

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Diary No. 891 of 2019 Inre : M.A. No. 620 of 2018

Mulu Singh Chauhan & 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><u>16.05.2019</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 K.P. Datta, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicants and Shri R.C. Shukla, 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 24.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 492 of 2017

Smt. Shyamal Sri

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Case was taken up in revised list. Present: Dr. S.N. Pandey, Ld. Counsel for the respondents. None is present on behalf of the applicant. Perusal of order-sheet shows that none is appearing on behalf of the applicant and no interest has been taken by the Ld. Counsel for the applicant in filing the Rejoinder Affidavit. It appears that the applicant is not interested to pursue the case. The Original Application 492 of 2017 is dismissed for want of prosecution.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 408 of 2018

Col. Ravinder Singh, SM

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Anand Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to file Rejoinder Affidavit.</p> <p>List this case on 24.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 422 of 2018

Shyam Charan Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 D.S. Tiwari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 06.08.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 482 of 2018

Smt. Manpreet Kaur

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 06.08.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 495 of 2018

Durgesh Kumar 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><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Case called out.</p> <p>Present: Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>None is present on behalf of the applicant.</p> <p>Inspite of availing various opportunities Ld. Counsel for the applicant has not filed the Rejoinder Affidavit. Hence, opportunity to file Rejoinder Affidavit is hereby closed.</p> <p>List this case on 17.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 567 of 2018

Bishwajeet Banerjee

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Case called out.</p> <p>Present: Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>None is present on behalf of the applicant.</p> <p>The Rejoinder Affidavit has also not been filed.</p> <p>List this case on 18.07.2019 for hearing.</p> <p>In the meantime Ld. Counsel for the applicant may file Rejoinder Affidavit.</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>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 06 of 2019

Ex. Hav. (Hony. Nb. Sub.) Ram Murti

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Sanjay Kumar Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 15.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 58 of 2019

Gp. Capt. Deepak Bana, VSM (Retd.)

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>List this case on 24.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 2556 of 2016 Inre : O.A. No. (Nil) of 2016

Yogendra Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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, Advocate holding brief of Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment.</p> <p>On 17.10.2018 we have given last opportunity to the Ld. Counsel for the applicant to file copy of Judgment passed by the Hon'ble High Court of Judicature at Allahabad in the Appeal preferred by the applicant against his conviction under Section 304 –B of Indian Penal Code, but, the same has not yet been filed.</p> <p>In the interest of justice, the case is adjourned.</p> <p>List this case on 22.07.2019 for orders. No further adjournment shall be granted on the next date fixed.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 327 of 2019

Ex. Hav. Narvadeshwar Ojha

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>Heard arguments.</p> <p>Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 09 of 2017

Smt. Radha Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Departmental Representative prays for adjournment on the ground of non-availability of arguing Counsel Dr. Shailendra Sharma Atal. Accordingly, the hearing of the case is adjourned.</p> <p>List this case on 26.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 302 of 2017 along with O.A. No. 146 of 2017 (Decided)

Nb. Sub. Devendra Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Departmental Representative prays for adjournment on the ground of non-availability of arguing Counsel Dr. Shailendra Sharma Atal. Accordingly, the hearing of the case is adjourned.</p> <p>List this case on 26.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 307 of 2017

Smt. Maya Thapa

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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, Ld. Counsel for the applicant and D Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Departmental Representative prays for adjournment on the ground of non-availability of arguing Counsel Dr. Shailendra Sharma Atal. Accordingly, the hearing of the case is adjourned.</p> <p>List this case on 26.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 401 of 2017

Ranjay Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that the applicant has brought on record some fresh documents regarding which he has to seek instruction and to file reply.</p> <p>List this case on 30.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 10 of 2018

Y.P.S. Chauhan

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>In this case the issue involved is that the applicant is seeking parity of payment with one Shri Bhoori Singh. As per respondents date of promotion of the applicant and Shri Bhoori Singh was different. However, on behalf of the applicant two Annexures have been filed showing the promotion details of the applicant and Shri Bhoori Singh which shows the same date of promotion.</p> <p>Ld. Counsel for the respondents is directed to file better affidavit explaining as to why the parity of payment be not given to the applicant with Shri Bhoori Singh, if the date of promotion is same.</p> <p>List this case on 23.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 67 of 2018

Arun Kumar Mishra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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: Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 19.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 181 of 2018

Mahesh Kumar Awasthi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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, Ld. Counsel for the applicant and Shri A.N. Tripathi, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for adjournment for better preparation of the case. Accordingly, the case is adjourned.</p> <p>List this case on 17.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 399 of 2018

Shiv Kumar Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Col. Rakesh Johri (Retd.) and Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>Heard arguments.</p> <p>Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 485 of 2018

Hav. (Chef) Sukhbir 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><u>16.05.2019</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, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>By means of this Original Application the applicant has made following prayer :-</p> <p><b>(i)</b> <i>The Hon'ble Tribunal may be pleased to quash the order dated 29/01/2016 issued by respondent No. 4 (Annexure – A/1).</i></p> <p><b>(ii)</b> <i>The Hon'ble Tribunal may be pleased to direct the respondents to either grant further relaxation in ACR to the applicant in the rank of Havildar and consider his case for promotion to the rank of Naib Subedar with two CRs in the rank of Havildar (one up to 30/09/2015 and second from 01/10/2015 to 31/05/2016) and 2 CRs in the rank of Naik. The promotion be directed to be considered as on or before 20/07/2016 i.e. the date on which the applicant becomes overage for promotion to the rank of Naib Subedar or consider him for promotion with ACR upto 2017 by granting him age relaxation under para 149 (c) of the Regulations</i></p>

*For the Army, 1987 to maintain parity. They may be directed to promote the applicant to the rank of Naib Subedar with all consequential benefits.*

**(iii)** *Any other appropriate writ, order or direction which the Hon'ble court may deem just and proper in the nature and circumstances of the case.*

The claim of the applicant is based on the pronouncement of the Armed Forces Tribunal, Regional Bench, Jabalpur in Original Application

No. 124 of 2016 Hav. Rajendra Singh Versus Union of India and Others, decided on 18.04.2017. It is submitted by the Ld. Counsel for the applicant that the case of the applicant is at par with the case of Rajendra Singh (Surpa). Hence, he is entitled for the same relief.

Ld. Counsel for the respondents submitted that against the above Judgment the respondents have preferred Special Leave Petition (Diary No.3988 of 2018) before the Hon'ble Apex Court. The Hon'ble Apex Court though has dismissed the said Special Leave Petition but has observed as under :-

*"From the perusal of the order of the Armed Forces Tribunal it appears that in the peculiar facts and circumstances of the case, the Armed forces Tribunal has directed for age relaxation of the respondent for consideration of his age for promotion to the post of Naib Subedar. We are not inclined to entertain this appeal. However, we make it clear that the direction given by the Tribunal will not be treated as precedent."*

Thus the aforesaid order passed by the Armed Forces Tribunal, Regional Bench, Jabalpur has been distinguished by the Hon'ble Apex Court itself and it can not be treated as precedent to grant parity to the applicant. Therefore, we cannot grant the relief as prayed by the applicant. The arguments of the Ld. Counsel for the applicant are devoid of merit. The Original Application lacks merit and deserves to be dismissed.

Accordingly, the Original Application No. 485 of 2018 is dismissed.

(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. (A) No. 420 of 2017

Mohd. Meraj Khan (Through Wife Smt. Tarannum Nisha)

Appellant

By Legal Practitioner for the Appellant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>With the consent of Ld. Counsel for the parties, list this case on 30.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 10 of 2017

Praveen Kumar

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</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 Om Prakash, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that he shall file affidavit during the course of the day in compliance of order dated 01.04.2019 passed by this Tribunal.</p> <p>List this case on 29.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 198 of 2019 Inre O.A. No. Nil of 2019

Lt Col Devender Singh Rohilla

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 198 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of promotion. As per office report, it is delayed by more than 6 months 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 25.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 213 of 2019 Inre O.A. No. Nil of 2019

Smt Giraji Devi Wife of late Sep Shree Kishan

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 213 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of family pension. As per office report, it is delayed by more than 13 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 26.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 461 of 2019 Inre O.A. No. Nil of 2019

Ex Hav (Hony Nb Sub) Sachindra Nath Mishra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri R.C. Shukla, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents.</p> <p><u>M.A. No. 461 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of benefit of revised pension of Hony Naib Subedar. As per office report, it is delayed by more than 12 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 29.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 477 of 2019 Inre O.A. No. Nil of 2019

Ex Nk Aditya Kumar Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Col B.P. Singh (Retd), learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p><u>M.A. No. 477 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by more than 1 year in filing the Original Application.</p> <p>In this case, the applicant had head injury during Annual Leave. Learned counsel for the applicant is actually not aware about the dates when the applicant was on leave. He is directed to be prepared on this point to argue as to how injury has any causal connection with army duty.</p> <p>List this case on 24.05.2019 for orders.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 480 of 2019 Inre O.A. No. Nil of 2019

Ex L Dfr (Nk) Gajendra 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><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Ms. Anju Singh, Advocate on behalf of respondents is taken on record. Her name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Col B.P. Singh (Retd), learned counsel for the applicant and Ms. Anju Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 480 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by more than 11 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 25.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 316 of 2019

Ex Gdr Sonu 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><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>O.A. No. 316 of 2019</u></p> <p>This original application has been filed by the applicant to set aside the order of discharge.</p> <p>The matter needs to be adjudicated.</p> <p>Admit.</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 by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 29.07.2019 before Registrar Court for exchange of pleadings.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 326 of 2019

Ex Rect Chandra Kant Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Chet Narayan Singh, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Dr. Chet Narayan Singh, learned counsel for the respondents.</p> <p><u>O.A. No. 326 of 2019</u></p> <p>This original application has been filed by the applicant for grant of disability pension.</p> <p>The matter needs to be adjudicated.</p> <p>Admit.</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 by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 30.07.2019 before Registrar Court for exchange of pleadings.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A. No. 60 of 2019 Inre O.A. No. 630 of 2017

Ex Hav Sunil Kumar 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><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p><u>Ex. A. No. 60 of 2019</u></p> <p>This is an application for execution of the order dated 26.10.2018 passed in O.A. No. 630 of 2017.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 29.07.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 483 of 2019 Inre O.A. No. 33 of 2011

Ex Gnr (Opr) Santosh Kumar Singh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 483 of 2019</u></p> <p>This is an application for exemption of cost of Rs. 10,000/-, imposed by this Tribunal on 01.04.2019 on the applicant.</p> <p>In this case, Original Application No. 33 of 2011 of the applicant was dismissed vide order dated 01.02.2017. Thereafter the applicant filed first Review Application before this Tribunal which was rejected on 01.03.2017.</p> <p>Feeling aggrieved by the order, the applicant preferred leave to appeal before the Hon'ble Apex Court vide Dy No. 33310/2017 and the Hon'ble Apex Court vide order dated 12.02.2018 condoned the delay and rejected the application for leave to appeal. Accordingly, the appeal was also dismissed. Even after rejection of the LTA by the Hon'ble Apex Court, the applicant preferred second Review Application which was rejected by this Tribunal on 01.04.2019. Since the applicant without any substance is moving repeated Review Application before this Tribunal while the case of the applicant stands finalised by the Hon'ble Apex Court, therefore, this Tribunal imposed cost of Rs. 10,000/- on the review</p>



applicant.

This is an application for exemption of said cost. We do not find any ground to exempt the cost which was imposed on valid ground of abuse of the process of law. Accordingly, this application for exemption of cost is hereby dismissed.

(Air Marshal BBP Sinha)  
Member (A)

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

SB

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 484 of 2019 with M.A. No. 485 of 2019 Inre O.A. No. 489 of 2017

Smt Monika Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u> Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 484 of 2019</u> 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 05.04.2019, passed by this Court in O.A. No. 489 of 2017. As per office report, there is delay of 07 days in filing the application for leave to appeal.</p> <p><u>M.A. No. 485 of 2019</u> This application has been filed by the applicant after expiry of the period of limitation. In this case, death of the applicant's husband was due to heart attack and O.A. filed by the applicant for grant of battle casualty pension was dismissed. Thereafter Review Application was filed, which was also dismissed.</p> <p>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>Since law is settled on the point, accordingly, application for leave to appeal is rejected on the ground of delay as well as on merits.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

R.A. No. 36 of 2019 with M.A. No. 481 of 2019 Inre O.A. No. 362 of 2017

Union of India & Others

Applicants-respondents

By Legal Practitioner for the Applicant

Versus

Ex Hav Ramesh Kumar Verma

Respondent-applicant

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashish Kumar Singh, learned counsel for the applicant-respondents.</p> <p><u>R.A. No. 36 of 2019</u></p> <p>This review application has been filed by the Union of India.</p> <p>It is submitted on behalf of the applicants-respondents that by order under review, the respondent (applicant in the O.A.) has prayed for grant of benefit of rounding off of disability pension w.e.f. 27.06.2014 but the applicant was already in receipt of the said benefit of rounding off much prior to the said date.</p> <p>Any order passed in this Review Application may adversely affect the interest of the respondent (applicant in the O.A.), therefore it will be appropriate to issue notice to the respondent (applicant in the O.A.).</p> <p>List this case on 23.07.2019 for orders.</p> <p>(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No.19 of 2019 Inre T.A.No.34 of 010

Vinay Kumar

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.05.2019</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 Yashpal Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>In this case, the applicant has filed a detailed statement prepared by the Chartered Accountant and submits that there is a deficiency of more than Rs. Eight Lakhs.</p> <p>Learned counsel for the respondents submits that the concerned department is verifying the same and prays for and is granted four weeks time to seek instructions and to file compliance report.</p> <p>List this case on <b>16.07.2019</b> for orders.</p> <p><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

**Court No.1**

**M.A.No.1594 of 2018 Inre O.A.No. Nil of 2018**

**Smt Heera Devi Wife of Late (Rfn) Goverdhan Thapa**

**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>16.05.2019</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 Vikas Singh Chauhan, Advocate holding brief of Shri BB Tripathi &amp; Shri Amit Verma, learned counsel for the applicant and Ms Anju Singh, learned counsel for the respondents.</p> <p><b><u>M.A.No.1594 of 2018</u></b></p> <p>This is an application for condonation of delay in filing the O.A., which, as per office report, is delayed by more than three years.</p> <p>Objection and reply to the 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>By means of this O.A, the applicant has prayed for grant of family pension, which is a recurring cause of action.</p> <p><b>Admit.</b></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 <b>25.07.2019</b> for exchange of pleadings before the Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: right;"><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. 57 of 2016**

**Sudhir Kumar**

**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>16.05.2019</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 Vikas Singh Chauhan, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>On behalf of the respondents, it is submitted that they do not intend to file any counter affidavit to the amended portion of the O.A.</p> <p>It is informed at the Bar that the pleadings are complete.</p> <p>List this case on <b>30.07.2019</b> for hearing.</p> <p>On the date fixed, original records pertaining to the case shall be produced by the respondents.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: right;"><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. 307 of 2016

**Jagirman Rai**

**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>16.05.2019</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>None appears for the applicant.</p> <p>Present: Shri VPS Vats, learned counsel for the respondents.</p> <p>It is informed at the Bar that the pleadings are complete.</p> <p>List this case on <b>26.07.2019</b> for hearing.</p> <p>On the date fixed, original records pertaining to the case shall be produced by the respondents.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: right;"><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.208 of 2017

**Sandeep Yadav**

**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>16.05.2019</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 Sandeep Yadav, Applicant in person and Shri RKS Chauhan, learned counsel for the respondents.</p> <p style="text-align: center;">As per office report, notice served on respondent no.7 has not been received back served or unserved. Let fresh notice be issued to respondent no.7 by registered post as well as by ordinary mode of service returnable by the date fixed. Steps be taken within a week.</p> <p style="text-align: center;">List this case on <b>22.07.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>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**

**Upendra 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>16.05.2019</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 Upendra Singh, Applicant in person and Dr Chet Narayan Singh, learned counsel for the respondents.</p> <p style="text-align: center;">As per office report, notice served on respondent no.7 has not been received back served or unserved. Let fresh notice be issued to respondent no.7 by registered post as well as by ordinary mode of service returnable by the date fixed. Steps be taken within a week.</p> <p style="text-align: center;">List this case on <b>22.07.2019</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

**Court No.1**

**O.A.No. 324 of 2017**

**TD Kolekar**

**Applicant**

By Legal Practitioner for Applicant

**Versus**

**Chief of Army Staff & others**

**Respondents**

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.05.2019</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;">None appears for the applicant.</p> <p>Present: Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p style="text-align: center;">A perusal of the record shows that the pleadings are complete.</p> <p style="text-align: center;">List this case on <b>05.08.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed, original records pertaining to the case shall be produced 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>PKG</p>

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

Court No.1

O.A.No.396 of 2018

**Rajendra Prasad**

**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>16.05.2019</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 DS Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p style="text-align: center;">It is informed at the Bar that the pleadings are complete.</p> <p style="text-align: center;">List this case on <b>06.08.2019</b> for hearing.</p> <p style="text-align: center;">On the date fixed, original records pertaining to the case shall be produced 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>PKG</p>



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

**Court No.1**

**Ex.A. No. 181 of 2017 with M.A.No.1462 of 2018 alongwith R.A.No.17 of 2018**  
**Inre O.A. No.174 of 2016**

**Kailash Kumar**

**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>15.05.2019</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 Kailash Kumar, Applicant in person and Maj Vikas Sharma, Departmental Representative.</p> <p style="text-align: center;">On the last date, we have passed the following order:</p> <p style="text-align: center;"><b><u>"Ex.A. No. 181 of 2017</u></b></p> <p style="text-align: center;"><i>This is an application filed by the applicant for execution of order dated 25.07.2017 passed in O.A. No. 174 of 2016.</i></p> <p style="text-align: center;"><i>The applicant, present in person submits that for RSMB, he was admitted in Military Hospital on 14.03.2019 and was discharged on 19.03.2019 without conducting his RSMB because of medical papers for conducting RSMB were not received by the concerned Military Hospital.</i></p> <p style="text-align: center;"><i>This is very serious matter for non compliance of order of the Tribunal. The respondents must have ensured that relevant documents were provided to the Hospital for conduct of RSMB but without issuing the papers to the hospital, the applicant was admitted in the hospital and after awaiting for six days, he was discharged without conducting RSMB.</i></p> <p style="text-align: center;"><i>In this case, PPO has already been issued to the applicant.</i></p> <p style="text-align: center;"><i>Today, a short adjournment is prayed on behalf of the respondents to ensure RSMB is done.</i></p> <p style="text-align: center;"><i>List this case on 15.05.2019 for orders.</i></p> <p style="text-align: center;"><i>On the date fixed, the respondents shall inform the Court whether RSMB has been conducted or not and in case of failure, cost of Rs. 15,000/- to be deposited by the Respondents in the Registry which shall be paid to the applicant through cheque."</i></p> <p>Today again, it is submitted by the Departmental Representative that RSMB could not be conducted because the opinion of the earlier Medical Board was not available to the M.H. He further submitted that the applicant has failed to report to MH for RSMB as per a new letter sent to him. The applicant, who is present in person, informed that he has received no letter/intimation for any fresh reporting date. However, on query, Departmental Representative could not produce any credible evidence of</p>

dispatch of RSMB letter by registered post to applicant. He, however, submitted that now a direction will be given to the concerned M.H. to conduct the RSMB of the applicant at the earliest.

It is submitted that cost Rs.15,000/-imposed in last order shall be deposited within a week from today. Two weeks' time is prayed for and is granted to the respondents for conducting the RSMB.

List this case on **24.07.2019** for filing compliance report, failing which the respondents shall have to deposit cost of Rs.20,000/- in the Registry, which shall be paid to the applicant through cheque.

Let a copy of this order be given to the respondents within 24 hours free of cost for onward transmission to ensure compliance.

**(Air Marshal BBP Sinha)**  
**Member (A)**

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

PKG

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

**Court No.1**

**Ex.A. No. 126 of 2018 Inre O.A. No. 13 of 2016**

**Akash 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>15.05.2019</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 Pankaj Kumr Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><b><u>Ex.A. No.126 of 2018</u></b></p> <p style="text-align: center;">This is an application for execution of the order dated 08.11.2017 passed in O.A. No.13 of 2016.</p> <p style="text-align: center;">In this execution application, the order under execution has been duly complied with. However, it is submitted by the learned counsel for the applicant that the cost imposed vide order dated 06.12.2018 for non compliance of the order within time, has not been paid.</p> <p style="text-align: center;">Learned counsel for the respondents submits that the same shall be deposited in the Registry during the course of the day.</p> <p style="text-align: center;">Since the order under execution has been complied with, this Ex. Application has become infructuous.</p> <p style="text-align: center;">Accordingly, it is dismissed as infructuous.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: right;"><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.205 of 2018 Inre T.A. No. 671 of 2010

**Ex Sub Umakat Mishra**

**Petitioner**

By Legal Practitioner for Petitioner

**Versus**

**Union of India & others**

**Respondents**

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.05.2019</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: Ex Sub Umakant Mishra, petitioner in person and Shri DK Pandey, Ld. Counsel for the respondents.</p> <p>The petitioner, who is present in person, prays for and is granted four weeks' time to file objection against the PPO.</p> <p>List this case on <b>04.07.2019</b> for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>



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

**Court No.1**

**Ex.A. No. 235 of 2018 Inre O.A. No. 48 of 2018**

**Ex Hav Jai Prakash Yadav**

**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>15.05.2019</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>On the last date, we have passed the following order :</p> <p style="text-align: center;"><b><u>"Ex.A. No. 235 of 2018</u></b></p> <p style="text-align: center;"><i>This is an application filed by the applicant for execution of order dated 12.03.2018 passed in O.A. No. 48 of 2018.</i></p> <p style="text-align: center;"><i>On the last date, respondents were granted four weeks time to file compliance report but the same has not yet been filed. Today, again further time is prayed by the respondents to file compliance report.</i></p> <p style="text-align: center;"><i>List this case on 15.05.2019 for filing compliance report, failing which the respondents shall have to pay cost of Rs. 10,000/- in the Registry which shall be paid to the applicant through cheque.</i></p> <p>It is submitted by the learned counsel for the respondents that the cost imposed earlier, shall be deposited within a week positively.</p> <p>List this case on <b>22.07.2019</b> for filing compliance report, failing which the respondents shall have to deposit cost of Rs.15,000/- in the Registry, which shall be paid to the applicant through cheque.</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>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 881 of 2017 Inre O.A. No. Nil of 2017

**Kudratullah & Others**

**Applicants**

By Legal Practitioner for Applicants

**Versus**

**Union of India & others**

**Respondents**

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.05.2019</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 OP Kushwaha, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicants and Shri VPS Vats, Ld. Counsel for the respondents.</p> <p>Shri OP Kushwaha, Advocate holding brief, prays for adjournment on the ground of non availability of the learned counsel for the applicants.</p> <p>In the interest of justice, the case is passed over for the day.</p> <p>List this case on <b>31.07.2019</b> for orders.</p> <p><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No.2337 of 2017 Inre O.A. No. Nil of 2017

**Capt Ramdeo Singh (Retd)**

**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>15.05.2019</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 Anand Yadav, Advocate holding brief of Shri SG Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>Shri Anand Yada, Advocate holding brief, prays for adjournment on the ground of non availability of the learned counsel for the applicant.</p> <p>In the interest of justice, the case is passed over for the day.</p> <p>List this case on <b>31.07.2019</b> for orders.</p> <p><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

**Court No.1**

**M.A. No.69 of 2018 Inre O.A. No. Nil of 2018**

**Smt Prabhawati**

**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>15.05.2019</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 Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 69 of 2018</u></b></p> <p>This is an application for condonation of delay in filing the O.A., which, as per office report, is delayed by more than seven years.</p> <p>Objection and reply to the 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>By means of this O.A, the applicant has prayed for grant of revised normal rate of family pension, which is a recurring cause of action.</p> <p><b>Admit.</b></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 <b>26.07.2019</b> for exchange of pleadings before the Registrar Court.</p> <p style="text-align: center;"><b>(Air Marshal BBP Sinha)</b> <b>Member (A)</b></p> <p style="text-align: right;"><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. 181 of 2018 Inre O.A. No. Nil of 2018**

**Joseph John Menezes**

**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>15.05.2019</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, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that this O.A. may be dismissed as withdrawn with liberty to file a fresh for condoning the shortfall in the pensionable service of the applicant.</p> <p style="text-align: center;">Accordingly, this O.A. is <b>dismissed</b> as withdrawn with the liberty aforesaid.</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>PKG</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1520 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Sep. Sobran 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><u>15.05.2019</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1520 of 2018</u></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for grant of revised service pension, which is recurring cause of action. As per office report there is delay of 12 years, 01 month and 21 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is condoned.</p> <p>Admit.</p> <p>Let the case be registered as Original Application.</p> <p>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>List this case on 25.07.2019 before the Registrar Court for exchange of pleadings.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1543 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. Narvadeshwar Ojha

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1543 of 2018</u></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for condoning the shortfall period of 61 days in service to grant service pension, which needs to be adjudicated by this Tribunal. As per office report there is delay of 07 months and 26 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is condoned.</p> <p>Admit.</p> <p>Let the case be registered as Original Application.</p> <p>It is informed by the Ld. Counsel for the parties that the pleadings are complete and the case is ripe for hearing.</p> <p>List this case on 16.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1668 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. (Hony. Nb. Sub.) Hira 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><u>15.05.2019</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, Ld. Counsel for the applicant and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to take steps to amend the prayer clause.</p> <p>List this case on 05.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1816 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. Vikram Singh Bhandari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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, Ld. Counsel for the applicant and Mohd. Zarar Khan, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1816 of 2018</u></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for grant of benefit of MACP, which needs to be adjudicated by this Tribunal. As per office report there is delay of 15 years, 04 months and 04 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is condoned.</p> <p>Admit.</p> <p>Let the case be registered as Original Application.</p> <p>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>List this case on 19.07.2019 before the Registrar Court for exchange of pleadings.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 17 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Sep. Vijay Kumar 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><u>15.05.2019</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. ....</u></p> <p>This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for grant of disability pension, which is recurring cause of action. As per office report there is delay of 25 years, 08 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 condoned.</p> <p>Admit.</p> <p>Let the case be registered as Original Application.</p> <p>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>List this case on 25.07.2019 before the Registrar Court for exchange of pleadings.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 90 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Nk. Devendra 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><u>15.05.2019</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, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>In this case the recruitment of the applicant was on the basis of fraudulent documents. The applicant in this Original application even thereafter is praying to condone the shortfall period of 126 days in completion of 15 years of service with all consequential benefits.</p> <p>Ld. Counsel for the applicant prays for time to explain as to how this Original Application is maintainable when the initial enrolment of the applicant was on the basis of fraudulent documents.</p> <p>List this case on 24.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 241 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Nk. (Opr) Dhirendra Kumar 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><u>15.05.2019</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 Manoj Kumar Singh, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 241 of 2019 Inre : O.A. No. (Nil) of 2019</u> By means of this Original Application the applicant has made following prayer :-</p> <p><b>(i)</b> Issue an order or directions, by which the opposite parties may be directed to take the petitioner applicant in service with effect from the date of dismissal of service dated 14.4.2016 for serving the nation and pay him the salary and other service benefits till his age of superannuation.</p> <p><b>(ii)</b> Issue an order or directions in the nature of for releasing the house hold articles of the applicant which has been detained by the opp. Parties during the post at Akhnoor Jammu and Kashmir during the period 2011 to 2015.</p> <p><b>(iii)</b> Issue an order or directions in the nature of directions to the opposite parties to permit the applicant to assign the duty on the post of Havaldar and pay him the salary and other service benefits regularly.</p> <p><b>(iv)</b> Issue a directions to the respondents to pay the decent</p>

compensation to the applicant in view of the harassment caused to him by the respondents in all these years.

**(v)** Issue any other order or directions which this Hon'ble Tribunal may deem fit just and proper in the circumstances of the case be also awarded to the petitioner against the opposite parties.

**(vi)** To award the cost of this petition to the petitioner against the opposite parties.

In brief the applicant was tried by the Summary Court Martial for certain charges and after his trial punishment of dismissal was awarded. The applicant preferred Statutory Appeal before the competent authority which was allowed vide order dated 03.03.2017 whereby keeping in view the length of service the competent authority has reduced the punishment of dismissal into discharge with effect from the date his dismissal took into effect and service pension of the applicant was also released. Now the applicant is praying for reinstatement in service without challenging the discharge order. So long as the discharge order is in force the applicant cannot be reinstated in service. The prayer of the applicant is misconceived.

In view of above, the Application for condonation of delay as well as Original Application are dismissed in limine with liberty to the applicant to challenge his discharge order, if so advised.

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

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

AKD/UKT/-

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 605 of 2017

Om Prakash Mishra

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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 O.P. Kushwaha, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 30.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 66 of 2018

Adesh 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><u>15.05.2019</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 V.K. Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents offered the copy of the P.P.O. to the Ld. Counsel for the applicant, but he is not ready to accept it and submits that the same may be filed through affidavit.</p> <p>Ld. Counsel for the respondents is directed to place the P.P.O. on record through Affidavit.</p> <p>List this case on 19.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 182 of 2018

Nk. Girraj Singh Tomar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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: Major R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that the Counter Affidavit is ready, but, because the competent authority is not available to sanction the amount of cost imposed vide order dated 26.04.2019, he is not in a position to file the same today. He prays for further time to file the Counter Affidavit and to deposit the cost.</p> <p>List this case on 21.05.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>AKD/UKT/-</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 463 of 2018

Smt. Sepawali Ale

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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 Akhilesh Kumar Sharma, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>On 08.05.2019 we have granted last opportunity to file Counter Affidavit subject to payment of cost of Rs.6,000/-. It is submitted by the Ld. Counsel for the respondents that the Counter Affidavit shall be filed during the course of the day and the cost shall also be deposited during the course of the day.</p> <p>List this case on 21.05.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 464 of 2018

Bajrang Bahadur 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><u>15.05.2019</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 Parijaat Belaura, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Ld. Counsel for the applicant prays for time to file Rejoinder Affidavit.</p> <p>Respondents are also directed to file the Affidavit in compliance of dated 26.03.2019 passed by this Tribunal.</p> <p>List this case 23.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 541 of 2018

Satya Prakash

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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 Parijaat Belaura, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Departmental Representative submits that Shri Ashish Saxena, Ld. Counsel for the respondents is not taking interest in filing the Counter Affidavit and therefore he shall request the Incharge Litigation to change the Counsel of respondents to file the Counter Affidavit.</p> <p>Last opportunity is being granted to the respondents to file the Counter Affidavit.</p> <p>List this case on 23.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 578 of 2018

Dinesh Chand Tiwari

Applicant

In Person.

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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: The applicant Shri Dinesh Chand Tiwari in person and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>In this case the Ld. Counsel for the respondents submits that the grievance of the applicant has been redressed and P.P.O. to this effect has been issued. A copy of the same has been provided to the applicant, who prays for time to file objection.</p> <p>List this case on 03.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 137 of 2019

Mukesh 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><u>15.05.2019</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, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time take steps to amend the prayer clause.</p> <p>List this case on 08.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

R.A. No. 24 of 2019 with M.A. No. 297 of 2019 Inre : T.A. No. 668 of 2010

Ex. Sep. Krishan Kumar Shukla

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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 Nishant Verma, Ld. Counsel for the petitioner and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>In this case the Review Application has been filed in pursuance of order dated 03.12.2018 passed by the Hon'ble Supreme Court in Civil Appeal Diary No (s). 40785/2018 Sepoy No. 6488182 ASH Krishan Kumar Shukla Versus Union of India &amp; Others, therefore, the delay is condoned.</p> <p>Ld. Counsel for the applicant prays for time to seek instruction to argue the case.</p> <p>List this case on 12.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 45 of 2016

Yogesh Giri

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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: The applicant Shri Yogesh Giri in person and Mohd. Zafar Khan, Ld. Counsel for the respondents.</p> <p>The applicant prays for adjournment on the ground of non-availability of his Counsel.</p> <p>List this case on 02.08.2019 for further 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>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 31 of 2014

Jeetendra Bahadur 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><u>15.05.2019</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 K.K. Misra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that he does not want to file Reply to the Supplementary Affidavit filed by the applicant.</p> <p>We had given last opportunity to the Ld. Counsel for the applicant, but, even today he is praying for adjournment.</p> <p>List this case on 23.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 159 of 2017

Smt. Maha Kali

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</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.K. Mishra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that he has received the documents from the concerned department which are necessary for just and proper for adjudication of the case and prays for time to bring the same on record.</p> <p>List this case on 26.07.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 260 of 2018

Satendra 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><u>15.05.2019</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, Ld. Counsel for the applicant and Major Atul Gupta, OIC Legal Cell for the respondents.</p> <p>Today the case was listed for hearing, but, Departmental Representative prays for adjournment on the ground of non-availability of the Ld. Counsel for the respondents.</p> <p>List this case on 31.05.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p>(Air Marshal B.B.P. Sinha)                      (Justice S.V.S. Rathore) Member (A)    Member (J)</p> <p>AKD/UKT/-</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 197 of 2019 Inre O.A. No. Nil of 2019

Smt Shanti Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri A.K. Sahu, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p><u>M.A. No. 197 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of pensionary benefits. As per office report, it is delayed by more than 26 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 24.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 474 of 2019 Inre O.A. No. Nil of 2019

Ex Sep Baleshwar Rai

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 474 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of disability pension. As per office report, it is delayed by more than 21 years in filing the Original Application.</p> <p>Learned counsel for the applicant appears to be not prepared to argue the case.</p> <p>Learned counsel for the applicant requests for time to argue on the point of admission as to how this O.A. is admissible when the claim of the applicant for grant of disability element has been rejected on grounds of disability percentage being assessed less than 20% by the RSMB.</p> <p>List this case on 30.05.2019 for orders.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 321 of 2019

Nb Sub (MP) Visarjan Singh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash Kushwaha &amp; Shri K.P. Datta, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>O.A. No. 321 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant by means of which the applicant has challenged the order of discharge.</p> <p>The matter needs to be adjudicated.</p> <p>Admit.</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 by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 02.08.2019 before Registrar Court for exchange of pleadings.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A. No. 57 of 2019 Inre O.A. No. 381 of 2017

Smt Kamil Nisha W/o Sep (Late) Irshad Ali

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><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Virendra Kumar Gupta, learned counsel for the applicant and Maj Vikas Sharma, Departmental Representative for the respondents.</p> <p><u>Ex. A. No. 57 of 2019</u></p> <p>This is an application for execution of the order dated 11.10.2018 passed in O.A. No. 381 of 2017.</p> <p>Departmental Representative for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 29.07.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A. No. 61 of 2019 Inre O.A. No. 429 of 2018

Pushkar Misra

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><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Ms. Appoli Srivastava, Advocate on behalf of respondents is taken on record. Her name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Ashutosh Shahi, learned counsel for the applicant and Ms. Appoli Srivastava, Learned counsel for the respondents.</p> <p><u>Ex. A. No. 61 of 2019</u></p> <p>This is an application for execution of the order dated 13.09.2018 passed in O.A. No. 429 of 2018.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 29.07.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 475 of 2019 with M.A. No. 476 of 2019 Inre O.A. No. 587 of 2018

Union of India & Others

Applicant-respondents

By Legal Practitioner for the Applicants

Versus

Lt Col Rameshwar Dayal (Retd)

Respondent-applicant

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Dr. S.N. Pandey, learned counsel for the applicant-respondents.</p> <p><u>M.A. No. 475 of 2019</u></p> <p>This is an application for condonation of delay in moving the application under section 31 of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 28.02.2019, passed by this Court in O.A. No. 587 of 2018, which is delayed by 01 month &amp; 18 days in filing the application for leave to appeal.</p> <p><u>M.A. No. 476 of 2019</u></p> <p>This application for leave to appeal has been filed by the applicant-respondents after expiry of the period of limitation. Learned counsel for the applicant-respondents has only argued that this application for leave to appeal is barred by time and no question of law of general public importance involved could be brought to our notice during the course of arguments.</p> <p>Accordingly, application for leave to appeal is rejected on the ground of delay as well as on merits.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>



Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 478 of 2019 with M.A. No. 479 of 2019 Inre O.A. No. 375 of 2011

Khawajenoor Shamshi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesah Kesarwani, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 478 &amp; 479 of 2019</u></p> <p>This is an application filed on behalf of the applicant for condonation of delay to recall the order dated 01.08.2012, which has been filed after expiry of statutory period of limitation as provided under Rule 16 of AFT Procedure Rules, 2008. There is delay of more than 6 years in filing recall application.</p> <p>Learned counsel for the applicant is directed to show ground or provision under which delay in filing the recall application can be condoned.</p> <p>List this case on 17.07.2019 for orders.</p> <p>(Air Marshal BBP Sinha)                      (Justice S.V.S. Rathore) Member (A)                                      Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex. A. No. 184 of 2017 Inre T.A. No. 1364 of 2010

Mohan Singh

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Col A.K. Srivastava (Retd), learned counsel for the petitioner and Shri Namit Sharma, Learned counsel for the respondents.</p> <p>In compliance to our earlier order dated 12.04.2019, learned counsel for the applicant prays for further time to file the photocopy of the Passbook.</p> <p>As prayed, list this case on 30.05.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

**{See rule 11(1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

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

Shiv Ram 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><u>15.05.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><u>Ex. A. No. 206 of 2017</u></p> <p>This is an application for execution of the order dated 26.05.2017 passed in O.A. (A) No. 314 of 2015.</p> <p>Learned counsel for the respondents submits that order under execution has been complied with and he shall file compliance report in the Registry during the course of day after providing a copy of the same to learned counsel for the applicant.</p> <p>List this case on 20.05.2019 for orders.</p> <p>(Air Marshal BBP Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>