passed over for the
	day. List this case on 09.05.2019 for	orders.
	(Air Marshal BBP Sinha) Member (A) PKG	(Justice S.V.S. Rathore) Member (J)

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW Court

No.1

O.A.No.427 of 2017

Prem Kumar Yadav By Legal Practitioner for Applicant **Versus** **Applicant**

Union of India & others

2009.

Dannanda		
Respondents		
By Legal Practitioner for Respondents		
Notes of	Orders of the Tribunal	
the		
Registry		
	11.04.2019	
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J)	
	Hon'ble Air Marshal BBP Sinha, Member (A)	
	In this case the arguments were heard and the order	
	was reserved today.	
	During the course of arguments, a letter dated 02 nd	
	July 2009 was produced for our perusal, which shows that	
	the applicant had made a request for premature retirement	
	on account of his selection on the post of Probationary	
	Officer in State Bank of India. His premature retirement was	

While perusing the record for preparation of the judgment, we are surprised to note that the applicant has nowhere pleaded in the O.A. that he sought premature retirement on account of his selection as Probationary Officer in SBI nor this fact was averred by the respondents in the counter affidavit.

recommended by the Air Vice Marshal, SOA on 07th July

The sole thrust of arguments of the learned counsel for the applicant is that he was in the reserve service of Air Force w.e.f. 22nd July 2009 to 21st July 2011 and this period must be counted towards qualifying service for grant of pension. Admittedly, the applicant has not rendered colour service of 15 years and is praying for the benefit of inclusion of the said period of reserve period for getting the benefit of pension.

In this back ground, we consider it necessary that the

applicant must file a supplementary affidavit stating the date on which he joined the service as Probationary Officer in SBI. The respondents are also directed to bring these documents on record by means of supplementary affidavit as these documents are necessary for just decision of the case.

Let this case be listed on 07.05.2019 for hearing.

Meanwhile, the respondents shall comply with the directions given above.

Registry is directed to inform the learned counsel for the parties about the order passed today.

(Air Marshal BBP Sinha) Member (A) (Justice S.V.S. Rathore) Member (J)

PKG

M.A. No. 349 of 2019 Inre O.A. No. Nil of 2019

Applicant

Ex Sep Rakesh SinghBy Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
Registry		
	11.04.2019	
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)	
	Memo of appearance filed by Shri R.C. Shukla, 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.	
	Present: Col B.P. Singh (Retd), learned counsel for the applicant and	
	Shri R.C. Shukla, learned counsel for the respondents.	
	M.A. No. 349 of 2019	
	This is an application for condonation of delay filed by the applicant	
	for grant of benefit of rounding off of disability pension. As per office report,	
	it is delayed by more than 13 years in filing the Original Application.	
	Learned counsel for the respondents prays for and is granted three	
	weeks' time to file objection on the application for condonation of delay.	
	Replication, if any, may be filed by the learned counsel for the applicant	
	within two weeks' thereafter.	
	List this case on 16.05.2019 for orders before Registrar Court.	
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	

M.A. No. 350 of 2019 Inre O.A. No. Nil of 2019

Ex Nk Hira Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)
	Memo of appearance filed by Shri Shyam Singh, 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.
	Present: Col H.M. Maheshwari (Retd), learned counsel for the
	applicant and Shri Shyam Singh, learned counsel for the respondents.
	M.A. No. 350 of 2019
	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 more
	than 13 years in filing the Original Application.
	Learned counsel for the respondents prays for and is granted four
	weeks' time to file objection on the application for condonation of delay.
	Replication, if any, may be filed by the learned counsel for the applicant
	within two weeks' thereafter.
	List this case on 23.05.2019 for orders before Registrar Court.
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)

M.A. No. 351 of 2019 Inre O.A. No. Nil of 2019

NC (E) Naresh Kumar Safaiwala

Applicant

By Legal Practitioner for the Applicant

Versus

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

Respondents

Notes of the Registry	of Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)	
	Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf	
	of respondents is taken on record. His name be shown as learned counse	
	for the respondents when the case is listed next.	
	Present: Ms. Mamta Pandey, learned counsel for the applicant and	
	Shri Amit Jaiswal, learned counsel for the respondents.	
	M.A. No. 351 of 2019	
	This is an application for condonation of delay by means of which the	
	applicant has challenged his discharge order. As per office report, it is	
	delayed by more than 8 years in filing the Original Application.	
	Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay.	
	Replication, if any, may be filed by the learned counsel for the applicant	
	within two weeks' thereafter.	
	List this case on 29.05.2019 for orders before Registrar Court.	
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) SB	

M.A. No. 352 of 2019 Inre O.A. No. Nil of 2019

Ex L Nk Mithlesh Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal	
Registry		
	11.04.2019	
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J)	
	Hon'ble Air Marshal BBP Sinha, Member (A)	
	Memo of appearance filed by Dr. Chet Narayan Singh, 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.	
	Present: Shri Mukesh Kumar, learned counsel for the applicant and	
	Dr. Chet Narayan Singh, learned counsel for the respondents.	
	M.A. No. 352 of 2019	
	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 more	
	than 2 ½ years in filing the Original Application.	
	Learned counsel for the respondents prays for and is granted two	
	weeks' time to file objection on the application for condonation of delay.	
	Replication, if any, may be filed by the learned counsel for the applicant	
	within two weeks' thereafter.	
	List this case on 10.05.2019 for orders before Registrar Court.	
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	

M.A. No. 353 of 2019 Inre O.A. No. Nil of 2019

Versus

Ex ACP Nb Sub Ram Vijay Nishad

Applicant

By Legal Practitioner for the Applicant

пррпоат

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal	
Registry		
	11.04.2019	
	Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)	
	Tion bie Air Marshar BBr Sinna, Member (A)	
	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.	
	Present: Shri R. Chandra, learned counsel for the applicant and Dr.	
	Shailendra Sharma Atal, learned counsel for the respondents.	
	M.A. No. 353 of 2019	
	This is an application for condonation of delay by means of which the	
	applicant has challenged his discharge order. As per office report, it is	
	delayed by more than 1½ years in filing the Original Application.	
	Learned counsel for the respondents prays for and is granted four	
	weeks' time to file objection on the application for condonation of delay.	
	Replication, if any, may be filed by the learned counsel for the applicant	
	within two weeks' thereafter.	
	List this case on 28.05.2019 for orders before Registrar Court.	
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	

EX.A. No. 75 of 2018 Inre T.A. No. 1366 of 2010

Petitioner

Kamal Singh RautelaBy Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)
	Present: Nonr for the petitioner and Shri Bhanu Pratap Singh,
	learned counsel for the respondents.
	Ex. A.No. 75 of 2018
	This is an application for execution of the order dated 08.08.2017
	passed in T.A. No. 1366 of 2010.
	It is submitted on behalf of the respondents that PPO has been
	issued and a letter for conducting RSMB of the applicant has also been
	issued.
	Learned counsel for the respondents is directed to provide copy of
	PPO and letter to learned counsel for the applicant.
	List this case on 13.05.2019 for orders.
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) SB

EX.A. No. 229 of 2018 Inre O.A. No. 298 of 2016

Versus

Applicant

Maj Nagendra Singh Mamik (Retd)By Legal Practitioner for the Applicant

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)
	Present: Col Y.R. Sharma (Retd), learned counsel for the applicant
	and Shri R.C. Shukla, learned counsel for the respondents.
	EX.A. No. 229 of 2018
	This is an application filed by the applicant for execution of order
	dated 08.05.2018 passed in O.A. No. 298 of 2016.
	Even alter lapse of one year, the order under execution has not been
	complied with by the respondents. Today, again learned counsel for the
	respondents prays for further adjournment.
	List this case on 02.07.2019 for filing compliance report by the
	respondents, 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.
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) SB

EX.A. No. 3 of 2019 Inre O.A. No. 143 of 2018

Ex Sub Kali Kishore

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)	
	List this case on 15.07.2019 for orders.	
	weeks further time to file compliance report.	
	Learned counsel for the respondents prays for and is granted four	
	dated 27.04.2018 passed in O.A. No. 143 of 2018.	
	This is an application filed by the applicant for execution of order	
	EX.A. No. 3 of 2019	
	for the respondents.	
	Present: None for the applicant and Ms. Anju Singh, learned counsel	
	Hon'ble Air Marshal BBP Sinha, Member (A)	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J)	
the Registry		
Notes of	Orders of the Tribunal	

EX.A. No. 4 of 2019 Inre O.A. No. 486 of 2017

Chhathu Pandey Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal	
	11.04.2019 Hon'ble Mr. Justice S.V.S. Rathore, Member (J) Hon'ble Air Marshal BBP Sinha, Member (A)	
	Present: Shri K.K. Misra, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents.	
	EX.A. No. 4 of 2019	
	This is an application filed by the applicant for execution of order	
	dated 27.04.2018 passed in O.A. No. 486 of 2017.	
	It is submitted on behalf of the respondents that requisite sanction	
	has been granted and prays six weeks time to issue PPO to the applicant.	
	Time prayed for is granted.	
	List this case on 16.07.2019 for filing compliance report by the	
	respondents.	
	(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J) SB	