

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

M.A. No. 1591 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. (Sigmn) Sanjay 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>25.03.2019</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 Manoj Awasthi, Advocate holding brief of Shri Girish Tiwari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 03.05.2019 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. 1704 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. (Hony. Nb. Sub) Vishwanath Rai Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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 Manoj Awasthi, Advocate holding brief of Shri Girish Tiwari, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 03.05.2019 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. 2020 of 2018 with M.A. No. 2021 of 2018 Inre : M.A. No. 1524 of 2016

Sunil Dutt 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>25.03.2019</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, holding brief of Shri Ajit Singh Gaherwar, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 23.04.2019 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="font-size: small; margin-top: 10px;">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
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Hav. Ramashanker Choubey
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>25.03.2019</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 Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 02 of 2019</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 service pension, which is recurring cause of action. As per office report there is delay of 21 years, 02 months and 25 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 20.05.2019 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. 108 of 2019 Inre : O.A. No. 47 of 2016

Akhilesh 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>25.03.2019</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.K. Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 108 of 2019</u></p> <p style="text-align: center;">In this case the arguments were heard and Judgment was reserved on 22.01.2019, but, thereafter the Ld. Counsel for the applicant has moved Contempt Application under Section 340 of Cr.P.C.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that applicant has moved this Contempt Application on false grounds by making certain allegations against the officers.</p> <p style="text-align: center;">Ld. Counsel for the respondents is directed to file objection on this application.</p> <p style="text-align: center;">List this case on 30.04.2019 for orders.</p> <p style="text-align: center;">Copy of this order be provided to the Ld. Counsel for the respondents within two days.</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. 201 of 2019 with M.A. No. 202 of 2019 Inre : O.A. No. 160 of 2017

Ex. Rect. Tejbir 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>25.03.2019</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 Mohd. Zafar Khan, 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 R. Chandra, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 201 of 2019</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 09.07.2018, passed by this Court in O.A. No. 160 of 2017.</p> <p>This application has been filed by the applicant after a period of limitation. As per office report, there is delay of 06 months and 10 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal shall be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Apex Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC.</p> <p>In view of the decision of the Hon'ble Apex Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.</p> <p><u>M.A. No 202 of 2019</u></p> <p>This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the</p>

applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal, therefore, this application is also rejected.

Accordingly, application for leave to appeal is **rejected** on the ground of delay as well as on merits.

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

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

AKD/UKT/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1
O.A. No. 260 of 2018

Satendra 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>25.03.2019 <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On 21.01.2019 the Registrar had passed the following order :-</p> <p style="text-align: center;"><i>"This case has been admitted on 09.05.2018. Since then, respondents counsel seeks several opportunities to file counter affidavit. Today, once again, he seeks some more time to file aforesaid counter affidavit.</i></p> <p style="text-align: center;"><i>In such circumstances, four weeks' further time, as a last opportunity, is allowed for the said purpose.</i></p> <p style="text-align: center;"><i>Office is hereby directed to send a copy of this order to DJAG, Central Command, Lucknow for needful and necessary action."</i></p> <p>The Counter Affidavit has not been filed in this case since May 2018. On 05.03.2019 the Registrar has passed the following order :-</p> <p style="text-align: center;"><i>"This case is pending for counter affidavit since May 2018. Ld. Counsel appearing on behalf of the respondents submits that parawise comments still awaited.</i></p> <p style="text-align: center;"><i>Copy of order dated 21.01.2018 has also sent to the DJAG, Central Command, Lucknow for needful action.</i></p> <p style="text-align: center;"><i>In such circumstances, this case is sent to Hon'ble Bench for further orders on 25.03.2019.</i></p> <p style="text-align: center;"><i>Meanwhile, pleadings may be exchanged by the parties."</i></p> <p>Even today Counter Affidavit has not been filed by the respondents. Therefore, it is clear that the respondents are not interested in filing the Counter Affidavit and deliberately delaying the disposal of this case. Hence, we hereby close the opportunity to file the Counter Affidavit.</p> <p>List this case on 15.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>A copy of this order be sent to DJAG, Central Command, Lucknow for information and necessary action.</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. 484 of 2018 with M.A. No. 113 of 2019

Nb. Sub. Jagbhan Singh Tomar
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>25.03.2019</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 G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">On 05.03.2019 on behalf of the applicant the following statement was given before the Registrar Court :-</p> <p style="text-align: center;"><i>“Ld. Counsel appearing on behalf of the applicant submits that rejoinder affidavit is ready and the same shall be filed in the Registry during course of the day after serving a copy of the same on Ld. Counsel for the respondents. he also prays for that this case is sent to the Hon'ble Bench for orders.”</i></p> <p style="text-align: center;">Even then the applicant has not yet filed the Rejoinder Affidavit. Hence, we hereby close the opportunity to file Rejoinder Affidavit.</p> <p style="text-align: center;">List this case on 07.05.2019 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

R.A. No. 18 of 2019 with M.A. No. 196 of 2019 Inre : O.A. No. 314 of 2016

Ganga Ram Chaube
In Person.

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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;">Memo of appearance filed by Shri Bhanu Pratap Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Present: The Shri Ganga Ram Chaube, in person and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p><u>R.A. No. 18 of 2019 with M.A. No. 196 of 2019</u></p> <p style="text-align: center;">This is an Application for Review of order dated 08.02.2017 passed by this Tribunal in Original Application No. 314 of 2016. As per office report there is delay of 01Year, 11 Months and 07Days in filing the Review Application. Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 postulates that no application for review shall be entertained beyond the period of thirty days from the date of receipt of copy of the order sought to be reviewed. Admittedly, the Review Application has been filed beyond the period of thirty days, as such it is not entertainable.</p> <p style="text-align: center;">We have gone through the grounds indicated in the affidavit filed in support of application for condonation of delay. In our considered opinion the grounds urged in support of application do not appear to be germane, rather they are casual in nature and each day's delay has not been explained. The application for condonation of delay (M.A. No. 196 of 2019), therefore, has no force.</p> <p style="text-align: center;">The only submission of the applicant is that the applicant has given certain documents to his Counsel which were not produced by him before the Court during the course of hearing. Hence, this Tribunal has jurisdiction to review the order.</p> <p style="text-align: center;">We have also gone through the order sought to be reviewed. It is well settled proposition of law that the scope of review jurisdiction is very limited and re-hearing in the garb of review is not permissible. Hon'ble the Supreme Court in Para 9 of its judgment in the case of Parsion Devi and Others vs. Sumitri Devi and others reported in (1997) 8 Supreme Court</p>

Cases 715, has observed as under :-

“9. Under Order 47 Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power review under Order 47 Rule 1 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

The judgment and order sought to be reviewed has been passed in proper prospective after considering all the facts and circumstances of the case. No error apparent on the face of record has been shown so as to review the aforesaid judgment of this Court. In view of the principle of law laid down by Hon'ble the Apex Court in the case of Parsion Devi and Others (supra), we are of the considered view that there is no error apparent on the face of record in the impugned order dated 08.02.2017, which may be corrected in exercise of review jurisdiction

Accordingly, the application for condonation of delay (M.A. No. 196 of 2019) as well as Review Application No. 18 of 2019 are hereby **dismissed**.

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

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

AKD/UKT/-

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

T.A. No. 1065 of 2010 with M.A. No. 175 of 2019

R.N. Mishra 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><u>25.03.2019</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 Bhaskar Prasad Dubey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal , Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that he has received a copy of fresh amendment application today itself. He prays for time to go through it and file objection, if any.</p> <p style="text-align: center;">List this case on 24.04.2019 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: 10px;">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
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 45 of 2016

Yogesh Giri
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>25.03.2019</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 Yogesh Giri, the applicant in person and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The applicant prays for adjournment on the ground that his Counsel is ill. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 15.05.2019 for further hearing.</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. 2556 of 2016 Inre : O.A. No. (Nil) of 2016

Yogendra 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>25.03.2019</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 Dharam Raj Singh, Advocate holding brief of Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 16.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p 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. 82 of 2017

Md. Arshad
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>25.03.2019</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. Misra, 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 respondents prays for time to seek instruction from the authority concerned whether the dismissal order of the applicant has been passed and place the same before the Tribunal, which is necessary for perusal of the Bench.</p> <p style="text-align: center;">List this case on 07.05.2019 for hearing.</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. 563 of 2017

Ex. Rect. Sushant 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>25.03.2019</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 Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for time to seek instruction from the authority concerned whether the applicant has been dismissed from service and also to seek instruction whether any Army Order is available whereby a recruit can be dismissed merely on the ground of absence for thirty days during training.</p> <p style="text-align: center;">List this case on 07.05.2019 for hearing.</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. 71 of 2018

Rakesh Kumar 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>25.03.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Heard arguments. 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. 205 of 2018

Kasivisweswara Rao J.
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>25.03.2019</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.), Shri Shyam Sunder Bajpai and Shri Dharmraj Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case perusal of original record is necessary. Therefore, Ld. Counsel for the respondents is directed to produce the original record pertaining to the case along with the Policy letter on difference of opinion between Initiating Officer and Reviewing Officer, on the date fixed.</p> <p style="text-align: center;">List this case on 08.05.2019 for hearing.</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. 87 of 2018

Yadav Ajay Kumar Banwari
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>25.03.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Pankaj Kumar Shukla, Advocate holding brief of Maj. R.D. Singh (Retd.), Ld. Counsel for the appellant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 23.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p 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.95 of 2018
Inre O.A.No. 143 of 2015

Shaikh Ibrahim
By Legal Practitioner for Applicant

Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u> Present: Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On the last date, we have passed the following order:</p> <p><u>"Ex.A.No.95 of 2018</u></p> <p><i>This is an application for execution of the order dated 18.12.2017 passed in O.A.No. 143 of 2015.</i></p> <p><i>On the last date, we have passed the following order :</i></p> <p><i>"On the last date, learned counsel for the respondents was granted two weeks' further time to file compliance report.</i></p> <p><i>Today again learned counsel for the respondents prays for further time to file compliance report. Four weeks' further time is granted to the learned counsel for the respondents for filing compliance report, failing which respondents will have to deposit cost of Rs.5000/- in the Registry, which shall be paid to the applicant through cheque.</i></p> <p><i>List this case on 23.01.2019 for orders."</i></p> <p><i>Today we are at the same stage. The order has not yet been complied with and a very lame excuse has been raised on behalf of the respondents that the application for grant of leave to appeal was dismissed on 07.01.2019, but this by itself is no ground to extend the period of execution provided in the order.</i></p> <p><i>Learned counsel for the respondents submits that cost of Rs.5000/- shall be deposited within one week. Further six weeks' time is prayed for and is granted to file compliance report.</i></p> <p><i>List this case on 25.03.2019 for filing compliance report, failing which the respondents will have to deposit cost of Rs.15,000/- in the Registry, which shall be paid to the applicant through cheque."</i></p> <p>Today again, adjournment has been prayed by the learned counsel for the respondents. However, cost of Rs.5000/- has been deposited in the Registry. Learned counsel for the respondents undertakes to deposit cost of Rs.15,000/- in the Registry positively by the next date fixed, which shall be paid to the applicant through cheque.</p> <p>List this case on 21.05.2019 for filing compliance report, failing which the respondents will have to deposit a cost of Rs.25,000/- in the Registry, which shall be paid to the applicant through cheque.</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.118 of 2018
Inre O.A.No. 302 of 2011

Brijendra Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>Ex.A.No. 118 of 2018</u></p> <p>This is an application for execution of the order dated 04.12.2017 passed in O.A.No. 302 of 2011.</p> <p>Learned counsel for the respondents has informed the Tribunal that the respondents has preferred SLP before the Hon'ble Apex Court and the same has been dismissed on 25th January 2019. Copy of the order has also been produced before us for perusal.</p> <p>He prays for and is granted four weeks' time to file compliance report.</p> <p>List this case on 25.05.2019 for orders.</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

Ex.A.No. 216 of 2018
Inre O.A.No. 189 of 2017

Smt Pushpa Devi
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>25.03.2019</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 KK Misra, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p><u>Ex.A.No. 216 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 25.05.2018 passed in O.A.No. 189 of 2017.</p> <p style="text-align: center;">It is informed on behalf of the respondents that the requisite sanction for grant of pension has been accorded by the Government and the PPO shall be issued within a short period. It is also submitted that in pursuance of the order under execution, RSMB has been conducted on 02nd March 2019.</p> <p style="text-align: center;">List this case on 08.05.2019 for orders.</p> <p style="text-align: center;">On the said date, the respondents shall file the outcome of the RSMB.</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.232 of 2018 with M.A.No. 266 of 2019
Inre O.A.No. 584 of 2017

Ex Hav (Hony Nb Sub) Radhey Shyam Pandey
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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: Ms Kavita Belaura, learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p><u>Ex.A.No. 232 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 15.05.2018 passed in O.A.No.584 of 2017.</p> <p style="text-align: center;">Learned counsel for the applicant submits that the addresses of respondent nos.5 and 6 have been changed and she prays for and is granted two weeks' time to amend the addresses of the respondent nos.5 and 6 in the O.A.</p> <p style="text-align: center;">List this case on 01.05.2019 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>PKG</p>

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

Ex.A.No.15 of 2019
Inre O.A.No. 341 of 2018

Ex Rfn Sunil 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>25.03.2019</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 KKS Bisht, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p><u>Ex.A.No. 15 of 2019</u></p> <p style="text-align: center;">This is an application for execution of the order dated 02.08.2018 passed in O.A.No. 341 of 2018.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the Government has accorded requisite sanction on 06th February 2019 and the PPO shall be issued within a short period.</p> <p style="text-align: center;">List this case on 25.05.2019 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. 906 of 2018
Inre O.A.No. Nil of 2018

Bhagwan Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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 Vinay Pandey, learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p><u>M.A.No. 906 of 2018</u></p> <p style="text-align: center;">By means of this O.A., the applicant has made prayer for grant of arrears of difference in pension, which is a recurring cause of action.</p> <p style="text-align: center;">Objection and reply to the said objection have already been exchanged</p> <p style="text-align: center;">Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p style="text-align: center;">Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List this case on 22.05.2019 for exchange of pleadings before the 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>PKG</p>

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

M.A.No. 1265 of 2018
Inre O.A.No. Nil of 2018

Om Prakash Katiyar
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>25.03.2019</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 JN Mishra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>M.A.No. 1265 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of revised pension alongwith arrears on the pay scale of regular Hony Naib Subedar, which is a recurring cause of action.</p> <p>Objection and reply to the said objection have already been exchanged</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 13.05.2019 for exchange of pleadings before the 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>PKG</p>

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

M.A.No. 1457 of 2018
Inre O.A.No. Nil of 2018

Hony Nb Sub Anil Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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 VP Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><u>M.A.No. 1457 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of pension of Hony Naib Subedar, which is a recurring cause of action.</p> <p>Objection and reply to the said objection have already been exchanged</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 13.05.2019 for exchange of pleadings before the 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>PKG</p>

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

M.A. No. 279 of 2019 Inre O.A. No. Nil of 2019

Hony Nb Sub Harish Chandra Joshi
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>25.03.2019</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 Ashish Kumar 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: Ms. Kavita Belaura, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 279 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 17 years in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>List this case on 29.03.2019 for hearing.</p> <p>Learned counsel for the respondents is directed to seek instructions and produce original documents including medical papers for perusal of the Bench, on the date fixed.</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. 280 of 2019 Inre O.A. No. Nil of 2019

Maj Mohammed Irfan
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>25.03.2019</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 Shailendra Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 280 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of ante date seniority of commission. As per office report, it is delayed by 07 years, 01 month & 03 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within a week' thereafter.</p> <p>List this case on 24.04.2019 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

Ex-A No. 36 of 2019 Inre O.A. No. 255 of 2016

Ex Nb Sub Brij Kishor Dwivedi
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>25.03.2019</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 V.P.S. Vats, 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 V.P.S. Vats, learned counsel for the respondents.</p> <p><u>Ex.A. No. 36 of 2019</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 02.02.2018 passed in O.A. No. 255 of 2016.</p> <p style="text-align: center;">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 style="text-align: center;">List this case on 26.04.2019 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>SB</p>

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

Ex-A No. 37 of 2019 Inre O.A. No. 266 of 2012

Ptr Shubhash Chand

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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 G.S. Sikarwar, 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 Shailendra Kumar Singh, learned counsel for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents.</p> <p><u>Ex.A. No. 37 of 2019</u></p> <p>This is an application filed by the applicant for execution of order dated 28.08.2018 passed in O.A. No. 266 of 2012.</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 29.04.2019 for filing compliance report.</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

Ex-A No. 101 of 2017 with M.A. No. 16 of 2018
Inre Ex.A. No. 40 of 2013 & O.A. No. 332 of 2012

Ram Sajiwan Pandey
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>25.03.2019</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 Shyam Bihari Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, assisted by Shri R.K. Tiwari, Assistant Account Officer, PCDA (P) Allahabad.</p> <p><u>Ex.A. No. 101 of 2017</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 24.08.2012 passed in O.A. No. 332 of 2012.</p> <p style="text-align: center;">It is submitted by the representative of the PCDA (P) Allahabad that in case the consolidation is permitted as per the Government Order, Note 1, the total pension being received by the applicant at present, shall be reduced.</p> <p style="text-align: center;">Learned counsel for the applicant is given an opportunity to file an undertaking whether he undertakes to accept the reduced pension in case his prayer is acceded by this Tribunal. Learned counsel for the applicant prays for time to seek instructions from his client on this point.</p> <p style="text-align: center;">List this case on 23.05.2019 for orders.</p> <p style="text-align: center;">On the date fixed, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad shall also remain present to assist the Tribunal.</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. 122 of 2017 with M.A. No. 716 of 2018
Ex.A. No. 92 of 2013 Inre O.A. No. 333 of 2012

Ram Ashre 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>25.03.2019</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 Shyam Bihari Tiwari, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents, assisted by Shri R.K. Tiwari, Assistant Account Officer, PCDA (P) Allahabad.</p> <p><u>Ex.A. No. 122 of 2017</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 24.08.2012 passed in O.A. No. 333 of 2012.</p> <p style="text-align: center;">It is submitted by the representative of the PCDA (P) Allahabad that in case the consolidation is permitted as per the Government Order, Note 1, the total pension being received by the applicant at present, shall be reduced.</p> <p style="text-align: center;">Learned counsel for the applicant is given an opportunity to file an undertaking whether he undertakes to accept the reduced pension in case his prayer is acceded by this Tribunal. Learned counsel for the applicant prays for time to seek instructions from his client on this point.</p> <p style="text-align: center;">List this case on 23.05.2019 for orders.</p> <p style="text-align: center;">On the date fixed, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad shall also remain present to assist the Tribunal.</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. 136 of 2017 Inre O.A. No. 264 of 2014

Col Mahesh 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>25.03.2019</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: Col Y.R. Sharma (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>Ex.A. No. 136 of 2017</u></p> <p style="text-align: center;">It is submitted on behalf of the respondents that order under execution has been stayed by the Hon'ble Apex Court.</p> <p style="text-align: center;">List this case on 30.05.2019 awaiting the outcome of the order of Hon'ble Apex 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

Ex-A No. 209 of 2017 Inre T.A. No. 888 of 2010

Ranbir Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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 Yashpal Singh, learned counsel for the petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>Ex.A. No. 209 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 04.07.2017 passed in T.A. No. 888 of 2010.</p> <p>Learned counsel for the respondents prays for and is granted four weeks further time to file break-up of the amount, the petitioner has received.</p> <p>List this case on 10.04.2019 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

Ex-A No. 68 of 2018 Inre T.A. No. 528 of 2010

Laxmi Prasad

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.03.2019</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>Vakalatnama filed by Shri Ashish Saxena on behalf of the bank concerned is taken on record.</p> <p>Present: Shri Vikas Kumar Agrawal, learned counsel for the petitioner and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>Ex.A. No. 68 of 2018</u></p> <p>This is an application filed by the petitioner for execution of order dated 29.08.2017 passed in T.A. No. 528 of 2010.</p> <p>Learned counsel for the Bank has produced before us a letter dated 16.03.2019 wherein it is submitted that the petitioner has been paid excess amount of Rs. 4,21,686/-. He is directed to give copy of the letter to learned counsel for the petitioner, who may file his objection, if any.</p> <p>List this case on 13.05.2019 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>

