

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 487 of 2019 Inre O.A. No. Nil of 2019

Ex Nk Kadam Tukaram Akaram

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>22.05.2019</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 Yogesh Kesarwani, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 487 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 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 18.07.2019 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. 493 of 2019 Inre O.A. No. Nil of 2019

Hony Nb Sub Ram Abhilash

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>22.05.2019</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 Mohd Zafar Khan, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: None for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 493 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of revised pension of Hony Naib Subedar. As per office report, it is delayed by more than 9 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 18.07.2019 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. 494 of 2019 Inre O.A. No. Nil of 2019

Ex Hav Sur Sari Charan 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>22.05.2019</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 Shakti Vikram Srivastava, 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 Rakesh Johri (Retd), learned counsel for the applicant and Shri Shakti Vikram Srivastava, learned counsel for the respondents.</p> <p><u>M.A. No. 494 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>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 18.07.2019 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

C.A. No. 1 of 2019 Inre O.A. No. 381 of 2018

Dilip Kumar Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Maj Gen JV Prasad, The MD Central Org, ECHS (L&D)

Respondents

AG's Branch, IHQ of MOD (Army) New Delhi

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>22.05.2019</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 Mrs. Deepti P Bajpai, 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: Mrs. Kavita Belaura, Advocate holding brief of Shri Parijaat Belaura, learned counsel for the applicant and Mrs. Deepti P Bajpai, learned counsel for the respondents.</p> <p><u>C.A. No. 1 of 2019</u></p> <p>This contempt application has been filed by the applicant for non execution of order dated 31.08.2018 passed by this Tribunal in O.A. No. 381 of 2018 but instead of filing execution application against the said order, contempt application has been filed.</p> <p>Learned counsel for the applicant is directed to show law as to how this contempt application is maintainable.</p> <p>In this case, the applicant is claiming treatment under ECHS as handicapped child of an ex-serviceman. He is suffering from "END STAGE RENAL DISEASE". We have noted that the certificate of disability signed by Brigadier</p> |

Vinod Raghav, Deputy Commandant, Command Hospital, Lucknow clearly stating that the individual can't earn his livelihood and has 80% of disability, is attached as Annexure II to the O.A.

In this context vide our earlier order dated 31.08.2018, we had specifically asked the respondents to verify the policy letter on the subject and the certificate of disability issued by Command Hospital, Lucknow to decide on the eligibility of applicant for treatment as handicapped child beyond 25 years. We had also specifically directed the respondents in the order, not to stop the treatment of the applicant.

In these circumstances, we are pained and disappointed to note that after about 10 months of our order, the respondents have done nothing and submitted today that their stand has been clarified in their counter affidavit which was filed before our order dated 31.08.2018.

Learned counsel for the applicant has also submitted that the respondents have stopped the treatment of the applicant after about 02 months of the order dated 31.08.2018.

In these circumstances, we take a very dim view at the respondents in handling this matter. As a last chance, we direct them to comply with the order dated 31.08.2018 and file a better affidavit on the interpretation of policy for treatment of handicapped child and provide specific reasons for not accepting the applicant as a handicapped child despite a disability certificate from Command Hospital, Lucknow.

List this case on 28.05.2019 for orders.

(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

Ex. A. No. 64 of 2019 Inre O.A. No. 54 of 2010

Ex Hav Ram Bachan Singh 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><u>22.05.2019</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 G.S. Sikarwar, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents.</p> <p><u>Ex. A. No. 64 of 2019</u></p> <p>This is an application for execution of the order dated 27.04.2017 passed in O.A. No. 54 of 2010.</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 23.07.2019 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. 65 of 2019 Inre O.A. No. 253 of 2012

Ex Hav Krishna Kumar Thakur

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><u>22.05.2019</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 D.K. Pandey, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Col Y.R. Sharma (Retd), learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p><u>Ex. A. No. 65 of 2019</u></p> <p>This is an application for execution of the order dated 12.12.2018 passed in O.A. No. 253 of 2012.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to seek instructions from the authority concerned and to file compliance report.</p> <p>List this case on 24.07.2019 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. 507 of 2019 with M.A. No. 512 of 2019 Inre O.A. No. 591 of 2017

Ex Sep Onkar Nath Shukla

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>22.05.2019</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 Shyam Singh, Advocate on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents when the case is listed next.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 507 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 28.03.2019, passed by this Court in O.A. No. 591 of 2017. As per office report, there is delay of 21 days in filing the application for leave to appeal.</p> <p>The judgment for grant of disability pension was passed in the O.A. on the basis of certain pronouncement of the Hon'ble Apex Court.</p> <p><u>M.A. No. 512 of 2019</u></p> <p>This application has been filed by the applicant after expiry of the period of limitation. Learned counsel for the applicant has only argued that this application for leave to appeal is delayed and no question of law of general public importance involved could be brought to our notice.</p> <p>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. 510 of 2019 with M.A. No. 511 of 2019 Inre O.A. No. 233 of 2017

Rama Shankar Bharti

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>22.05.2019</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: Shri Om Prakash Kushwaha, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p><u>M.A. No. 507 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 15.03.2018, passed by this Court in O.A. No. 233 of 2017. As per office report, there is delay of 1 year, 1 month & 4 days in filing the application for leave to appeal.</p> <p><u>M.A. No. 512 of 2019</u></p> <p>This application has been filed by the applicant after expiry of the period of limitation. Learned counsel for the applicant has only argued that this application for leave to appeal is delayed and no question of law of general public importance involved could be brought to our notice.</p> <p>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

Ex.A.No.69 of 2018 Inre T.A.No. 14 of 2017

Jai Ram Pal

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>22.05.2019</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 style="text-align: center;">Present: Shri Pankaj Kumar Shukla, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>Ex.A.No.69 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 25.09.2017 passed in T.A.No.14 of 2017.</p> <p style="text-align: center;">Learned counsel for the petitioner submits that the requisite PPO has been issued, but the bank concerned is only paying the service element to the applicant in pursuance of the order under execution. He prays for and is granted two weeks' time to implead the concerned bank as a party.</p> <p style="text-align: center;">List this case on 15.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

Ex.A.No.71 of 2018 Inre T.A.No. 35 of 2016

Smt Parvati Devi & Others

Petitioners

By Legal Practitioner for Petitioners

Versus

Union of India & others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.05.2019</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 R Chandra, learned counsel for the petitioners and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p><u>Ex.A.No.71 of 2018</u></p> <p>This is an application for execution of the order dated 09.11.2017 passed in T.A.No.35 of 2016.</p> <p>The case of the petitioners is that during pendency of the O.A., the husband of the petitioner no.1 had expired and thereafter the petitioners have been impleaded as parties and direction was issued for grant of disability pension to the petitioners. We do not find that such an order is within the scope of this Ex. Application.</p> <p>Learned counsel for the respondents submits that he has not received the copy of the covering letter sent by the department. However, he has been provided with a copy of the same.</p> <p>Since the order under execution has been complied with, this Ex. Application has become infructuous and is accordingly dismissed with liberty to the petitioners to approach the Tribunal, if they do not receive the PPO.</p> <p>However, the petitioners shall raise their claim before the competent authority, if they so desired.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No.201 of 2018 Inre T.A.No. 970 of 2010

Ex Sep Rajput Chandrapal Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

| | |
|-----------------------|---|
| Notes of the Registry | Orders of the Tribunal |
| | <p><u>22.05.2019</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 style="text-align: center;">Present: Col Rakesh Johri (Retd), learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents.</p> <p><u>Ex.A.No.201 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 11.04.2018 passed in T.A.No.970 of 2010.</p> <p style="text-align: center;">Last opportunity, as prayed, is granted to the learned counsel for the respondents to file compliance report, failing which respondents shall have to deposit cost of Rs.10,000/- in the Registry, which shall be paid to the petitioner through cheque.</p> <p style="text-align: center;">List this case on 31.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

Ex.A.No.18 of 2019 Inre T.A.No. 79 of 2016

Smt Kanti Devi

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>22.05.2019</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 style="text-align: center;">None appears for the petitioner.</p> <p>Present: Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>Ex.A.No.18 of 2019</u></p> <p style="text-align: center;">This is an application for execution of the order dated 10.01.2018 passed in T.A.No.79 of 2016.</p> <p style="text-align: center;">On behalf of the respondents, it is submitted that the Government has accorded requisite sanction and the PPO shall be issued within a short time and he prays for and is granted six weeks time to file compliance report.</p> <p style="text-align: center;">List this case on 29.07.2019 for filing compliance report.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

Ex.A.No.38 of 2019 Inre T.A.No. 513 of 2010

Ex Swr Satendra 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>22.05.2019</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 style="text-align: center;">Present: Col BP Singh (Retd), learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>Ex.A.No.38 of 2019</u></p> <p style="text-align: center;">This is an application for execution of the order dated 12.12.2017 passed in T.A.No.513 of 2010, whereby the petitioner was notionally reinstated in service as deemed service and the date of discharge stood changed.</p> <p>Learned counsel for the petitioner has annexed copy of one PPO to which he submits that the PPO was issued at the time of earlier discharge. This submission is absolutely incorrect because the PPO has been issued on 18th December 2018, while the date of order under execution was 12th December 2017. So virtually the order has been complied with.</p> <p>When this fact is brought to the notice of the learned counsel for the petitioner, he submits that there is no order for payment of back wages in the PPO.</p> <p>Learned counsel for the respondents is directed to seek instructions on the issue of action taken by them on the payment of back wages @25%.</p> <p>Learned counsel for the petitioner is advised to put up his objection, if any, on the issuance of PPO/non payment of PPO entitlement in writing.</p> <p style="text-align: center;">List this case on 23.07.2019 for orders.</p> <p style="text-align: center;">Let a copy of this order be given to the learned counsel for the respondents within 24 hours free of cost.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

Ex.A.No.49 of 2019 Inre O.A.No. 171 of 2018

Rajit Ram Pandey

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>22.05.2019</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 style="text-align: center;">Present: Shri R Chandra, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p style="text-align: center;">On the last date copy of the PPO was given to the learned counsel for the applicant. Learned counsel for the applicant submits that he has sent the said PPO to the concerned bank, but the bank refused to take any action on the said PPO, because the same has not been received through proper channel.</p> <p style="text-align: center;">Learned counsel for the respondents is directed to seek instructions as to on what date, the said PPO was sent to the applicant or to the concerned Bank authorities alongwith the forwarding letter.</p> <p style="text-align: center;">List this case on 03.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

M.A.No. 1464 of 2016 Inre O.A.No. Nil of 2016

Umesh Chandra

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>22.05.2019</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 style="text-align: center;">Present: Shri Anand Yadav, Advocate holding brief of Shri SG Singh, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p style="text-align: center;">Shri Anand Yadav, Advocate holding brief, prays for adjournment on the ground of non availability of the learned counsel for the applicant.</p> <p style="text-align: center;">In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 29.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

M.A.No. 1460 of 2018 Inre O.A.No. Nil of 2018

Ex Hav (Hony Nb Sub) Chhatrapati Goswami

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>22.05.2019</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 R Chandra, Advocate holding brief of Shri Sanjay Kumar Mishra, learned counsel for the applicant and Ms Anju Singh, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A.No.1460 of 2018</u></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 eight years.</p> <p>Objection and reply to objection have already been exchanged. 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 enhanced service pension in the rank of Hony Naib Subedar, which is a recurring cause of action.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 30.07.2019 for exchange of pleadings before the Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

M.A.No. 1501 of 2018 with M.A.No.1502 of 2018
Inre T.A.No. 1300 of 2010

Arun 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><u>22.05.2019</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 style="text-align: center;">Present: Col AK Srivastava (Retd), learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the petitioner. In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 16.08.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

Court No.1

M.A.No. 1545 of 2018 Inre O.A.No. Nil of 2018

Ex JWO Kameshwar Pandey

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & others (Air Force)

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>22.05.2019</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 SP Tripathi, learned counsel for the applicant and Dr SN Pandey, learned counsel for the respondents.</p> <p><u>M.A.No.1545 of 2018</u></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 12 years.</p> <p>Objection and reply to 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 disability pension, which is a recurring cause of action.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 29.07.2019 for exchange of pleadings before the Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.Nos.1598 & 1599 of 2018 Inre T.A.No. 84 of 2016

Nk Devendra Singh Kushwaha
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

| | |
|-----------------------|---|
| Notes of the Registry | Orders of the Tribunal |
| | <p><u>22.05.2019</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 style="text-align: center;">Present: Shri Nishant Verma, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the petitioner. In the interest of justice, the case is passed over for the day.</p> <p style="text-align: center;">List this case on 16.08.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex A-67 of 2018 Inre T.A. No 573 of 2010

Satyendra Prasad

Petitioner

By Legal Practitioner for the Petitioner

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.05.2019</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 petitioner and Dr. Shailendra Sharma Atal , Ld. Counsel for the respondents.</p> <p>In compliance of order dated 21.12.2017 passed in T.A. No. 573 of 2010 PPO No S/00018/2019 dated 07.03.2019 has been issued and a copy of the same has been provided to Ld. Counsel for the petitioner in the Court.</p> <p>It has been submitted by Ld. Counsel for the petitioner that no payment has been made to the petitioner till date.</p> <p>List this case on 18.07.2019 for filing compliance report.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex A-178 of 2018 Inre O.A. No 342 of 2017

Ex Hav Kali Sahai

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>22.05.2019</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 PK Shukla , Ld. Counsel for the applicant and Ms Amrita Chakraborty , Ld. Counsel for the respondents.</p> <p>On behalf of Punjab National Bank, Shri Anil Kumar Jaiswal, Advocate has filed his Vakalatnama which is taken on record. He prays for time to file statement of amount due and drawn.</p> <p>List this case on 22.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1708 of 2018 with M.A. No. 1709 of 2018 Inre : T.A. No. 1061 of 2010

R.N. Mishra

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>22.05.2019</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 Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>As prayed by Ld. Counsel for the petitioner, list this case on 16.08.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 1759 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Nk. Deepak 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>22.05.2019</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 style="text-align: center;">Present: None for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed by the Bench Secretary that Shri RN Tripathi is not attending the Court today.</p> <p style="text-align: center;">In the interest of justice, the case is adjourned.</p> <p style="text-align: center;">List this case on 29.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 251 of 2019 Inre : T.A. No. 69 of 2012

Diwan Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>22.05.2019</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 Amit Jaiswal, Ld. Counsel for the petitioner and Col. B.P. Singh (Retd.), Ld. Counsel for the respondents.</p> <p>List this case on 10.07.2019 along with Execution Application No 46 of 2019.</p> <p>In the meantime, objection on application for modification of order dated 13.11.2017 passed in T.A. No. 69 of 2012, if any, may be filed by Ld. Counsel for the applicant.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 389 of 2019 with M.A. No. 390 of 2019 Inre : Diary No. 1017 of 2013

Ram Sakal 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>22.05.2019</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, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>As prayed by Ld. Counsel for the parties, list this case on 16.08.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 37 of 2017

Dharmenda 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>22.05.2019</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. Singh Bisht, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents. Heard Ld. Counsel for the parties. Arguments concluded. Judgment is reserved.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 512 of 2017

Pratap 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>22.05.2019</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: Ms. Kavita Belaura, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondent Nos 1 to 4 and Shri D.C. Lohumi, Ld. Counsel for the respondent No 5.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks further time to file rejoinder affidavit.</p> <p>List this case on 18.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 590 of 2017 with M.A. No. 1868 of 2018

Sqn. Ldr. DH Prasad (Retd.) & 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>22.05.2019</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 applicants and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>List this case on 07.08.2019 for orders.</p> <p>Meanwhile Ld. Counsel for the applicant may file rejoinder affidavit.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 115 of 2019

Ex. Nk. Ramesh Chandra

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>22.05.2019</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 Dharam Raj Singh, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that he shall file counter affidavit within two weeks.</p> <p>List this case on 01.07.2019 for orders before Registrar Court.</p> <p>In the meantime, Ld. Counsel for the applicant may file rejoinder affidavit, if any.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. (A) No. 391 of 2018 with M.A. No. 121 of 2019

Ravinder Singh (Through Smt. Surekha, Legally Wedded Wife)

Appellant

By Legal Practitioner for the Appellant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.05.2019</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 appellant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 121 of 2019</u></p> <p>This is an application for addition of prayer clause.</p> <p>In this case the appellant has challenged the punishment awarded by District Court Martial.</p> <p>During the pendency of this O.A., post confirmation has been rejected vide order dated 15.12.2016 by the competent authority. The amendment application has been moved to challenge the post confirmation. Therefore by means of this amendment application the applicant wants to change the prayer clause and to challenge the said order passed by the competent authority.</p> <p>Ld. Counsel for the respondents prays for time to file counter affidavit. Since the appellant has moved an application to amend the prayer clause only, therefore counter affidavit shall be restricted to amended prayer clause.</p> <p>List this case on 26.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

R.A. No. 19 of 2019 Inre : T.A. No. 1257 of 2010

Ex. Hav. R.D. Tripathi

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.05.2019</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 (Retd) Y.R. Sharma and Shri Yashpal Singh, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>Review Application No 1 of 2018 filed earlier by the petitioner was rejected on 19.01.2018 and following order was passed:-</p> <p><i>“6. In the instant case, the details mentioned in the Review Application had already been taken into consideration and discussed in detail and thereafter the order was passed. In view of the principle of law laid down by Hon'ble the Apex Court in the case of Parsion Devi and others (supra) we are of the considered view that there is no error apparent on the face of record in the impugned order dated 18.04.2016, which may be corrected in exercise of review jurisdiction.</i></p> <p><i>7. Accordingly, the review Application No 1 of 2018 is Rejected. There shall be no order as to costs. The petitioner may be informed accordingly.”</i></p> <p>Ld. Counsel for the petitioner prays for time for better preparation of the case.</p> <p>The only point involved in this case as observed by the Hon'ble Apex Court is that the GCM has no jurisdiction to record confession.</p> <p>List the case on 16.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 127 of 2017

Jham Prasad 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>22.05.2019</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 Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for and is granted further four weeks' time to prepare the case.</p> <p>List this case on 16.08.2019 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>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 388 of 2017

Gagan 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>22.05.2019</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is submitted by Ld. Counsel for the applicant that the legal issue is pending before the Principal Bench, New Delhi for hearing with regard to other similarly situated persons. Therefore, Ld. Counsel for the applicant seeks adjournment to await outcome of the aforesaid case.</p> <p>List this case on 28.08.2019 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) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 86 of 2017

Awadhesh 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>22.05.2019</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 Arun Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks' further time to file supplementary rejoinder affidavit.</p> <p>List this case on 12.07.2019 for orders before Registrar Court.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 370 of 2017

Smt. Archana 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>22.05.2019</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: None for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. List has been revised. No one appeared for the applicant. Perusal of order sheets show that none is appearing on behalf of the applicant since long. Ld. Counsel for the applicant has not filed rejoinder affidavit even after giving numerous opportunities hence the opportunity to file rejoinder was closed vide order dated 14.02.2019. It appears that the applicant is not interested to pursue the case. The Original Application 370 of 2017 is dismissed for want of prosecution.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No. 519 of 2017

Smt. Sunita Jaiswal

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>22.05.2019</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 Namit Sharma, Ld. Counsel for the respondents. Heard Ld. Counsel for the parties. Arguments concluded. Order is reserved.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

T.A. No. 700 of 2010

Smt. Poonam Srivastava W/o Anand Kumar Srivastava (Deceased) & Others Petitioners

By Legal Practitioner for the Petitioners

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>22.05.2019</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 petitioners and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>List this case on 02.07.2019 along with record of T.A. No. 699 of 2010 and T.A. No. 701 of 2010.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/gsr</p> |