

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

M.A. No. 343 of 2019 Inre O.A. No. Nil of 2019

Sub Birendra Singh (Retd)
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>10.04.2019</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. 343 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 2 ½ 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

M.A. No. 344 of 2019 Inre O.A. No. Nil of 2019

Ex Hav Raj Bahadur 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>10.04.2019</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 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>Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p><u>M.A. No. 344 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 9 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

M.A. No. 345 of 2019 Inre O.A. No. Nil of 2019

Ex Sep Liladhar Nyoliya
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>10.04.2019</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 Yogesh Kesarwani, 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 Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 345 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant by means of which he has challenged punishment awarded to him by SCM. As per office report, it is delayed by more than 37 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 02.07.2019 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>

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

EX.A. No. 40 of 2019 Inre O.A. No. 186 of 2017

Kamlesh Singh 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>10.04.2019</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 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 style="text-align: center;">Present: Shri Yashpal Singh, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>EX.A. No. 40 of 2019</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 26.07.2018 passed in O.A. No. 186 of 2017.</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 29.05.2019 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>

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

M.A. No. 347 of 2019 with M.A. No. 348 of 2019 Inre O.A. No. 259 of 2018

Ex Gdsm Chintamani
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>10.04.2019</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. Gyan Singh, Advocate on behalf of respondents is taken on record.</p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 347 of 2019</u></p> <p>This is an application for condonation of delay in moving the application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 17.12.2018, passed by this Court in O.A. No. 259 of 2018. As per office report, there is delay of 02 months & 21 days in filing the application for leave to appeal.</p> <p style="text-align: center;"><u>M.A. No. 348 of 2019</u></p> <p>This application has been filed by the applicant after expiry of the period of limitation. Learned counsel for the applicant has only argued that this application for leave to appeal is delayed and no question of law of general public importance involved could be brought to our notice.</p> <p>Apart from it, Review Application filed against the said order has also been dismissed vide order dated 23.01.2019.</p> <p>Accordingly, application for leave to appeal is rejected on the ground of delay as well as on merits.</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>

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

EX.A. No. 24 of 2017 Inre T.A. No. 93 of 2010

Prayag Singh Parihar
By Legal Practitioner for the Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 Pankaj Kumar Shukla, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Lt Cdr Seema Chaudhary, Departmental Representative of Navy.</p> <p><u>Ex. A.No. 24 of 2017</u></p> <p>This is an application for execution of the order dated 06.04.2016 passed in T.A. No. 93 of 2010.</p> <p>In this case, learned counsel for the petitioner submits that order under execution has been complied with, however, he informed the Court that cost imposed vide order dated 14.12.2018 has not yet been paid.</p> <p>Departmental Representative submits that she shall deposit the cost in the Registry by the date fixed which shall be paid to the petitioner through cheque.</p> <p>List this case on 05.07.2019 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>

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Court No.1

EX.A. No. 112 of 2017 Inre T.A. No. 1000 of 2010

Smt Kalawati Devi
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>10.04.2019</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 Sarvesh Kumar Pandey, learned counsel for the petitioner and Shri D.K. Pandey, learned counsel for the respondents.</p> <p><u>Ex. A.No. 112 of 2017</u></p> <p>This is an application for execution of the order dated 09.02.2017 passed in T.A.No. 1000 of 2010.</p> <p>Learned counsel for the respondents submits that they shall write to PAO for ensuring compliance of the order and they shall file calculation memo as prayed by learned counsel for the petitioner.</p> <p>List this case on 27.05.2019 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>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No. 138 of 2017 with M.A.No.179 of 2019
Inre T.A.No.83 of 2012

Jyoti Prakash Pandey
By Legal Practitioner for Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 BN Choubey, learned counsel for the petitioner and Ms Anju Singh, learned counsel for the respondents alongwith Lt Cdr Chinmay Sharma, Departmental Representative.</p> <p><u>Ex.A.No. 138 of 2017</u></p> <p>This is an application for execution of the order dated 21.02.2017 passed in T.A.No.83 of 2012.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file reply to the objection filed by the petitioner.</p> <p>List this case on 05.07.2019 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. 209 of 2017
Inre T.A.No. 888 of 2010

Ranbir Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 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 style="text-align: center;">This is an application for execution of the order dated 04.07.2017 passed in T.A.No.888 of 2010.</p> <p style="text-align: center;">Learned counsel for the respondents submits that he shall file details of the payment made to the petitioner within a short time.</p> <p style="text-align: center;">List this case on 18.04.2019 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>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A.No.26 of 2018
Inre T.A.No. 178 of 2009

Sriram Pandey
By Legal Practitioner for Petitioner

Petitioner

Versus

Defence Secretary, Ministry of Defence, Govt. of India
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 Yashpal Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents alongwith Lt Cdr Seema Chaudhary, Departmental Representative.</p> <p style="text-align: center;">.</p> <p><u>Ex. A.No. 26 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 27.07.2017 passed in T.A.No.178 of 2009.</p> <p style="text-align: center;">It is submitted by the Departmental Representative that the order under execution has been complied with. However, report of the RSMB has not been provided to the petitioner.</p> <p style="text-align: center;">Learned counsel for the respondents is directed to provide copy of the PPO and report of the RSMB to the learned counsel for the petitioner, who may file objection, if any, on the PPO within four weeks.</p> <p style="text-align: center;">List this case on 05.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

Ex.A.No. 29 of 2018
Inre T.A.No. 837 of 2010

Dinesh Singh Kushwaha
By Legal Practitioner for Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 R Chandra, learned counsel for the petitioner and Shri Mohd Zafar Khan, learned counsel for the respondents alongwith Lt Cdr Seema Chaudhary, Departmental Representative.</p> <p><u>Ex. A.No. 29 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 01.10.2015 passed in T.A.No.837 of 2010.</p> <p style="text-align: center;">Vide the aforesaid order under execution, disability pension @ 30% for two years was sanctioned to the petitioner. PPO has been issued to the petitioner, whereby only disability element has been sanctioned. There is no mention of the service element in the said PPO.</p> <p style="text-align: center;">Departmental Representative submits that the order was only for payment of disability pension, but her submission is totally incorrect, because vide the order under execution, disability pension was granted, which includes disability element and service element.</p> <p style="text-align: center;">Departmental Representative is hereby directed to furnish explanation as to why PPO with regard to service element of the petitioner has not yet been issued, while the order has been passed way back in 2015.</p> <p style="text-align: center;">List this case on 05.07.2019 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. 49 of 2018
Inre M.A.No. 1657 of 2017

Aftab Alam
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 VP Pandey, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents alongwith Lt Cdr Seema Chaudhary, Departmental Representative and Anil Gopay, Senior Auditor, Area Accounts Office (Navy), Visakhapatnam.</p> <p><u>Ex. A.No. 49 of 2018</u></p> <p>This is an application for execution of the order dated 03.10.2017 passed in M.A.No.1657 of 2017 (O.A.No.Nil of 2017).</p> <p>By the aforesaid order, the only direction was given to the applicant to approach the respondents alongwith copy of this order and the respondents were directed to entertain the claim of the applicant dated 13.10.2015 in terms of rules and regulations within four months.</p> <p>Departmental Representative submits that letter dated 26th November 2018 has been written by Integrated HQ, MoD (Navy), New Delhi to the PCDA (Navy), Mumbai for execution of the order and also for payment of cost of Rs.20,000/- imposed by this Tribunal vide order dated 15.11.2018.</p> <p>Learned counsel for the applicant submits that the cost imposed vide order dated 15.11.2018 has not yet been paid to the applicant.</p> <p>Learned counsel for the respondents is directed to provide a copy of the letter dated 26th Nov 2016 to the learned counsel for the applicant during the course of the day.</p> <p style="text-align: center;">List this case on 05.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

Ex.A.No. 107 of 2018
Inre O.A.No. 100 of 2011

Ajay Kumar Yadav
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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 R Chandra, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Lt Cdr Seema Chaudhary, Departmental Representative.</p> <p style="text-align: center;">In this case, learned counsel for the respondents submits that the order under execution has been complied with and the PPO has been issued. He undertakes to provide copy of the PPO to the applicant during the course of the day, who may file objection, if any, on the PPO by the date fixed.</p> <p style="text-align: center;">List this case on 05.07.2019 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.126 of 2018
Inre O.A.No. 13 of 2016

Akash 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>10.04.2019</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 Amit Jaiswal, learned counsel for the respondents.</p> <p style="text-align: center;"><u>Ex.A.No. 126 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 08.11.2017 passed in O.A.No. 13 of 2016.</p> <p style="text-align: center;">In this case, learned counsel for the respondents submits that the order under execution has been complied with and the PPO has been issued. He undertakes to provide copy of the PPO to the applicant during the course of the day, who may file objection, if any, on the PPO by the date fixed.</p> <p style="text-align: center;">Learned counsel for the applicant submits that the cost of Rs.10,000/- imposed vide order dated 06.12.2018 has not yet been paid to the applicant.</p> <p style="text-align: center;">List this case on 15.05.2019 for orders.</p> <p style="text-align: center;">Before the date fixed, the cost shall be paid 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>PKG</p>

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

Court No.1

Ex.A.No.184 of 2018
Inre O.A.No. 275 of 2014

Darshan Kumar Sharma
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	<p style="text-align: center;">Orders of the Tribunal</p>
	<p><u>10.04.2019</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 Yashpal Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Lt Cdr Seema Chaudhary, Departmental Representative.</p> <p style="text-align: center;"><u>Ex.A.No. 184 of 2018</u></p> <p>This is an application for execution of the order dated 27.04.2018 passed in O.A.No. 275 of 2014.</p> <p>On 12.02.2019 a stand has been taken by the Departmental Representative that the matter is lying pending with the MoD for preparing the SLP against the order under execution, but today they are on the same stand. The matter relates to payment of disability pension and the order has yet not been complied with.</p> <p>Admittedly, neither the SLP has been filed before the Hon'ble Apex Court, nor any stay order has been procured nor any notice has been issued. Thus, virtually no compliance has been made by the respondents.</p> <p>Departmental Representative is directed to produce the stay order passed by the Hon'ble Apex Court in SLP filed against the order under execution or the compliance report, failing which they will 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;">List this case on 05.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Diary No. 183 of 2019 Inre : O.A. No. (Nil) of 2019

Vishal
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>10.04.2019</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;">This case was taken up in the revised list.</p> <p style="text-align: center;">Memo of appearance filed by Dr. Shailendra Sharma Atal, 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 style="text-align: center;">Present: Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">None is present on behalf of the applicant.</p> <p style="text-align: center;">It transpires from record that several major defects have been pointed out by the Registry. Neither the defects have been removed nor the applicant or his Counsel is present today.</p> <p style="text-align: center;">List this case on 24.04.2019 for orders.</p> <p style="text-align: center;">Meanwhile defects may be removed 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. 201 of 2018 Inre : O.A. No. (Nil) of 2018

Sandeep 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>10.04.2019</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 Pratyush Chaube, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 201 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 maintenance allowance, which is recurring cause of action. As per office report there is delay of 01 month 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 30.07.2019 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 style="text-align: left;">AKD/UKT/-</p>

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

M.A. No. 1750 of 2018 Inre : O.A. No. (Nil) of 2018

Hav. Abhijit Das

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>10.04.2019</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 Rajeev Narayan Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1750 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 promotion, which is recurring cause of action. As per office report there is delay of 04 months and 29 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 25.05.2019 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 style="text-align: left;">AKD/UKT/-</p>

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

M.A. No. 2043 of 2018 with M.A. No. 2044 of 2018 Inre : O.A. No. 183 of 2010

Ex. MA-II Satish 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>10.04.2019</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 Amit Jaiswal, Ld. Counsel for the respondents. Shri Parijaat Belaura, Advocate appears and submits that he shall file his Power on behalf of the applicant and prays for adjournment. Accordingly, the case is adjourned. List this case on 05.07.2019 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. 246 of 2017

Smt. Anuradha Tewari
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>10.04.2019</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Departmental Representative of Navy Lt. Cdr. Chinmay Sharma is also present.</p> <p style="text-align: center;">Ld. Counsel for the applicant has already availed eight dates but has not yet filed the Rejoinder Affidavit. Even today Rejoinder Affidavit is not prepared and Ld. Counsel for the applicant prays for further time to file Rejoinder Affidavit.</p> <p style="text-align: center;">We don't find any justification to grant further time to file Rejoinder Affidavit. Hence, opportunity to file the Rejoinder Affidavit is hereby closed.</p> <p style="text-align: center;">List this case on 05.07.2019 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. 635 of 2017

Brij Behari 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>10.04.2019</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 Amit Pandey, Advocate holding brief of Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the Ld. Counsel for the applicant submits that the applicant has expired and prays for time to move Substitution Application of legal heirs of the applicant.</p> <p>List this case on 16.07.2019 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. 332 of 2018

Smt. Rita Rani
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>10.04.2019</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: Dr. Ashish Asthana, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>In this case pleadings are complete and the case is ripe for hearing.</p> <p>As requested by the Ld. Counsel for the applicant, list this case on 30.04.2019 at Circuit Bench, Nainital 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. 399 of 2018

Shiv Kumar 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>10.04.2019</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: Col. Rakesh Johri (Retd.) and Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>In this case pleadings are complete and the case is ripe for hearing.</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. 538 of 2018

Hav. Avtar 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>10.04.2019</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: Dr. Ashish Asthana, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">As requested by the Ld. Counsel for the applicant, list this case on 01.05.2019 at Circuit Bench, Nainital 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 style="text-align: left;">AKD/UKT/-</p>

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

O.A. No. 257 of 2016

Smt. Bittan Devi

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2019</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.K. Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, 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. 318 of 2017 along with T.A. No. 330 of 2010 (Decided)

Jag Mohan Sharma
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>10.04.2019</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: Rakesh Kumar, Advocate holding brief of Shri Dharmesh Sinha, 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.</p> <p style="text-align: center;">The case is pending since long, therefore, we hereby direct that no further adjournment shall be granted on the next date fixed.</p> <p style="text-align: center;">List this case on 09.05.2019 for hearing along with the records of T.A. No. 330 of 2010 (decided).</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. 401 of 2017

Ranjay 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>10.04.2019</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 Sumil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant has filed Supplementary Affidavit along with his Written Submission, which are taken on record. The copies of the same have been provided to the Ld. Counsel for the respondents, who prays for time to go through it and to file reply.</p> <p style="text-align: center;">List this case on 16.05.2019 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. 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>10.04.2019</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 Pradip Kumar Kovid, Advocate holding brief of 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;">Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment on the ground of non-availability of arguing Counsel.</p> <p style="text-align: center;">List this case on 15.04.2019 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. 511 of 2018

Smt. Prabhawati

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>10.04.2019</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 Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for adjournment.</p> <p style="text-align: center;">Very short issue is involved in this case, hence, case is adjourned with the direction that no further adjournment shall be entertained on the next date fixed.</p> <p style="text-align: center;">List this case on 23.04.2019 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

T.A. No. 39 of 2017

Govind Singh Negi
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>10.04.2019</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>Case was taken up in the revised list. Present: Shri V.P.S. Vats, Ld. Counsel for the respondents. None is present on behalf of the petitioner.</p> <p>The perusal of order-sheet dated 04.02.2019 shows that the petitioner is not taking interest in filing the Rejoinder Affidavit and his opportunity to file the Rejoinder Affidavit has already been closed. The petitioner is on Bail. Thereafter, the petitioner is not appearing and delaying the disposal of case and enjoying the liberty of Bail.</p> <p>In the interest of justice, we hereby adjourn the case for 12.07.2019 for hearing with the direction that no further adjournment shall be granted to the petitioner.</p> <p>In case any adjournment is prayed on the next date fixed for any delay tactic by the petitioner or his Counsel, then the same shall be treated as abuse of liberty of Bail and order shall be passed according to law.</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>