

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

**Ex.A. No. 193 of 2018 along with M.A. No. 2028 of 2018 with R.A. No. 82 of 2018**  
**Inre : O.A. No. 145 of 2013**

**Satendra Singh Pal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 Bachchan Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for further time to file compliance report.</p> <p style="text-align: center;">List this case on <b>24.05.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 2028 of 2018 with R.A. No. 82 of 2018 Inre : O.A. No. 145 of 2013**

**Union of India & Others**  
By Legal Practitioner for the Applicants

Review Applicants

**Versus**

**Satendra Singh Pal**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Namit Sharma, Ld. Counsel for the review applicants and Shri Pankaj Kumar Shukla , Ld. Counsel for the respondent.</p> <p style="text-align: center;">List this case on <b>24.05.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <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. 205 of 2018 Inre : T.A. No. 671 of 2010**

**Ex. Sub. Umakant Mishra** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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: The applicant Shri Umakant Mishra in person and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that in compliance of order under execution the P.P.O. has been issued.</p> <p>The applicant made a submission that he has not received any payment in pursuance of the P.P.O. issued by the respondents. He further submits that the P.P.O. is also not correct.</p> <p>The applicant is directed to file objection supported by an affidavit against the said P.P.O.</p> <p>List this case on <b>15.05.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**Ex.A. No. 07 of 2019 Inre : O.A. No. 275 of 2018**

**Ex. Sep. Nathu Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 Praveer Kumar Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for further time to file objection against the P.P.O. issued by the respondents.</p> <p style="text-align: center;">In this case Ld. Counsel for the respondents submits that in compliance of order passed by this Tribunal the R.S.M.B. has been conducted, but, the Ld. Counsel for the applicant on the basis of instruction received from his client just two days before submits that R.S.M.B. of the applicant has not yet been conducted by the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to file an affidavit in this regard so that necessary action may be taken against the person making false statement.</p> <p style="text-align: center;">List this case on <b>09.05.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 202 of 2018 Inre : O.A. No. (Nil) of 2018**

**Barneswar Roy**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 202 of 2018</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for grant of pension of Honorary Naib Subedar, which is recurring cause of action. As per office report there is delay of 08 years, 01 month and 10 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is <b>condoned.</b></p> <p style="text-align: center;"><b>Admit.</b></p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on <b>23.05.2019</b> before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**M.A. No. 1645 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Hav. (Hony. Nb. Sub.) Mahinder Ram**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 1645 of 2018</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for grant of pension of Honorary Naib Subedar, which is recurring cause of action. As per office report there is delay of 08 years, 04 months and 14 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is <b>condoned.</b></p> <p style="text-align: center;"><b>Admit.</b></p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on <b>23.05.2019</b> before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p style="text-align: left;">AKD/UKT/-</p>

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

**O.A. No. 68 of 2018**

**Shankar Dayal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>11.07.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**  
**O.A. No. 206 of 2018**

**Sep. R. Vinoth Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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>Case called out.</p> <p>Present: Maj. R.D. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondent Nos. 1 to 6.</p> <p>None for the respondent Nos. 7 and 8.</p> <p>Ld. Counsel for the respondents undertakes to provide a copy of Counter Affidavit to the Ld. Counsel for the applicant during the course of the day.</p> <p>In this case we had issued notice to the Respondents No. 8 Shri Bikat Singh. During the course of hearing a quarry was made from the Ld. Counsel for the applicant that what relief is being claimed against the respondent No. 8, then he could not explain and his only submission was that the respondent No. 8 was instrumental in the marriage.</p> <p>Since the main relief is for grant of maintenance allowance, therefore, respondent No. 8 Bikat Singh is not at all liable to pay the same to the applicant. Apart from it, it is not a criminal trial where a person who is involved in any conspiracy may be impleaded as a party. Therefore, Ld. Counsel for the applicant is directed to explain as to why respondent No. 8 - Bikat Singh has been impleaded as a party and what relief is claimed against him.</p> <p>No notice shall be issued to the Respondent No. 8 Bikat Singh till further orders.</p> <p>The respondent No. 7, who is represented by Shri Rahul Singh, amicus curiae, is not present today. Registry is directed to inform him to remain present on the next date fixed, failing which he may be replaced with some other Counsel.</p> <p>List this case on <b>30.07.2019</b> for orders.</p> <p>Meanwhile Rejoinder Affidavit may be filed by the Ld. Counsel for the applicant.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
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**O.A. No. 220 of 2018**

**Jagvir Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>21.05.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**O.A. No. 402 of 2018**

**Ex. Sub. Prasanth M. Kurup**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Pankaj Kumar Shukla and Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>04.07.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 560 of 2018**

**Nagendra Nath Mishra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>15.07.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**O.A. No. 602 of 2018**

**Smt. Betee Devi Widow of Sep. (Late) Dasharat Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Bachchan Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant intends to move some amendment application during the course the day in the Registry, a copy of which has been provided to the Ld. Counsel for the respondents.</p> <p style="text-align: center;">List this case on <b>09.05.2019</b> for orders.</p> <p style="text-align: center;">Meanwhile objection, if any, may be filed by the respondents.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 82 of 2011

**Ram Lakhan Singh**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 BachchanSingh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>09.05.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 232 of 2010**

**Jagdish Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that today the original document pertaining to the case is not available with him and prays for adjournment.</p> <p style="text-align: center;">List this case on <b>08.05.2019</b> for hearing with the condition that no adjournment shall be entertained.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 258 of 2017**

**Akil Ahmed Ansari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on <b>21.05.2019</b> for hearing.</p> <p style="text-align: center;">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 style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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>Case called out. Present: Shri Virendra Singh, Ld. Counsel for the respondents. None is present on behalf of the applicant. In the interest of justice, the case is adjourned. List this case on <b>11.07.2019</b> 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.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



Form No. 4  
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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court

No.1

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

Kishan Kumar  
By Legal Practitioner for Applicant

Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2019</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 SC Kushwaha, learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p>On the last date, we have passed the following order :</p> <p><i>“Ex.A. No. 194 of 2017</i> <i>This is an application filed by the applicant for execution of order dated 07.07.2017 passed in O.A. No. 99 of 2016.</i> <i>On behalf of the respondents, last opportunity is prayed to file compliance report. Learned counsel for the respondents also undertakes to ensure payment of cost imposed by us earlier vide order dated 18.01.2019, positively within a week.</i> <i>List this case on 12.04.2019 for filing compliance report, failing which the respondents shall have to deposit cost of Rs. 15,000/- in the Registry which shall be paid to the petitioner through cheque.”</i></p> <p>As per report of the Registry, cost of Rs.10,000/- as imposed vide order dated 18.01.2019 has not been deposited by the respondents. Learned counsel for the respondents undertakes to deposit the same before the date fixed.</p> <p>Today respondents has produced before us a copy of letter issued by the CRO for O/C Records addressed to the Chief Manager, State Bank of India and on the strength of this letter, it is submitted that a direction has been given to the bank to ensure payment.</p> <p>It is surprising that even after availing two months' time, no steps has been taken by the respondents for ensuring payment of back wages. The letter dated 17<sup>th</sup></p>

**February 2019, which has been produced before us today, talks only about payment of service element to the applicant and not regarding payment of back wages. This conduct of the respondents shows gross negligence on the part of the respondents in complying with the order.**

**Two weeks' time prayed for and is granted to the respondents to file full compliance report, failing which the respondents shall have to deposit cost of Rs.20,000/- in the Registry, which shall be paid to the applicant through cheque. .**

**List this case on 10.05.2019 for filing compliance report.**

**(Air Marshal BBP 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.196 of 2017  
Inre T.A.No.1207 of 2010

Smt Vimla Devi  
By Legal Practitioner for Petitioner

Petitioner

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2019</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 Rohit Kumar, learned counsel for the petitioner and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p>On 15.01.2019, we have passed the following order :</p> <p><u>"Ex.A. No. 196 of 2017</u> <i>This is an application filed by the petitioner for execution of order dated 25.05.2017 passed in T.A. No. 1207 of 2010.</i> <i>On behalf of the respondents, it is submitted that compliance report has not been filed but cost imposed vide order dated 06.12.2018 has been deposited in the Registry.</i> <i>Today again adjournment is prayed on behalf of the respondents submitting that instructions have been received for filing fresh Review Application in this case. It is absolutely no ground for non compliance of the order under execution.</i> <i>List this case on 19.02.2019 for filing compliance report by the respondents, failing which they will have to pay additional cost of Rs. 30,000/-, to be deposited in the Registry, which shall be paid to the applicant. The respondents are at liberty to recover the cost from the erring officer who is responsible for delay in compliance of the order under execution."</i></p> <p>Thereafter on 19.02.2019 the Bench could not assemble, but even today the order under execution has not yet been complied with.</p> <p>Learned counsel for the respondents has produced before us a copy of letter dated 25<sup>th</sup> February 2019. It is submitted that sanction for implementation of the order has been passed on 18<sup>th</sup> February 2019, but the position is still the same as the order has not yet been complied with. Even after lapse of two months of sanction for implementation of the order, the order under execution has not yet been</p>

**complied with.**

**The cost imposed vide order dated 15.01.2019 has also not been paid, for which an undertaking has been given by the respondents to ensure payment by the date fixed.**

**List this case on 08.07.2019 for filing compliance report, failing which the respondents shall have to deposit cost of Rs.15,000/- in the Registry, which shall be paid to the petitioner through cheque. .**

**(Air Marshal BBP 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.18 of 2018  
Inre T.A.No.133 of 2010

Yogendra Singh Tomar  
By Legal Practitioner for Petitioner

Petitioner

Versus

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

Alongwith

M.A.No.1527 of 2018 with R.A.No.48 of 2018  
Inre T.A.No.133 of 2010

Govt of India through Secretary Defence Sena Bhawan & another  
By Legal Practitioner for Applicants

Applicants

Versus

Yogendra Singh Tomar  
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 style="text-align: center;">Present: Shri VP Singh, brother of Shri Yogendra Singh Tomar, respondent in the Review Application and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>R.A.No.48 of 2018</u></b></p> <p style="text-align: center;">Shri VP Singh, brother of Shri Yogendra Singh Tomar, Respondents in the Review Application prays for adjournment of the case on the ground of non availability of the counsel.</p> <p style="text-align: center;">In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 24.05.2019 alongwith Ex. Application for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No.169 of 2018 with M.A.No.105 of 2019  
Inre O.A.No.573 of 2017

Ex Hav (Hony Nb Sub) Kamta Prasad  
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><b><u>12.04.2019</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 Chet Narayan Singh, learned counsel for the respondents.</p> <p><b><u>Ex. A.No. 169 of 2018</u></b></p> <p>This is an application for execution of the order dated 09.01.2018 passed in O.A.No.573 of 2017 by which the applicant was granted revised pension of the Hony rank of Nb Subedar.</p> <p>On behalf of the respondents, it is submitted that the Government has taken a policy decision to implement the order and since it involves financial implications and also the consultation between different Ministries, so it may take further time to implement the claim of the applicant and other similarly situated persons. He prays for and is granted six weeks' time to file compliance report.</p> <p>The cost earlier imposed by us vide order dated 20.12.2018 shall be deposited by the respondents before the date fixed.</p> <p>List this case on 15.07.2019 for filing compliance report.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

Ex.A.No. 170 of 2018  
Inre O.A.No.562 of 2017

Ex Hav (Hony Nb Sub) Gulab Chandra  
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>12.04.2019</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 style="text-align: center;">Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><u>Ex. A.No. 170 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 09.01.2018 passed in O.A.No.572 of 2017 by which the applicant was granted revised pension of the Hony rank of Nb Subedar.</p> <p style="text-align: center;">On behalf of the respondents, it is submitted that the Government has taken a policy decision to implement the order and since it involves financial implications and also the consultation of the Defence Ministry, so it may take further time to implement the claim of the applicant and other related persons. He prays for and is granted six weeks' time to file compliance report.</p> <p style="text-align: center;">List this case on 15.07.2019 for filing compliance report.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

Ex.A.No. 171 of 2018  
Inre O.A.No.663 of 2017

Ex Hav (Hony Nb Sub) Ramesh Prasad Pandey & others  
By Legal Practitioner for Applicants

Applicants

Versus

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

Respondents

Notes of the Registry	<p style="text-align: center;">Orders of the Tribunal</p> <p><u>12.04.2019</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 style="text-align: center;">Present: Shri Pankaj Kumar Shukla, learned counsel for the applicants and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><u>Ex. A.No. 171 of 2018</u></p> <p>This is an application for execution of the order dated 09.01.2018 passed in O.A.No.663 of 2017 by which the applicants were granted revised pension of the Hony rank of Nb Subedar.</p> <p>On behalf of the respondents, it is submitted that the Government has taken a policy decision to implement the order and since it involves financial implications and also the consultation of the Defence Ministry, so it may take further time to implement the claim of the applicants and other related persons. He prays for and is granted six weeks' time to file compliance report.</p> <p style="text-align: center;">List this case on 15.07.2019 for filing compliance report.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>
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Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No.64 of 2018 Inre Ex.107 of 2017  
Inre O.A.No.211 of 2010

Shyam Kumar  
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	<p>Orders of the Tribunal</p> <p><u>12.04.2019</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: Col AK Srivastava (Retd), learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p><u>Ex. A.No. 64 of 2018</u></p> <p>This is an application for execution of the order dated 02.03.2017 passed in O.A.No. 211 of 2010. The operative portion of the order reads as under :</p> <p><i>“10. As a result of foregoing discussion, since statutory procedure/provisions have not been complied with as stated (supra), we converge to the view that the punishment and sentence awarded to the applicant suffer from the vice of arbitrariness and the O.A. deserves to be allowed.</i></p> <p><i>11. The O.A. is accordingly allowed. The impugned order dated 27.12.2008 is set aside with all consequential benefits.”</i></p> <p>During the course of hearing, learned counsel for the applicant has fairly conceded that the applicant has been reinstated and promoted after judgment and he has received salary for the period during which he remained out of service. Now he is claiming for payment of certain allowances.</p> <p>On behalf of the respondents, it is submitted that the applicant has already received what was due to him by the order under execution and he was not entitled for the allowances, which he is claiming because he was not in service at the relevant point of time.</p> <p>Learned counsel for the applicant has drawn our attention towards Annexure 1 of the supplementary affidavit, whereby a reply has been given to the applicant that these allowances cannot be given to him and for the same, he may raise his claim before the higher authorities.</p> <p>As per the Execution Application, the claim of the applicant is for payment of CILQ which means Compensation in lieu of Quarter Allowance, Children Education Allowance, Ration Allowance, Medical</p>
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Reimbursement, Composite Transfer Grant/Allowance to his home after dismissal from service and from his home to AMC Centre & College, Lucknow on rejoining duty. Thus, virtually the applicant has claimed these allowance while he was not in service.

Apart from it, by any stretch of imagination, the applicant is not entitled to any other allowances as claimed by him because he was not in service and, therefore, there is absolutely no occasion for payment of these allowances. Admittedly, the claim of the applicant for promotion and for payment of salary has been complied with by the respondents and, therefore, no claim remains to be executed. Thus, the applicant has no locus nor there is any specific direction for payment of allowances which the applicant was due. The word 'consequential benefits' cannot be stretched to such an extent to include all the allowances which are available only to the persons, who were in service at the relevant point of time because these allowances are meant to compensate the expenses under these heads by a person who is actually in service and not for notional service.

Since the applicant is not held entitled for payment of these allowances, therefore, the order under execution has been fully complied with and the Ex. Application has become infructuous.

Accordingly, the Ex. Application is dismissed as infructuous.

(Air Marshal BBP Sinha)  
Member (A)

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

PKG

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

**M.A. No. 341 of 2019 Inre O.A. No. Nil of 2019**

**Gnr (Opr) Raja Ram Dewangan**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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>Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of respondents is taken on record.</p> <p>Present: Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>List revised.</p> <p>None appears on behalf of the applicant to press this case.</p> <p>Accordingly, it is <b>dismissed</b> for non prosecution.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

M.A. No. 342 of 2019 Inre O.A. No. Nil of 2019

**Gnr (DMT) Somanagouda Patil**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of respondents is taken on record.</p> <p>Present: Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>List revised.</p> <p>None appears on behalf of the applicant to press this case.</p> <p>Accordingly, it is <b>dismissed</b> for non prosecution.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 354 of 2019 Inre O.A. No. Nil of 2019**

**Ex Hav Om Prakash Jakhmola**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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>Memo of appearance filed by Ms. Amrita Chakraborty, Advocate on behalf of respondents is taken on record. Her name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Ms. Amrita Chakraborty, learned counsel for the respondents.</p> <p><b><u>M.A. No. 354 of 2019</u></b></p> <p>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 5 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant, thereafter.</p> <p>List this case on <b>23.04.2019</b> for orders before Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b>                      <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 355 of 2019 Inre O.A. No. Nil of 2019**

**Ex Sgt Rajesh Kumar Tiwari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 style="text-align: justify;">Memo of appearance filed by Shri Bhanu Pratap 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.</p> <p style="text-align: justify;">Present: Shri Keshav Sharma, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 355 of 2019</u></b></p> <p style="text-align: justify;">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 7 months in filing the Original Application.</p> <p style="text-align: justify;">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, thereafter.</p> <p style="text-align: justify;">List this case on <b>29.04.2019</b> for orders before Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 357 of 2019 Inre O.A. No. Nil of 2019**

**Ex Nk Kamal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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>Memo of appearance filed by Shri Rajiv Pandey, 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: Ms. Astha Singh Chauhan, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><b><u>M.A. No. 357 of 2019</u></b></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 more than 1 year in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant, thereafter.</p> <p>List this case on <b>28.04.2019</b> for orders before Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**DY. No. 1143 of 2019 Inre O.A. No. 185 of 2018**

**Ram Avtar**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others(Air Force)**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 style="text-align: center;">Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of respondents is taken on record.</p> <p style="text-align: center;">Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><b><u>DY. No. 1143 of 2019</u></b></p> <p style="text-align: center;">This is an application filed by the applicant under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 01.03.2019, passed by this Court in O.A. No. 185 of 2018 which is delayed by 02 days.</p> <p style="text-align: center;">This application has been filed by the applicant after expiry of the period of limitation. Learned counsel for the applicant has only argued that this application for leave to appeal is delayed and no question of law of general public importance involved could be brought to our notice.</p> <p style="text-align: center;">Accordingly, application for leave to appeal is <b>rejected</b> on the ground of delay as well as on merits.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>



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

**M.A. No. 356 of 2019 Inre O.A. No. 152 of 2016**

**Arbind Kumar Dubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Lt Col Anirban Deka**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Vijay Kumar Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 356 of 2019</u></b></p> <p>This is an application filed by the applicant under Section 340 of Cr.P.C. praying therein to initiate the criminal proceedings against Lt Col Anirban Deka, private respondent.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file objection.</p> <p>Let notice be issued to private respondent by Regd. Post as well as by normal mode of service. Steps to be taken within a week.</p> <p>List this case on <b>02.07.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></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. 150 of 2017 Inre O.A. No. 102 of 2012**

**Jeetendra Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Vijay Kumar Pandey, learned counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents.</p> <p><b><u>EX.A. No. 150 of 2017</u></b></p> <p>This is an application filed by the applicant for execution of order dated 21.09.2016 passed in O.A. No. 102 of 2012.</p> <p>Learned counsel for the respondents has produced before us copy of order passed by Hon'ble Apex Court dated 29.03.2019 whereby Appeal preferred by the respondents against the order under execution has been allowed. The aforesaid order has been set aside, hence, this execution application has lost its efficacy and is accordingly <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**Ex-A/184/2017 In re: T.A. No. 1364 of 2010**

<b>Mohan Singh</b> By Legal Practitioner for the Petitioner	<b>Versus</b>	Petitioner
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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: Col A.K. Srivastava (Retd), Ld. Counsel for the Petitioner and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>In this case there is dispute of payment of an amount of Rs.11,758/- to the petitioner. As per the respondents the said amount has been credited in the bank account of the petitioner.</p> <p>Learned counsel for the applicant admits that the account number in which the amount is said to have been credited is correct. However, it is submitted by him that the applicant has not received the said amount. He has furnished certain copies of the pass book but the same do not contained the account number.</p> <p>Learned counsel for the applicant is directed to produce before us updated pass book on the next date.</p> <p>List this case on <b>15.05.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>JPT/GSR</p>

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

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

Ex-A/192/2018 In re: T.A. No. 388 of 2010

**Brijesh Kumar Singh**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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>Memo of appearance filed by Shri Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>This case has been taken in the revised list.</p> <p>None is present on behalf of the petitioner.</p> <p>On behalf of the respondents it has been submitted that the respondents have filed a Review application against the order under execution and the same is listed on 23.04.2019.</p> <p>Accordingly list this case on <b>23.04.2019</b> for orders.</p> <p>When the case is next listed, name of Shri Asheesh Agnihotri, learned counsel for the respondents be shown in the cause list instead of Shri Amit Sharma, Advocate.</p> <p><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>JPT/GSR</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**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 V.P. Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant prays for further adjournment of the case.</p> <p>List this case on <b>12.07.2019</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b>                      <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>JPT/GSR</p>

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

T.A. No. 1053 of 2010

**Pitambar Datt Nainwal (Deceased)**  
**Through his wife Smt Kalawati Devi**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 S.K. Singh, Ld. Counsel for the Petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>On 11.02.2019 we had passed the order to the effect that no further adjournment shall be granted since the case pertains to the year 2010.</p> <p>Today again adjournment is prayed on behalf of the petitioner.</p> <p>Therefore adjournment is granted to the petitioner subject to payment of Rs.1,000/- as cost, which shall be remitted by the Registry to the Bar Association of the Armed Forces Tribunal, Regional Bench, Lucknow for enrichment of its Library. Payment of cost shall be a condition precedent to right to argue.</p> <p>List this case on <b>10.05.2019</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b>                      <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>JPT/GSR</p>

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

**T.A. No. 92 of 2016**

**Alopi Shanker Bajpae**

By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**The Commandant Rajput Regimental Centre,  
Fatehgarh & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Praveer Kumar Singh Chauhan, Ld. Counsel for the Petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>This T.A. pertains to the year 2016.</p> <p>Today again adjournment is prayed on behalf of the petitioner. The applicant himself is delaying the disposal of the case.</p> <p>The adjournment is granted to the petitioner subject to the condition that no further adjournment shall be entertained.</p> <p>List this case on <b>24.05.2019</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b>                      <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>JPT/GSR</p>

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

**T.A. No. 98 of 2016 alongwith TA 48/2017**

<b>Surendra Singh Saxena</b> By Legal Practitioner for the Petitioner	Petitioner
<b>Versus</b>	
<b>The Commandant Rajput Regimental Centre, Fatehgarh &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>12.04.2019</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 style="text-align: center;">Present: Shri Bachchan Singh, Ld. Counsel for the Petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">List this case on 24.05.2019 for orders alongwith T.A. No. 48 of 2017.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></td></tr></table> <p>JPT/GSR</p>	<b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b>	<b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b>
<b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b>	<b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b>		



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

**TA 99/2016**

**Surendra Singh Saxena**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**The Commandant Rajput Regimental Centre,  
Fatehgarh & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.04.2019</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 Bachchan Singh, Ld. Counsel for the Petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>It appears that this T.A. was registered on the application for restoration of Miscellaneous Appeal No. 116 of 2006 (wrongly mentioned as 166 of 2006), <u>which was dismissed in default</u> on 07.12.2015. The restoration application has been allowed vide order dated 29.11.2018 restoring the appeal to its original number.</p> <p>Therefore, T.A. No. 99 of 2016 (execution application) is rendered as infructuous.</p> <p>Let the record of this T.A. No. 99 of 2016 be merged with T.A. No. 98 of 2016.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>JPT/GSR</p>

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

**T.A. No. 48 of 2017 alongwith**  
**TA 98/2016**

**Union of India & others**  
By Legal Practitioner for the Petitioner

**Appellant/Petitioners**

**Versus**

**Surendra Singh Saxena**  
By Legal Practitioner for Respondents

**Respondent**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.04.2019</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 Ashish Kumar Singh, Ld. Counsel for the Appellants/Petitioners and Shri Bachchan Singh, Ld. Counsel for the respondent.</p> <p>In this case learned counsel for the respondent has raised preliminary objection against the maintainability of this Miscellaneous Appeal. Learned counsel for respondents prays for and is granted time to file his reply to the said objection. No further time shall be granted for this purpose.</p> <p>By the next date learned counsel for the parties shall also file summary of the case including the case evidence produced and the decision given and other facts which are necessary for the just decision of the case.</p> <p>List this case on <b>24.05.2019</b> for orders alongwith T.A. No. 98 of 2016.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>JPT/GSR</p>