

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

Ex.A. No. 236 of 2018 Inre : O.A. No. 384 of 2018

Smt. Neelam Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This is an Application for execution of order dated 21.08.2018 passed by this Tribunal in O.A. No. 384 of 2018 whereby a direction was given to the respondents to decide the Appeal dated 13.02.2018 of the applicant by a speaking and reasoned order. Admittedly, the same has not yet been decided.</p> <p>On behalf of the respondents an explanation has been submitted that certain documents pertaining to the admission of the applicant's husband in the Hospital were required to produce by the applicant and in absence thereof no order can be passed on the Appeal of the applicant. We fail to understand that when the husband of the applicant has expired in a Road accident and the documents of Military Hospital must be available with the respondents then how the same are being demanded by the widow lady. Apart from it there is no prima facie evidence/letter in which any such requisition was sent to the applicant.</p> <p>In view of above, we direct the respondents to decide the appeal of the applicant dated 13.02.2018 immediately without any further delay by getting the documents from the Military Hospital and the same shall not be demanded from the applicant.</p> <p>List this case on 23.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

M.A. No. 1032 of 2017 Inre : O.A. No. (Nil) of 2017

Ravinder Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for time to file Supplementary Affidavit in support of his application for condonation of delay.</p> <p style="text-align: center;">List this case on 23.05.2019 before the Registrar Court for filing the Supplementary Affidavit by the Ld. Counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

M.A. No. 1826 of 2017 Inre : O.A. No. (Nil) of 2017

Rajesh Kumar Maurya
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Diwakar Singh, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">In this case the Ld. Counsel for the applicant has tried to explain the delay stating that the applicant's Appeal was allowed in the year 2017 by the Hon'ble High Court and the applicant was acquitted from the criminal case and thereafter he has come before this Tribunal, but, the copy of Annexure No. 1 shows that the applicant was not discharged on the ground of his involvement in any criminal case and he was discharged on the ground that 'his services were no longer required'.</p> <p style="text-align: center;">Ld. Counsel for the applicant could not furnish any explanation for the said discrepancy and he prays for time to file Supplementary Affidavit.</p> <p style="text-align: center;">List this case on 29.07.2019 before the Registrar Court for filing the Supplementary Affidavit by the Ld. Counsel for the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

M.A. No. 1254 of 2018 Inre : O.A. No. (Nil) of 2018

Mahipal Singh Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1254 of 2018</u></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 11 years, 11 months and 09 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 condoned.</p> <p style="text-align: center;">Admit.</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 28.05.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

M.A. No. 1618 Of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. (Hony. Nb. Sub.) Mijaji Lal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1618 of 2018</u></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 and 09 months 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 condoned.</p> <p style="text-align: center;">Admit.</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 27.05.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

M.A. No. 1806 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. (Hony. Nb. Sub.) Mool Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1806 of 2018</u></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, 10 months and 08 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 condoned.</p> <p style="text-align: center;">Admit.</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 27.05.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 55 of 2015 with M.A. No. 1286 of 2018

Jitendra Singh By Legal Practitioner for the Applicant	Applicant
Versus	
Air Officer Commanding 17 Wing Air Force Stn., Gorakhpur & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R.N. Tripathi, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant is trying to mislead the Tribunal by stating that he has amended the Original Application, while the amendment application has not yet been decided. Ld. Counsel for the applicant has mentioned the date of amendment on which he moved the application for amendment. Thus the prayer clause remain unamended.</p> <p style="text-align: center;">By means of this Original Application the applicant has prayed to cancel or postpone the discharge order and prohibiting the respondents from relieving the applicant from the duties. The applicant has already been discharged on 28.02.2015. Therefore, no cause of action survives and this Original Application has become infructuous.</p> <p style="text-align: center;">List this case on 03.07.2019 for orders.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice S.V.S. Rathore) Member (J)</td></tr></table> <p style="margin-top: 20px;">AKD/UKT/-</p>	(Air Marshal B.B.P. Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)
(Air Marshal B.B.P. Sinha) Member (A)	(Justice S.V.S. Rathore) Member (J)		

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

O.A. No. 37 of 2017 with M.A. No. 219 of 2019

Dharmenda Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 219 of 2019</u></p> <p style="text-align: center;">By means of this application the applicant has made a prayer to amend the prayer clause of the Original Application.</p> <p style="text-align: center;">With the consent of Ld. Counsel for the parties, the amendment application is allowed.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to incorporate the amendment within ten days.</p> <p style="text-align: center;">List this case on 22.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 118 of 2017

Smt. Rajwati Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard arguments.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 463 of 2018

Smt. Sepawali Ale
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Ld. Counsel for the respondents when the case is listed next.</p> <p>Present: Shri B.B. Tripathi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Perusal of record it transpires that the respondents have availed five dates for filing the Counter Affidavit, but, the same has not yet been filed. Today again Ld. Counsel for the respondents prays for time to file Counter Affidavit.</p> <p>In the interest of justice last opportunity is being granted to the Ld. Counsel for the respondents to file the Counter Affidavit subject to payment of cost of Rs.5,000/-, which shall be transmitted to the applicant. Payment of cost shall be a condition precedent to right to file the Counter Affidavit, failing which the opportunity to file the Counter Affidavit shall stand closed.</p> <p>List this case on 08.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 578 of 2018

Dinesh Chand Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shamshad Alam, 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 has filed compliance report which shows that the grievance of the applicant has been redressed by the respondents. A copy of the same has been provided to the Ld. Counsel for the applicant who prays for time to go through it and to file objection, if any.</p> <p style="text-align: center;">List this case on 15.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 603 of 2018

Maujgiri Goswami
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, 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 27.05.2019 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;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 85 of 2019 with M.A. No. 362 of 2019

Ex. Nb. Sub. Ram Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for time to file objection on the amendment application.</p> <p style="text-align: center;">List this case on 24.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 130 of 2015

Prashantha Kumar P.G.
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">Departmental Representative prays for adjournment on the ground of non-availability of arguing Counsel.</p> <p style="text-align: center;">Since the case pertains to the year 2015, list this case on 24.04.2019 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;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 322 of 2017

Bijendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard arguments.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 323 of 2017

Shishpal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard arguments.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 513 of 2017

Smt. Dharmsheela
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Virendra Singh, 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 12.07.2019 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;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 554 of 2017

Parasuram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, 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 prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 15.07.2019 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;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

O.A. No. 675 of 2017

Thiyam Tomba Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Gyan Singh Chauhan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Heard arguments.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

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

Nk. Gyaneshwar Prasad Pandey
By Legal Practitioner for the Appellant

Appellant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.P. Tripathi, Ld. Counsel for the appellant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">By means of this Original Application the appellant has challenged the punishment awarded by the S.G.C.M.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that the original documents pertaining to the case are not available today and prays for adjournment.</p> <p style="text-align: center;">List this case on 29.05.2019 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;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

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

Court No.1

Ex.A.No.43 of 2019
Inre O.A.No. 105 of 2017

Smt Poonam Shukla
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>15.04.2019</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;">Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p style="text-align: center;">Present: Shri Angrej Nath Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>Ex.A.No.43 of 2019</u></p> <p style="text-align: center;">This is an application for execution of the order dated 27.11.2018 passed in O.A.No.105 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to seek instructions and file compliance report.</p> <p style="text-align: center;">List this case on 10.07.2019 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

M.A.No. 361 of 2019 Inre O.A.No. 695 of 2017

Ex Rect Rajeev Kumar Singh
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>15.04.2019</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>Memo of appearance filed by Shri Shakti Vikram Srivastava, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri Shakti Vikram Srivastava, learned counsel for the respondents.</p> <p><u>M.A. No. 361 of 2019</u></p> <p>This application has been filed under section 31 of the Armed Forces Tribunal Act 2007 by the applicant for grant of leave to appeal against the judgment and order dated 26.03.2019 passed by this Court in O.A. No. 695 of 2017.</p> <p>We have gone through the grounds and reasons indicated in the affidavit filed in support of the application for grant of leave to appeal. The applicant has neither mentioned any question of law of general public importance involved in the case in his application nor he could point out any such question of law of general public importance during his submission. Hence we do not find any sufficient ground to grant leave to appeal.</p> <p>Accordingly, application for leave to appeal is rejected.</p> <p>(Air Marshal BBP Sinha) Member (A) PKG</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.No. 364 of 2019 Inre M.A.No.330 of 2019 with M.A.No.331 of 2019
Inre T.A.No. 83 of 2011

Jagdish Prasad Shukla & another
By Legal Practitioner for Petitioners

Petitioners

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Dr Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri VP Pandey, learned counsel for the petitioners and Dr Shailendra Sharma Atal , learned counsel for the respondents.</p> <p><u>M.A.No. 364 of 2019</u></p> <p>This is an application for correction of the order dated 05.04.2019 passed in the aforesaid T.A. whereby the prayer of the petitioners is that the name of the learned counsel for the petitioners be also mentioned in that order, but on the said date, the counsel for the petitioners was not present.</p> <p>Therefore, this application is rejected.</p> <p>(Air Marshal BBP Sinha) Member (A) PKG</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.No. 366 of 2019 Inre M.A.No.241 of 2019
Inre O.A.No. Nil of 2019

Ex L Nk (Opr) Dhirendra Kumar Singh
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>15.04.2019</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>Memo of appearance filed by Ms Amrita Chakraborty, Advocate on behalf of the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Manoj Kumar Singh, learned counsel for the applicant and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p><u>M.A.No. 366 of 2019</u></p> <p>This is an application for recall of the order dated 02.04.2019 passed in M.A.No. 241 of 2019 Inre O.A.No. Nil of 2019, dismissing M.A.No.241 of 2019 for non prosecution.</p> <p>The grounds shown in the application seem to be sufficient.</p> <p>Accordingly, the application is allowed the order dated 02.04.2019 is hereby recalled and the M.A.No.241 of 2019 is restored to its original number.</p> <p>List this case on 15.05.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A) PKG</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No. 163 of 2017
Inre O.A.No. 229 of 2014

Ramvir Singh
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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 PK Shukla, Advocate holding brief of Shri Rohit Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal , learned counsel for the respondents.</p> <p style="text-align: center;">On the last date, we have passed the following order: <u>"Ex.A. No. 163 of 2017</u></p> <p style="text-align: center;"><i>This is an application filed by the applicant for execution of order dated 11.01.2017 passed in O.A. No. 229 of 2014.</i></p> <p style="text-align: center;"><i>Till date no compliance report has been filed by the respondents and the status is same.</i></p> <p style="text-align: center;"><i>Learned counsel for the respondents submits that he is not aware as to when the Civil Appeal is likely to be listed alongwith stay application.</i></p> <p style="text-align: center;"><i>List this case on 15.04.2019 awaiting the outcome of the order of Hon'ble Apex Court."</i></p> <p>It is submitted on behalf of the respondents that the matter is still pending before the Hon'ble Apex Court and there is no stay order. Therefore, respondents are under legal obligation to comply with the order. This Ex. Application is pending since 2017.</p> <p>Respondents are further directed to ensure payment of cost imposed on earlier dates positively by the date fixed.</p> <p>List this case on 19.07.2019 for filing 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.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A) PKG</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p>

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

Court No.1

Ex.A.No. 208 of 2017
Inre T.A.No. 887 of 2010

Niranjan Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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;">None appears for the applicant.</p> <p style="text-align: center;">Present : Shri Rajiv Pandey , learned counsel for the respondents.</p> <p><u>Ex.A.No. 208 of 2017</u></p> <p style="text-align: center;">This is an application for execution of the order dated 06.07.2017 passed in T.A.No.887 of 2010.</p> <p style="text-align: center;">On behalf of the respondents, it is submitted that the PPO has been issued to the petitioner and he has also filed copy of the break down of the amount paid to the petitioner.</p> <p style="text-align: center;">Since the counsel for the petitioner is not present, hence in the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 29.04.2019 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. 158 of 2018
Inre O.A.No. 438 of 2017

Prakash Swarup
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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 Dr Shailendra Sharma Atal , learned counsel for the respondents.</p> <p><u>Ex.A.No. 158 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 06.12.2017 passed in O.A.No. 438 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents has given a copy of the PPO to the learned counsel for the applicant, who shall file objection, if any, on the PPO by the date fixed.</p> <p style="text-align: center;">List this case on 13.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A) PKG</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p>

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

Court No.1

Ex.A.No. 172 of 2018
Inre O.A.No. 667 of 2017

Smt Govind Devi wife of Late Hony Nb Sub Ram Asrey
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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 Dr Shailendra Sharma Atal , learned counsel for the respondents.</p> <p><u>Ex.A.No. 172 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. 667 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four 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. 173 of 2018
Inre O.A.No.632 of 2017

Ex Hav (Hony Nb Sub) Paras Nath Tiwari
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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 Rajiv Pandey , learned counsel for the respondents.</p> <p><u>Ex.A.No. 173 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. 632 of 2017.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four 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

M.A.No.1165 of 2018 Inre O.A.No. 275 of 2019

Mukesh Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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 Diwakar Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal , learned counsel for the respondents.</p> <p><u>M.A.No.1165 of 2018</u></p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>The grounds shown in the affidavit filed in support of the application seems to be sufficient.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Heard on the point of admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.No. 275 of 2019.</p> <p><u>O.A.No.275 of 2019</u></p> <p>By means of this O.A., the applicant has made the following prayers:</p> <p>“(a) <i>Issue a suitable order or direction calling for the records of the case and quash the impugned order dated 25.07.2017 passed by the respondent no. 4.</i></p> <p>(b) <i>Issue a suitable order or direction directing the respondent no. 2 to 4 to re-instatement the applicant in service during the pendency of criminal appeal filed by the applicant in Hon'ble High Court at Allahabad against the judgment and order dated 12.02.2017 So justice may be done.</i></p> <p>(c) <i>Issue any other and further order or direction, which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case.</i></p> <p>(d) <i>Award cost of this application in favour of the applicant.”</i></p> <p>The admitted facts of the case are that the applicant during his service in the Army, married with one Anju. The applicant was tried for the offence under Sections 498A, 304B, 201 IPC and 3/4 Dowry Prohibition Act by the Court of Ill Addl. District & Sessions Judge, Mathura and vide judgment and order dated 12.02.2007, he was convicted for the said offence. The applicant was discharged from service w.e.f. 12.02.2007. The applicant preferred Criminal Appeal</p>

No.1977 of 2007 before the Hon'ble High Court of Judicature at Allahabad and during pendency of the appeal, the applicant was granted bail by the Hon'ble High Court of Judicature vide order dated 28.01.2011.

It transpires from perusal of the order that during trial, the applicant was in judicial custody. Thereafter the applicant has moved representations for his reinstatement in service, which was rejected by the competent authority vide its order dated 25.07.2017 on the ground that only after his acquittal by the appellate court, his case for reinstatement can be considered and simply because that a person is granted bail in criminal appeal, it does not change the situation.

During the course of hearing, on the point of admission, we repeatedly asked the learned counsel for the applicant to show any rule, regulation or case law, wherein simply because of getting bail in criminal appeal to a person, it would stay his conviction and he shall be treated to have been acquitted or the conviction shall be treated as nonest, but the learned counsel for the applicant has utterly failed to satisfy us on this point. Since the applicant has only been granted bail in criminal appeal and his conviction has not been stayed by the appellate court, therefore, the position remains the same that the applicant is a convict for the offence of dowry death of his own wife and therefore, the order of rejection passed by the competent authority cannot be said to be illegal in any way and no question of adjudication arises at this moment.

Accordingly, this O.A. has no merit and is hereby dismissed *in limine*.

(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. 263 of 2019 Inre O.A. No. Nil of 2019

Nb Sub Dharmendra Kumar Upadhyay
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Shri Avadhesh Narain Tripathi, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the applicant and Shri Avadhesh Narain Tripathi, learned counsel for the respondents.</p> <p><u>M.A. No. 263 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for payment of amount of leave encashment. The applicant is getting his service pension. As per office report, it is delayed by 09 months & 23 days in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient, hence, we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit. Rejoinder affidavit, if any, to be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 21.05.2019 for orders before Registrar Court.</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>SB</p>

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

M.A. No. 268 of 2019 Inre O.A. No. Nil of 2019

Ex Gdsm Deepak Srivastava
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Shri Amit Jaiswal, 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: Col Y.R. Sharma (Retd), learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A. No. 268 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant by means of which the applicant has prayed to set aside his discharge order. As per office report, it is delayed by 04 years, 03 months & 28 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 23.05.2019 for orders before Registrar Court.</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>SB</p>

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

M.A. No. 269 of 2019 Inre O.A. No. Nil of 2019

Ex Hav Mahendra Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Shri Anurag Mishra, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>M.A. No. 269 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 01 year, 07 months & 09 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>Learned counsel for the respondents is also directed to file medical record of the applicant alongwith objection in order to avoid further delay in disposal of the case.</p> <p>List this case on 23.05.2019 for orders before Registrar Court.</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>SB</p>

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

M.A. No. 270 of 2019 Inre O.A. No. Nil of 2019

Ex Nb Sub Ayodhya Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><u>M.A. No. 270 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 11 years, 11 months & 10 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 23.05.2019 for orders before Registrar Court.</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>SB</p>

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

M.A. No. 274 of 2019 Inre O.A. No. Nil of 2019

Ex L Nk Konda Anja Goud
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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;">Memo of appearance filed by Shri Adesh Kumar Gupta, 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: center;">Present: Shri R. Chandra, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p><u>M.A. No. 274 of 2019</u></p> <p style="text-align: center;">This is an application for condonation of delay filed by the applicant for grant of service pension. As per office report, it is delayed by 18 years, 06 months & 04 days in filing the Original Application.</p> <p style="text-align: center;">In this case, the applicant was dismissed from service due to OSL. At the time of dismissal, he was about 05 months short of the service required to earn pension. Hence, he has preferred mercy petition dated 22.10.2017 before the respondents for grant of pension.</p> <p style="text-align: center;">The respondents are directed to seek instructions and inform the Court whether any decision has been taken on the said mercy petition of the applicant or not.</p> <p style="text-align: center;">List this case on 24.05.2019 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>SB</p>

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

M.A. No. 359 of 2019 Inre O.A. No. Nil of 2019

Ex AC Naresh Chandra Nigam
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><u>15.04.2019</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>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.</p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 359 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 36 years, 10 months & 20 days in filing the Original Application.</p> <p>It is submitted by learned counsel for the applicant that he does not intend to press this application for condonation of delay and prays for liberty to file afresh.</p> <p>Accordingly, this application of condonation of delay is hereby rejected with liberty to file a fresh application for condonation of delay.</p> <p>List this case on 13.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 360 of 2019 Inre O.A. No. Nil of 2019

Col Sanjeev Agnihotri
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Mohd Zafar Khan, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Gyanendra Kumar Pandey, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 360 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant by means of which the applicant has prayed for correct pay fixation. As per office report, it is delayed by 13 years, 09 months & 23 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 27.05.2019 for orders before Registrar Court.</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>SB</p>

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

M.A. No. 363 of 2019 Inre O.A. No. Nil of 2019

Ex Sgt Nandan Singh
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><u>15.04.2019</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>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 363 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by more than 6 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 21.05.2019 for orders before Registrar Court.</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>SB</p>

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

DY- No. 982 of 2019 Inre M.A. No. 1471 of 2017 Inre O.A. No. Nil of 2017

Ex Gnr Pawan Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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;">Memo of appearance filed by Dr. Gyan 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: center;">Present: Shri K.K.S. Bisht, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p><u>Dy- No. 982 of 2019</u></p> <p style="text-align: center;">As per office report, there is defect in filing original application and learned counsel for the applicant has not removed the defects as pointed out by the Registry.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks further time to remove the defects.</p> <p style="text-align: center;">List this case on 14.05.2019 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>SB</p>

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

EX.A. No. 42 of 2019 Inre O.A. No. 255 of 2018

L Nk Manoj Kumar Thakur
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2019</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>Memo of appearance filed by Shri D.K. 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: Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p><u>EX.A. No. 42 of 2019</u></p> <p>This is an application filed by the applicant for execution of order dated 25.10.2018 passed in O.A. No. 255 of 2018.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 09.07.2019 for filing compliance report by the respondents.</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>SB</p>