

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

**EX.A. No. 202 of 2018 Inre O.A. No. 314 of 2018**

**Krishna Bihari Mishra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: Shri Arun Kumar, learned counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><b><u>Ex.A. No. 202 of 2018</u></b></p> <p>This is an application filed by the applicant for execution of order dated 12.07.2018 passed in O.A. No. 314 of 2018.</p> <p>On behalf of the respondents, it is submitted that for the disposal of mercy petition of the applicant, competent authority has called for comments of the PCDA. The moments comments are received, mercy petition shall be disposed of in accordance with law.</p> <p>The cost, imposed by us on the last date has not been paid by the respondents. The respondents are directed to ensure payment of cost in the Registry by the date fixed, which shall be paid to the applicant through cheque.</p> <p>List this case on <b>07.03.2019</b> for filing compliance report by the respondents, failing which they will have to pay additional cost of Rs. 10,000/-, to be deposited in the Registry, which shall be paid to the applicant.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 59 of 2019 with M.A. No. 60 of 2019 Inre M.A. No. 506 of 2018**  
**Inre O.A. No. Nil of 2018**

**Ex Rfn Sudheer Negi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of respondents is taken on record.</p> <p>Present: Dr. Ashish Asthana, Advocate holding brief of Shri Lalit Kumar, learned counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><b><u>M.A. No. 59 of 2019</u></b></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 31.07.2018, passed by this Court in M.A. No. 506 of 2018 Inre O.A. No. Nil of 2018. As per office report, there is delay of 04 months and 09 days in filing the application for leave to appeal.</p> <p style="text-align: center;"><b><u>M.A. No. 60 of 2019</u></b></p> <p>This application for leave to appeal 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>Accordingly, application for leave to appeal is <b>rejected</b> on the ground of delay as well as on merits.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 64 of 2019 with M.A. No. 65 of 2019 Inre O.A. No. 68 of 2017**

**Ex Sep Bhim Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Memo of appearance filed by Shri R.C. Shukla, Advocate on behalf of respondents is taken on record.</p> <p>Present: Dr. Ashish Asthana, Advocate holding brief of Shri Lalit Kumar, learned counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><b><u>M.A. No. 64 of 2019</u></b></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 03.07.2018, passed by this Court in O.A. No. 68 of 2017. As per office report, there is delay of 05 months and 08 days in filing the application for leave to appeal.</p> <p style="text-align: center;"><b><u>M.A. No. 65 of 2019</u></b></p> <p>This application for leave to appeal 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>Accordingly, application for leave to appeal is <b>rejected</b> on the ground of delay as well as on merits.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 69 of 2019 Inre O.A. No. 268 of 2016**

**Ex Sep Vinod Kumar**

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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri R. Chandra, learned counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><b><u>M.A. No. 69 of 2019</u></b></p> <p style="text-align: center;">This is an application for recall of order dated 07.01.2019 by means of which O.A. No. 268 of 2016 was dismissed for want of prosecution.</p> <p style="text-align: center;">The grounds shown in the affidavit filed in support of the recall application seem to be sufficient.</p> <p style="text-align: center;">Accordingly, the application is allowed and the order dated 07.01.2019 is hereby recalled, subject to payment of cost of Rs. 1000/- to be deposited in AFT Bar Association, Lucknow within a week from today.</p> <p style="text-align: center;">Subject to deposit of cost, the case shall be restored to its original number.</p> <p style="text-align: center;">List this case on <b>11.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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**Court No.1**

**EX.A. No. 196 of 2017 Inre T.A. No. 1207 of 2010**

**Smt Vimla 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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 196 of 2017</u></b></p> <p style="text-align: center;">This is an application filed by the petitioner for execution of order dated 25.05.2017 passed in T.A. No. 1207 of 2010.</p> <p style="text-align: center;">On behalf of the respondents, it is submitted that compliance report has not been filed but cost imposed vide order dated 06.12.2018 has been deposited in the Registry.</p> <p style="text-align: center;">Today again adjournment is prayed on behalf of the respondents submitting that instructions have been received for filing fresh Review Application in this case. It is absolutely no ground for non compliance of the order under execution.</p> <p style="text-align: center;">List this case on <b>19.02.2019</b> for filing compliance report by the respondents, failing which they will have to pay additional cost of Rs. 30,000/-, to be deposited in the Registry, which shall be paid to the applicant. The respondents are at liberty to recover the cost from the erring officer who is responsible for delay in compliance of the order under execution.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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**Court No.1**

**EX.A. No. 10 of 2018 with M.A. No. 29 & 30 of 2019, & M.A. No. 1917 of 2018 Inre**  
**T.A. No. 41 of 2012**

**Smt Indra Kumari Gurung**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col R.C. Dixit, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 29 &amp; 30 of 2019</u></b></p> <p style="text-align: center;">This is a fresh substitution application filed by the petitioner for substitution of Bidhiya Kumari Gurung, daughter of Late Smt Indra Kumari Gurung.</p> <p style="text-align: center;">Oral objection has been raised by learned counsel for the respondents on substitution application. Objection is rejected and delay in filing substitution application is condoned and substitution application is allowed.</p> <p style="text-align: center;">Let necessary substitution may be made by learned counsel for the petitioner in the O.A within two weeks.</p> <p style="text-align: center;">List this case on <b>07.03.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**Ex-A No. 52 of 2018 Inre O.A. No. 189 of 2010**

**Shiv Kumar 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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: None for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 52 of 2018</u></b></p> <p>This is fresh application filed by the applicant for execution of order dated 26.09.2017 passed in O.A. No. 189 of 2010.</p> <p>On the last date following order was passed :-</p> <p style="text-align: center;"><i>"In this case, a copy of the PPO has been provided to the learned counsel for the applicant regarding 25% back wages of the applicant. It is submitted by the learned counsel for the respondents that back wages amounting to Rs.90,046/- has been calculated and the payment of same is under process and the same shall be paid to the applicant within six weeks.</i></p> <p style="text-align: center;"><i>List this case on 15.01.2019 for filing compliance report, failing which the respondents will have to deposit cost of Rs.5000/- in the Registry, which shall be paid to the applicant through cheque."</i></p> <p>Today, it is submitted on behalf of the respondents that cost imposed vide order dated 30.11.2018 has been deposited in the Registry and prays for adjournment to file compliance report.</p> <p>List this case on <b>08.03.2019</b> for filing compliance report by the respondents, failing which they will have to pay additional cost of Rs. 10,000/-, to be deposited in the Registry, which shall be paid to the applicant.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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**Court No.1**

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

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 64 of 2018</u></b></p> <p style="text-align: center;">This is fresh application filed by the applicant for execution of order dated 02.03.2017 passed in O.A. No. 211 of 2010.</p> <p style="text-align: center;">Learned counsel for the applicant has submitted that though certain arrears have been paid to the applicant but in para 7 of Execution Application, he has mentioned his claims to which he is entitled as consequential benefits.</p> <p style="text-align: center;">Learned counsel for the respondents submits that he is not entitled to promotion, therefore, in this regard, we hereby direct the respondents to file objections regarding claim of the applicant as mentioned in para 7 of the Execution Application.</p> <p style="text-align: center;">List this case on <b>20.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>



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

**Ex-A No. 133 of 2018 Inre O.A. No. 354 of 2017**

**Ramapati Upadhya**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: None for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents and Shri Amit Chandra, learned counsel for the Bank.</p> <p><b><u>Ex.A. No. 133 of 2018</u></b></p> <p>This is fresh application filed by the applicant for execution of order dated 28.08.2017 passed in O.A. No. 354 of 2017.</p> <p>On behalf of the Bank, learned counsel for the concerned Bank appeared and submitted that amount of Rs. 1,77,576/- has been credited in the account of the applicant on 31.07.2018. It is submitted that order has been fully complied with.</p> <p>Since judgment and order under execution has been complied with, this Execution Application has rendered infructuous and is hereby <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

O.A. No. 36 of 2016

**MK Chandrasekharan**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Orders pronounced.</p> <p style="text-align: center;">O.A.No. 36 of 2016 (MK Chandrasekharan vs. Union of India &amp; others) is dismissed.</p> <p style="text-align: center;">For orders, see our order of date passed on the separate sheets.</p> <p style="text-align: center;">Misc. Application, if any pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
Ex.A. No. 146 of 2018  
Inre O.A.No. 324 of 2016

Harbans Singh through Manmeet 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>15.01.2019</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 DS Tiwari, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><u>Ex.A. No. 146 of 2018</u></p> <p>This is an application for execution of the order dated 09.02.2018 passed in O.A.No. 324 of 2016.</p> <p>It is submitted by the learned counsel for the respondents that PPO has been issued in this case and a copy of the same has been provided to the learned counsel for the applicant, which is taken on record.</p> <p>Learned counsel for the applicant, after perusing the copy of the PPO, has fairly admitted that the order under execution has been fully complied with and this Ex. Application has become infructuous.</p> <p>It is accordingly dismissed as infructuous.</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>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**Ex.A. No. 204 of 2018**  
**Inre O.A.No. 204 of 2015**

**Rajendra Singh**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;"><b>None appears for the applicant.</b></p> <p><b>Present: Shri Namit Sharma, learned counsel for the respondents.</b></p> <p><b><u>Ex.A. No. 204 of 2018</u></b></p> <p style="text-align: center;"><b>This is an application for execution of the order dated 01.12.2017 passed in O.A.No. 204 of 2015.</b></p> <p style="text-align: center;"><b>It is submitted by the learned counsel for the respondents that on the last date, Review Application was moved by the respondents and it was dismissed on 14.12.2018. He prays for further time to ensure compliance of the order under execution.</b></p> <p style="text-align: center;"><b>List this case on 14.03.2019 for filing compliance report.</b></p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**M.A. No. 104 of 2018 with M.A.No. 105 of 2018**  
**Inre T.A.No. 123 of 2010**

**Jayant Ram Verma**  
**By Legal Practitioner for Petitioner**

**Petitioner**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Shyam Singh, learned counsel for the respondents.</p> <p>Shri Yash Pal Singh, Advocate has appeared and submitted that his name is not shown in the cause list as learned counsel for the petitioner and he intends to file supplementary affidavit in support of the application for condonation of delay.</p> <p>List this case on 14.02.2019 for orders showing the name of Shri Yash Pal Singh as learned counsel for the petitioner.</p> <p>Meanwhile, supplementary affidavit in support of the application for condonation of delay may be filed by the learned counsel for the petitioner.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
M.A. No. 148 of 2018  
Inre O.A.No. Nil of 2018

Surendra Prasad Gurung  
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2019</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 VP Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 148 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of service pension, 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 19.03.2019 for exchange of pleadings before the Registrar Court.</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>PKG</p>

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

M.A. No. 588 of 2018  
Inre O.A.No. Nil of 2018

Subhash Chandra  
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2019</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 KK Misra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 588 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of disability pension, 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 19.03.2019 for exchange of pleadings before the Registrar Court.</p> <p>(Air Marshal B.B.P. 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  
M.A. No. 1010 of 2018  
Inre O.A.No. Nil of 2018

Girish Chandra  
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2019</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 JN Mishra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1010 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of service pension, 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 19.03.2019 for exchange of pleadings before the Registrar Court.</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>PKG</p>



**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**M.A. No. 1119 of 2018**  
**Inre O.A.No. Nil of 2018**

**Lt Col Daljeet Singh (Retd) & others**  
**By Legal Practitioner for Applicants**

**Applicants**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Arun Kumar, learned counsel for the applicants and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that by mistake the case was listed in the website on 15.11.2018 in place of 15.01.2019 and the mistake was corrected in the late evening of 14.01.2019, hence he could not prepare the brief.</p> <p>On the request of the learned counsel for the applicants, list this case on 07.03.2019 for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
M.A. No. 1431 of 2018  
Inre O.A.No. Nil of 2018

Hony Nb Sub Ram Kripal & Another  
By Legal Practitioner for Applicants

Applicants

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2019</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>None appears for the applicants.</p> <p>Present: Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 1431 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of revised pension, 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 19.03.2019 for exchange of pleadings before the Registrar Court.</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>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**O.A.No.208 of 2017**  
**With M.A.No.2051 of 2018 & M.A.No.707 of 2018**

**Sandeep Yadav**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Virendra Prasad, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that by mistake the case was listed in the website on 15.11.2018 in place of 15.01.2019 and the mistake was corrected in the late evening of 14.01.2019, hence he could not prepare the brief.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 21.01.2019 for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**O.A.No.209 of 2017**  
**With M.A.No.2050 of 2018 & M.A.No.706 of 2018**

**Upendra Singh**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Virendra Prasad, learned counsel for the applicant and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that by mistake the case was listed in the website on 15.11.2018 in place of 15.01.2019 and the mistake was corrected in the late evening of 14.01.2019, hence he could not prepare the brief.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 21.01.2019 for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4  
[See rule 11(1)]  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A.No.423 of 2017

Shiv Kumar Mishra  
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2019</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 Rohit Kumar, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he has provided the copy of the supplementary affidavit annexing the copies of the First Appeal preferred by the applicant and the order passed by the competent authority and the same shall be filed during the course of the day.</p> <p>List this case on 11.02.2019 for orders.</p> <p>(Air Marshal B.B.P. 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**

**M.A. No. 56 of 2019 Inre : M.A. No. 2784 of 2016 Inre : O.A. No. (Nil) of 2016**

**Ex. Hav. Mohd. Idu Ansari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col. R.C. Dixit (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 56 of 2019</u></b></p> <p>This is an application for recall of order dated 11.12.2018 passed by this Tribunal in M.A. No. 2784 of 2016 Inre : O.A. No. (Nil) of 2016. The reasons given in the application for recall of order dated 11.12.2018 seem to be genuine. Accordingly, application for recall of order dated 11.12.2018 is <b>allowed</b> subject to cost of Rs.1,000/- which shall be deposited in the AFT Bar Association to enrich the Library.</p> <p>Accordingly, the order dated 11.12.2018 passed by this Tribunal is recalled. The M.A. No. 2784 of 2016 and O.A. No. (Nil) of 2016 are <b>restored</b> to its original number.</p> <p style="text-align: center;">List this case on <b>14.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 590 of 2017 with M.A. No. 1868 of 2018, M.A. No. 1869 of 2017 along with  
M.A. No. 1870 of 2018**

**Sqn. Ldr. D.H. Prasad (Retd.) and Others** Applicants  
By Legal Practitioner for the Applicants

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri V.K. Pandey, Ld. Counsel for the applicants and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 1869 of 2017</u></b></p> <p style="text-align: center;">This is an application for substitution of legal heir of the applicant No. 2. With the consent of both the parties, the substitution application is <b>allowed</b>.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to incorporate the amendment in the array of parties within two weeks.</p> <p style="text-align: center;">List this case on <b>12.02.2019</b> for orders.</p> <p style="text-align: center;">In the meantime Ld. Counsel for the applicant may file Rejoinder Affidavit, if any.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No.620 of 2017 with M.A. No. 1995 of 2018**

**Sushil 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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 1995 of 2018</u></b></p> <p>This is an application for recall of order dated 16.11.2018. During the course of hearing of this application a sealed envelope was placed before us for perusal containing two letters dated 29.11.2018 and 30.11.2018 which are taken on record. It is informed vide letter dated 29.11.2018 that one man inquiry was ordered and the concerned officer has been warned. Apart from it the other letter dated 30.11.2018 has informed regarding the shifting of the concerned officer to another appointment.</p> <p>Since necessary corrective action has been taken by the respondents, therefore, we are of the view that the order of this Tribunal has been complied with and in view of that we consider it appropriate to waive off the cost of Rs.50,000/- awarded vide order dated 16.11.2018. The order dated 16.11.2018 thus stands corrected accordingly.</p> <p>It has also been pointed out by the Ld. Counsel for the respondents that due to typographical mistake in the order dated 16.11.2018, the name of Col. Subodh Verma was typed instead of correct name as Col. Subodh Kumar. The order dated 16.11.2018 shall therefore be corrected accordingly.</p> <p style="text-align: center;">List this case on <b>21.02.2019</b> for orders.</p> <p style="text-align: center;">In the meantime Ld. Counsel for the applicant may file Rejoinder Affidavit, if any.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



Form No. 4

{See rule 11(1)}  
ORDER SHEET

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

O.A. No. 696 of 2017 with O.A. No. 259 of 2013 (Decided)

**Chun Bahadur**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>In this case Ld. Counsel for the applicant has not filed Rejoinder Affidavit even after availing one year's time. It appears that the applicant is not interested to file Rejoinder Affidavit. Therefore, we hereby close the opportunity to file the Rejoinder Affidavit.</p> <p>List this case on <b>14.03.2019</b> for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents along with medical papers pertaining to the case for perusal of the Bench.</p> <p><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 203 of 2013**

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

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Ashish Kumar Singh holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, 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;">This Original Application pertains to the year 2013. It appears that the Ld. Counsel for the applicant himself is delaying the disposal of the case.</p> <p style="text-align: center;">List this case on <b>18.02.2019</b> for hearing with the conditions that no adjournment shall be entertained on behalf of any of the parties.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 386 of 2017**

**Ashok Kumar Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During the course of arguments Ld. Counsel for the applicant has raised certain points of which no satisfactory reply was given by the Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for time for better preparation of the case and for proper reply to the points raised by the Ld. Counsel for the applicant.</p> <p style="text-align: center;">List this case on <b>18.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 401 of 2017**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">During the course of hearing Ld. Counsel for the applicant prays for ten days time to file his Written Submission/Synopsis.</p> <p style="text-align: center;">List this case on <b>18.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 489 of 2017**

**Smt. Monika Tiwari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>During the course of arguments Ld. Counsel for the applicant has placed reliance on Judgement rendered by the Armed Forces Tribunal, Regional Bench, Chennai in O.A. No. 20 of 2011 Smt. Hellan Sagayamony Versus the Commanding Officer and Others, decided on 05.09.2011. A copy of same is already on record.</p> <p>Ld. Counsel for the respondents prays for time to reply and for better preparation of the case.</p> <p>List this case on <b>21.02.2019</b> 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;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 578 of 2017**

**Lakshayadeep Singh Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Krishna Lal, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In this case the main grievance of the applicant is that his junior is getting more salary than the applicant.</p> <p style="text-align: center;">The Ld. Counsel for the respondents is trying to justify the same by quoting a policy letter on the basis of the date at the entry level, but, we are not satisfied as to how a junior is getting more salary than the applicant. Ld. Counsel for the respondents prays for time to seek instruction in this regard.</p> <p style="text-align: center;">List this case on <b>05.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 600 of 2017**

**Sunil 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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Ashish Kumar Singh holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Bhanu Pratap 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 <b>12.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents including Medical Board proceedings pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 621 of 2017**

**Bachcha Jee 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><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Ms. Kavita Singh holding brief of Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, 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 <b>18.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



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

**O.A. No. 91 of 2018**

**Maneesh Kumar**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for adjournment for better preparation of the case.</p> <p>List this case on <b>15.03.2019</b> 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;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

O.A. No. 232 of 2018

Rahul 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><b>15.01.2019</b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed by the applicant with the following prayer :-</p> <p style="text-align: center;"><i>“(A) To pass an order or direction to opposite party No. 3 and 4 to allow the applicant to join his duty and complete his training without any harassment. (B) To pass an order or direction commanding the respondents not to harass the applicant except due process of law. (C) To pass an order which this Hon'ble Tribunal deems fit and just under the facts and circumstances of the case, in favour of the applicant. (D) Allow the Original Application with exemplary cost.”</i></p> <p>Ld. Counsel for the respondents submits that the Original Application was filed on 23.04.2018 and after filing of the Original Application the applicant was permitted to re-join his training and he joined the training on 30.04.2018. It is submitted that since the applicant has already joined the training, hence, the prayer made in this Original Application has rendered infructuous.</p> <p>We are satisfied with the submission made by the Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that after re-joining the training on 30.04.2018, the applicant was beaten and removed from training and has again been sent back to home.</p> <p>The said explanation furnished by the Ld. Counsel for the applicant amounts a fresh cause of action, but, the prayer made in the instant Original Application has become infructuous. Accordingly, the Original Application No. 232 of 2018 is <b>dismissed</b> as infructuous with liberty to the applicant to file a fresh Original Application challenging his removal after re-joining the training.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p style="text-align: left;">AKD/UKT/-</p>

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

**T.A. No. 82 of 2012**

**Mahabir Singh Rawat**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Case called out. Present: Shri R.K.S. Chauhan, Ld. Counsel for the respondents. None is present on behalf of the applicant. Ld. Counsel for the respondents prays for adjournment. Accordingly, the case is adjourned. List this case on <b>20.02.2019</b> for hearing. On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

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

**Alopi Shanker Bajpae**

By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Praveer Kumar Singh Chauhan, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the petitioner prays for adjournment of the case.</p> <p>This T.A. pertains to the year 2016. Ld. Counsel for the petitioner himself is responsible for delaying the disposal of the case.</p> <p>List this case on <b>19.02.2019</b> for hearing with the condition that no adjournment shall be granted to any of the parties.</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;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**RESERVED**  
**Court No. 1**

**O.A. No 648 of 2017**

**Jagbir Singh**

Applicant

By Legal Practitioner for Applicant

**Versus**

**Union of India & others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b></p> <p><b><u>Hon'ble Mr. Justice SVS Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Judgment pronounced.</p> <p>Original Application is <b>dismissed</b>.</p> <p>For order, see our order of date passed on separate sheets.</p> <p>Misc. Applications, if any pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice SVS Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 54 of 2019 Inre O.A. No. Nil of 2019**

**Ex Hav Rajendra Singh** 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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Memo of appearance filed by Shri A.K. Sahu, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for respondents, when the case is next listed.</p> <p>Present: Shri K.K. Misra, learned counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 54 of 2019</u></b></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by 15 years, 05 months &amp; 21 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on <b>07.03.2019</b> for orders before Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <span style="float: right;"><b>(Justice S.V.S. Rathore)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>SB</p>

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

**Dy. No. 438 of 2018 Inre T.A. No. 1257 of 2010**

**Ex Hav RD Tripathi**

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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col Y.R. Sharma (Retd), learned counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><b><u>Dy. No. 438 of 2018</u></b></p> <p style="text-align: center;">This is a Review Application moved by the petitioner in pursuance to order passed by Hon'ble Apex Court in Dy. No. 28983 of 2016.</p> <p style="text-align: center;">Learned counsel for the petitioner prays for further time to prepare the case.</p> <p style="text-align: center;">As prayed, list this case on <b>18.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**Ex-A No. 206 of 2017 with M.A. No. 55 of 2019 Inre O.A. (A) No. 314 of 2015**

**Shiv Ram Singh**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 206 of 2017</u></b></p> <p style="text-align: center;">This is fresh application filed by the applicant for execution of order dated 26.05.2017 passed in O.A.(A) No. 314 of 2015.</p> <p style="text-align: center;">Learned counsel for the respondents submits that requisite sanction has been granted and prays for six weeks time to file compliance report. The cost imposed earlier vide order dated 22.11.2018 has also not been paid by the respondents. Respondents are directed to deposit the same positively by the date fixed and file compliance report, failing which they will have to pay additional cost of Rs. 20,000/-, to be deposited in the Registry, which shall be paid to the applicant.</p> <p style="text-align: center;">List this case on <b>08.03.2019</b> for filing compliance report by the respondents.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>



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

**EX.A. No. 208 of 2017 Inre T.A. No. 887 of 2010**

**Niranjan Singh**

By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, Ld. Counsel for the petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 208 of 2017</u></b></p> <p>This is an application filed by the petitioner for execution of order dated 06.07.2017 passed in T.A. No. 887 of 2010.</p> <p>Two weeks time, as prayed by learned counsel for the respondents, is granted to file break up of amount paid to the petitioner in pursuance to the PPO.</p> <p>The respondents are further directed to explain as to why regular pension is not being paid to the petitioner.</p> <p>List this case on <b>18.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**EX.A. No. 24 of 2018 Inre O.A. No. 108 of 2013**

**Sunder Lal**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**The Officer-in-Charge Records**

**The Punjab Regiment & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p>Vakalatnama filed by Shri D.C. Lohumi, Advocate on behalf of respondent No. 3 is taken on record. His name be shown as learned counsel for respondent No. 3, when the case is listed next.</p> <p>Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 &amp; 2 and Shri D.C. Lohumi, on behalf of respondent No. 3.</p> <p style="text-align: center;"><b><u>Ex.A. No. 24 of 2018</u></b></p> <p>This is an application filed by the applicant for execution of order dated 05.04.2013 passed in O.A. No. 108 of 2013.</p> <p>As prayed by learned counsel for the respondents, list this case on <b>18.03.2019</b> for filing compliance report.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**EX.A. No. 38 of 2018 Inre O.A. No. 265 of 2016 alongwith Ex.A. No. 37 of 2018 Inre  
O.A. No. 206 of 2016**

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

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri D.S. Tiwari, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No. 38 of 2018</u></b></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 28.08.2017 passed in O.A. No. 265 of 2016.</p> <p style="text-align: center;">Learned counsel for the respondents submits that necessary PPO has been issued and a copy of the same has been handed over to learned counsel for the applicant in the Court itself who admits that order under execution has been complied with.</p> <p style="text-align: center;">Since order under execution has been complied with, this Execution Application has rendered infructuous and is hereby <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**EX.A. No. 81 of 2018 Inre O.A. No. 293 of 2017**

<b>Jhaboo Lal</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri A.N. Tripathi, Ld. Counsel for the respondents assisted by Maj Atul Gupta, Departmental Representative.</p> <p><b><u>Ex.A. No. 81 of 2018</u></b></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 30.08.2017 passed in O.A. No. 293 of 2017.</p> <p style="text-align: center;">Maj Atul Gupta, Departmental Representative submits that officer dealing with the matter has fallen sick and he is not aware with the development in this case. He prays for short adjournment of the case. As prayed, the case is adjourned for the day.</p> <p style="text-align: center;">List this case on <b>21.01.2019</b> for filing compliance report.</p> <table style="width: 100%; border: none; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></td></tr></table> <p style="text-align: left; margin-top: 10px;">SB</p>	<b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b>	<b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b>
<b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b>	<b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b>		

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

**O.A. No. 497 of 2017**

**Smt.Satbiri**  
By Legal Practitioner for the Petitioner

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Judgment pronounced.</p> <p><b>Original Application is allowed.</b></p> <p>For orders, see our judgment and order of date passed on separate sheets.</p> <p>Misc Applications, pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT</p>

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

**M.A. No. 57 of 2019 Inre : O.A. No. 186 of 2018**  
**along with O.A. No. 338 of 2017 (Decided)**

**Ex. Ha. (Hony. Nb. Sub.) Raj 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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p><b><u>M.A. No. 57 of 2019</u></b></p> <p style="text-align: center;">This is an application for recall of order dated 20.12.2018 passed by this Tribunal in O.A. No. 186 of 2018</p> <p style="text-align: center;">In the interest of justice the order dated 20.12.2018 passed in O.A. No. 186 of 2018 is recalled subject to payment of cost of Rs.1,000/- which shall be deposited in AFT Bar Association for enrichment of Library. On production of deposit receipt the, Original Application shall be restored to its original number.</p> <p style="text-align: center;">List this case on <b>15.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**Ex.A. No. 116 of 2018 Inre : O.A. No. 137 of 2017**

**Awadhesh Kumar 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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents. Ld. Counsel for the applicant prays for adjournment. List this case on <b>18.01.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**M.A. No. 1490 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Hav. (Hony. Nb. Sub.) Shiv Raj Singh**

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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 1490 of 2018</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for pension of Honorary Naib Subdedar, which is recurring cause of action. As per office report there is delay of 08 years, 08 months and 06 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is <b>condoned</b>.</p> <p style="text-align: center;"><b>Admit.</b></p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on <b>11.03.2019</b> before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



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

**M.A. No. 1531 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. MWO Mithilesh Nandani Sharan Singh**

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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri R. Chandra, Advocate holding brief of Ms. Kavita Singh, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p><b><u>M.A. No.1531 of 2018</u></b></p> <p style="text-align: center;">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 disability pension, which is recurring cause of action. As per office report there is delay of 02 years, 07 months and 01 day in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is <b>condoned</b>.</p> <p style="text-align: center;"><b>Admit.</b></p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on <b>14.03.2019</b> before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 130 of 2017**

**Ashok Kumar Kushwaha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>11.03.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 146 of 2018**

**Vijay Shanker Prasad 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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Sandeep Tripathi, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">In this case Counter Affidavit has been filed. On 10.12.2018 Ld. Counsel for the applicant submitted before the Registrar Court that Rejoinder Affidavit is ready and the same shall be filed in Registry during the course of the day after serving a copy of the same on the Ld. Counsel for the respondents.</p> <p style="text-align: center;">Today Ld. Counsel for the applicant submits that the copy of Counter Affidavit has not been served on him, therefore, he is not in a position to file Rejoinder Affidavit.</p> <p style="text-align: center;">Perusal of record shows that someone has received the copy of Counter Affidavit on behalf of Ld. Counsel for the applicant. Though this fact has been denied by the Ld. Counsel for the applicant.</p> <p style="text-align: center;">Department Representative is directed to provide a copy of Counter Affidavit to the Ld. Counsel for the applicant during the course of the day.</p> <p style="text-align: center;">Ld. Counsel for the applicant may file Rejoinder Affidavit by the next date fixed.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant, list this case on <b>07.03.2019</b> for filing Rejoinder Affidavit before the Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 369 of 2018**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Case called out. Present: Shri R.C. Shukla, Ld. Counsel for the respondents. None is present on behalf of the applicant. Since there is a resolution of Bar not to pass any adverse order because of Makarsankranti, the case is adjourned. It is informed by the Ld. Counsel for the respondents that the pleadings are complete and the case is ripe for hearing. List this case on <b>12.03.2019</b> for hearing. On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

T.A. No. 49 of 2017

**Ghanshyam Tiwari**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Dudh Nath Mishra, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on <b>08.03.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 37 of 2017**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for time to take steps to amend prayer clause.</p> <p style="text-align: center;">List this case on <b>22.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 106 of 2013 with Dy. No. 870 of 2018**

**Mahabir Singh**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>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>Present: Shri Arun Kumar Ojha, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by. Major Atul Gupta, OIC Legal Cell.</p> <p><b><u>Dy. No. 870 of 2018</u></b></p> <p>Heard Ld. Counsel for the parties on Second Application for Bail. The First Bail Application was rejected on merit vide order dated 15.09.2015.</p> <p>Ld. Counsel for the applicant has argued that some facts could not be brought to the notice of the Court at the time of hearing of First Bail Application. Therefore, he intends to place the said facts before the Court in support of this Second Bail Application. Firstly, he submits that the Statement of the applicant was recorded by the Judicial Magistrate in English whereas the applicant does not know English. Apart from it Ld. Counsel for the applicant submits that the applicant has been convicted for the offence under Section 302 of Indian Penal Code and to constitute the offence under this Section intention to kill is necessary while there is no such intention. Ld. Counsel for the applicant has also pleaded that the Statement of his daughter was also recorded in English whereas she is a student of UKG Class and does not know English. It has also been pleaded that the applicant is in custody since 2008.</p> <p>So far as the ground that the applicant does not know English is concerned, the record shows that the applicant has himself written a letter to the competent authority in English in his own handwriting, thus, the</p>

arguments of Ld. Counsel for the applicant that the applicant does not know English is a blatant lie. The arguments of Ld. Counsel for the applicant that there was no intention to kill his wife is concerned has absolutely no force because the applicant's wife died in the quarter allotted to the applicant and he was present in the quarter at the time of incident. There cannot be any direct evidence showing the intention of an accused because it is embedded in the heart of the applicant. It has to be worked out only on the basis of circumstances in which the offence was committed. Applicant is alleged to have set his wife at fire so this act, by itself, is sufficient to establish the requisite intention of the applicant to constitute an offence under Section 302 Indian Penal Code at this stage. Section 106 of the Evidence Act casts legal obligation on the applicant to explain as to how his wife had died which the applicant has utterly failed to explain. This is a case where the daughter of the applicant has deposed against him. So far as the argument of long custody of the applicant is concerned the Hon'ble Apex Court in the case of Hussain and Another Versus Union of India, reported in (2017) 5 Supreme Court Cases 702, has observed that mere long custody, by itself, is not a ground to grant bail. Para 11 of the said Judgment is being reproduced as under :-

*“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. This Court has held that while a person in custody for a grave offence may not be released if trial is delayed, trial has to be expedited or bail has to be granted in such cases.”*

In this case on last several dates adjournments have been prayed on behalf of the applicant. Therefore, we do not find any substance in Second Application for bail.

Accordingly, Second Bail Application is **rejected**.

List this case on **30.01.2019** for hearing.

On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.

No adjournment shall be entertained on the next date by any of the parties.

**(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. 226 of 2015 with M.A. No. 1796 of 2018**

**Col. S.K. 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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col. Y.R. Sharma (Retd.) holding brief of Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, 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 <b>11.03.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 220 of 2016**

**Radhey Shyam**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that he intends to file certain documents which he has received few days back.</p> <p style="text-align: center;">List this case on <b>18.02.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 151 of 2017**

**Manish Shukla**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri S.K. Singh holding brief of Shri S.N. Singh Gahorwar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, 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 <b>13.03.2019</b> 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;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 436 of 2017**

**Murari Lal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Devansh Bhardwaj, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments heard.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. No. 633 of 2017**

**Abinash Chand**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Written Submission/Synopsis of the case filed by the Ld. Counsel for the applicant is taken on record.</p> <p style="text-align: center;">Arguments heard.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**O.A. (A) No. 105 of 2015**

**Trilok Dutt**  
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><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri V.P. Pandey holding brief of Shri Nishant Verma, Ld. Counsel for the appellant and Shri D.K. Pandey, 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 <b>12.03.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

**T.A. No. 06 of 2014**

**Sepoy Ramesh Prasad**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Yashpal Singh, Ld. Counsel for the petitioner and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for adjournment for better preparation of the case.</p> <p style="text-align: center;">This T.A. pertains to the year 2014. Ld. Counsel for the applicant is himself responsible for delay in disposal of the case.</p> <p style="text-align: center;">List this case on <b>22.02.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>

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

T.A. No. 17 of 2017

**R.K. Kashyap**

By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Col. Y.R. Sharma (Retd.) and Shri Yashpal Singh, Ld. Counsel for the petitioner and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>This T.A. arises out of a Civil Appeal No. 09 of 2013 pending before Sessions Judge, Agra.</p> <p>Registry is directed to produce the original record of the case on the next date fixed.</p> <p>List this case on <b>05.02.2019</b> 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;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>



Form No. 4  
[See rule 11(1)]  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1  
Ex.A. No. 84 of 2018  
Inre T.A.No. 39 of 2016

Shiv Sewak  
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.01.2019</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 Yashpal Singh, learned counsel for the petitioner and Shri VPS Vats, learned counsel for the respondents.</p> <p><u>Ex.A. No. 84 of 2018</u></p> <p>This is an application for execution of the order dated 03.07.2017 passed in T.A.No. 39 of 2016.</p> <p>Learned counsel for the respondents prays for and is granted one week's time to deposit the cost imposed earlier vide order dated 03.10.2018.</p> <p>List this case on 22.01.2019 for orders.</p> <p>(Air Marshal B.B.P. 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. 105 of 2018 with M.A.No. 1966 of 2018  
Inre O.A.No. 619 of 2017

Anil 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>14.01.2019</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 R Chandra, learned counsel for the Applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><u>Ex.A. No. 105 of 2018</u></p> <p>This is an application for execution of the order dated 12.02.2018 passed in O.A.No.619 of 2017.</p> <p>Learned counsel for the respondents submits that PPO has been issued in this case and the order under execution has been fully complied with.</p> <p>Learned counsel for the applicant fairly admits that the order under execution has been complied with and this Ex. Application has become infructuous.</p> <p>It is accordingly dismissed as infructuous.</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>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**Ex.A. No. 177 of 2018**  
**Inre O.A.No. 99 of 2013**

**Ex Hav (Hony Nb Sub) Amar Singh**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

**The Officer-in-Charge, Records Guards, Kamptee & others**  
**By Legal Practitioner for Respondents**

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p style="text-align: center;"><b>Present: Shri Virendra Kumar Gupta, learned counsel for the Applicant and Shri DK Pandey, learned counsel for the respondents.</b></p> <p style="text-align: center;"><b><u>Ex.A. No. 177 of 2018</u></b></p> <p style="text-align: center;"><b>This is an application for execution of the order dated 22.03.2013 passed in O.A.No.99 of 2013.</b></p> <p style="text-align: center;"><b>Learned counsel for the applicant prays for and is granted four weeks' further time to file objection on the PPO, if any.</b></p> <p style="text-align: center;"><b>List this case on 18.02.2019 for orders.</b></p> <p style="text-align: center;"><b>(Air Marshal B.B.P. Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

**Form No. 4**  
**[See rule 11(1)]**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1**  
**Ex.A. No. 228 of 2018**  
**Inre O.A.No. 303 of 2018**

**Kanhaiya Singh**  
**By Legal Practitioner for Applicant**

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.01.2019</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh, learned counsel for the Applicant and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p><b><u>Ex.A. No. 228 of 2018</u></b></p> <p>This is an application for execution of the order dated 04.07.2018 passed in O.A.No.303 of 2018.</p> <p>On behalf of the respondents, it is submitted that the order has been duly complied with as the Post Confirmation Petition of the applicant dated 15<sup>th</sup> May 2017 has been considered and dismissed by the authority concerned. He prays for and is granted two weeks' time to bring on record the said order of the authority concerned dismissing the said petition of the applicant.</p> <p>List this case on 23.01.2019 for orders.</p> <p>(Air Marshal B.B.P. 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

M.A.No. 1202 of 2018 with M.A.No. 1922 of 2018

Inre O.A.No. Nil of 2018

Smt Kaimul Nisha  
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>14.01.2019</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 VP Pandey, learned counsel for the Applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A.No. 1202 of 2018</u></p> <p>By means of this O.A., the applicant has made prayer for grant of family pension, which is a recurring cause of action.</p> <p>Objection and reply to the said objection have already been exchanged</p> <p>Learned counsel for the respondents were directed to seek instructions whether the applicant is the wife of the deceased soldier or not as per record, but the said instruction could not be sought. On 28.11.2018, we had given last opportunity for this purpose and even thereafter, one date was again fixed.</p> <p>Even today, the respondents have come with the blank hands with the instructions on the point. Therefore, we are inclined to condone the delay.</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 22.02.2019 for exchange of pleadings before the Registrar Court.</p> <p>(Air Marshal B.B.P. Sinha) Member (A) PKG</p> <p>(Justice S.V.S. Rathore) Member (J)</p>