

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

Court No.1

Ex.A.No.161 of 2018 Inre O.A.No. 96 of 2016

Manisha Singh W/o Late Krishna Murari Singh & 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><u>23.05.2019</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 applicants and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>Ex.A.No.161 of 2018</u></p> <p style="text-align: center;">This is an application for execution of the order dated 05.07.2016 passed in O.A.No.96 of 2016.</p> <p style="text-align: center;">Learned counsel for the applicants fairly concedes that the order under execution has been fully complied with and this Ex. Application has become infructuous.</p> <p style="text-align: center;">Accordingly, it is dismissed as infructuous.</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.236 of 2018 Inre O.A.No. 384 of 2018

Smt Neelam 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>23.05.2019</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 Angrej Nath Shukla, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file compliance report.</p> <p>List this case on 18.07.2019 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.237 of 2018 Inre O.A.No. 385 of 2018

Smt Neelam 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>23.05.2019</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 Angrej Nath Shukla, learned counsel for the applicant and Shri Mohd Zafar Khan, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file compliance report.</p> <p>List this case on 18.07.2019 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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Ex.A.No.30 of 2019 Inre O.A.No. 168 of 2018

Vijesh KK

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>23.05.2019</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 applicant.</p> <p>Present: Shri Anurag Mishra, learned counsel for the respondents.</p> <p><u>Ex.A.No.30 of 2019</u></p> <p style="text-align: justify;">This is an application for execution of the order dated 13.03.2018 passed in O.A.No.168 of 2018, whereby a direction was given to the respondents to decide the pending statutory representation of the applicant.</p> <p style="text-align: justify;">On behalf of the respondents, it is submitted that no statutory representation has yet been filed by the applicant.</p> <p style="text-align: justify;">Learned counsel for the respondents prays for and is granted four weeks' time to file compliance report.</p> <p style="text-align: center;">List this case on 22.07.2019 for orders.</p> <p style="text-align: justify;">On the date fixed, learned counsel for the applicant shall file a copy of the statutory representation, which has been filed in the year 2016 alongwith evidence to show that it was sent in the year 2016.</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.No. 1291 of 2018 with M.A.No.506 of 2019
Inre O.A.No. Nil of 2018

Rect Rajat Yadav
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05.2019</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 Pradeep Kumar Yadav, Advocate holding brief Ms Madhulika Yadav, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p><u>M.A.No.506 of 2019</u></p> <p>By means of this Amendment Application, the applicant has made prayer that appropriate authority be directed to arrange for a private Medical Board of the applicant, which we fail to understand as to under what basis this prayer has been made.</p> <p>Learned counsel for the applicant is unable to show under what provision of law, rule or regulation, he has made such a prayer. He is directed to show the provision of law, rule or regulation, in which a private Medical Board of an Armed Force Personnel can be conducted.</p> <p>List this case on 01.08.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

M.A.No. 1344 of 2018 Inre O.A.No. 39 of 2018

Vijay Narayan

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>23.05.2019</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 applicant.</p> <p>Present: Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p style="text-align: center;">On behalf of the respondents, it is submitted that PPO has been issued. So far as the payment of cost is concerned, the same could not be paid for want of fund as the fund has not been allotted to the judicial department of the Army.</p> <p style="text-align: center;">List this case on 12.07.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No.1

M.A.Nos.1515 & 1516 of 2018, R.A.No.46 of 2018
alongwith Ex.A.No.133 of 2017 Inre T.A.No.145 of 2010

Union of India & others

Applicants

By Legal Practitioner for Applicants

Versus

Ex Lance Dafedar Anil Kumar

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>23.05.2019</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: Major Atul Gupta, Departmental Representative of the Review Applicants and Shri Rohit Kumar, learned counsel for the respondents.</p> <p style="text-align: center;"><u>R.A.No.46 of 2018</u></p> <p>Today adjournment is prayed by the Departmental Representative due to non availability of the counsel of the Review Applicants.</p> <p>There is also a resolution of the Bar Association not to pass any adverse order on account of non availability of the Advocates because of the counting of the votes of the Parliament.</p> <p>List this case on 27.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A.No.1863 of 2018 Inre O.A.No. 338 of 2019

Ex Nk Krishna Deo Sahani

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>23.05.2019</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 Manoj Kumar Awasthi, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><u>M.A.No. 1863 of 2018</u></p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>Objection to the application has been filed. Learned counsel for the applicant does not intend to file any reply.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.No.338 of 2019.</p> <p>In this case counter affidavit has already been filed by the respondents.</p> <p style="text-align: center;"><u>ORDER (Oral)</u></p> <p>1. Heard the learned counsel for the parties and with their consent, this O.A. is being disposed of at the admission stage.</p> <p>2. In the instant case, the applicant was invalided out of service on 31.01.1987. Initially his disability @20% for a period of two years was opined by IMB to be aggravated by Military Service. Thereafter RSMB was conducted and his disability was reassessed for a period of five years and the applicant continued to get his disability pension till 2005, but thereafter the RSMB of the applicant was not conducted, hence his disability element stopped.</p> <p>3. On behalf of the respondents, it is stated in the counter affidavit that in the year 2005, due information was sent to the applicant and a copy of the same was also sent to the concerned Zila Sainik Board, Samstipur (Bihar) to conduct the RSMB, but the applicant failed to appear before the</p>

concerned Medical Board for RSMB.

4. Learned counsel for the applicant has fairly conceded that the applicant had failed to appear for RSMB in the year 2005.

5. Accordingly, respondents are directed to conduct the RSMB of the applicant within four months from the date of receipt of a certified copy of this order.

6. Admittedly, the applicant is getting his service element for life. Future entitlement of the disability element shall be subject to the final out-come of the RSMB.

7. Subject to the aforesaid directions, this O.A. is finally disposed of.

(Air Marshal BBP Sinha)
Member (A)

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

PKG

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{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No. 505 of 2019 Inre O.A. No. Nil of 2019

Smt Prabhavati W/o Ex Hav (Hony Nb Sub) Late Ram Narain 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>23.05.2019</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. Gyan 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 Vijay Kumar Pandey, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 505 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for grant of revised rate of family pension. As per office report, it is delayed by more than 9 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 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. 508 of 2019 alongwith M.A. No. 509 of 2019 Inre O.A. No. Nil of 2019

Ex Sep (L Nk) Paras 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>23.05.2019</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 Vijay Kumar Pandey, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 508 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant by means of which the applicant has prayed to quash GCM proceedings and to reinstate him in service. As per office report, it is delayed by more than 3 years in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted a week's time to file objection on the application for condonation of delay.</p> <p>List this case on 29.05.2019 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. 513 of 2019 Inre O.A. No. Nil of 2019

Ex Hav (HNS) Shiv Sharan Misra

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>23.05.2019</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;">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 style="text-align: center;">Present: Shri B.B. Tripathi, learned counsel for the applicant and Ms. Anju Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 513 of 2019</u></p> <p style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">List this case on 24.07.2019 for orders before Registrar Court.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

Dy-No. 980 of 2014 with M.A. No. 267 of 2019, M.A. No. 764 & 420 of 2015

Asha Ram

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>23.05.2019</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 Y.R. Sharma (Retd), learned counsel for the applicant and Shri Ashish Kumar Singh on behalf of learned counsel for the respondents.</p> <p><u>M.A. No. 267 of 2019</u></p> <p>This amendment application has been filed by the applicant whereby the applicant has prayed to substitute the present relief mentioned in the O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks further time to file objection on amendment application.</p> <p>List this case on 09.07.2019 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. 101 of 2017 with M.A. No. 16 of 2018

Inre Ex.A. No. 40 of 2013 & O.A. No. 332 of 2012

Ram Sajiwan Pandey

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>23.05.2019</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 Shyam Bihari Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, Maj Atul Gupta, Departmental Representative and Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad.</p> <p><u>Ex. A. No. 101 of 2017</u></p> <p>This is an application for execution of the order dated 24.08.2012 passed in O.A. No. 332 of 2012.</p> <p>In this case the applicant is aggrieved by the condition i.e. Note mentioned in the PPO that no consolidation shall be permitted.</p> <p>On behalf of the representative of PCDA (P) Allahabad it was submitted that the relevant pension tables have pension calculated by two methods i.e. consolidation method and modified parity method. The most beneficial method between the two for a pensioner is required to be used for fixing his pension. In the present case, fixing pension through consolidation method will result in reduction of existing pension and a loss to the pensioner, hence an advisory has been given in Note that pension is not to be consolidated in the larger interest of pensioner. The said condition is beneficiary and in case the consolidation is permitted then the total pension being received by the applicant at present, shall stand reduced.</p> <p>Having received this clarification during the hearing, on the last date and today also, learned counsel for the applicant continuously insisted that this note that consolidation of pension is not be done should be removed.</p> <p>Therefore, we direct the respondents to issue corrigendum PPO to the applicant without the note that no consolidation shall be permitted. The adverse consequences of the removal of the said condition, if any, shall be accepted by the applicant because this order is</p>

being passed on his own prayer and insistence. However, a written undertaking is to be taken from the applicant that he fully understands that his pension could stand reduced after removal of the note on consolidation in the PPO.

List this case on 31.07.2019 for orders.

Additionally, by the date fixed, learned counsel for the respondents shall file a compliance report regarding the payment of interest to which the applicant is entitled on delayed payment.

Shri R.K. Tiwari, AAO, representative of PCDA (P) Allahabad is exempted from further appearance before this Court unless specifically called for.

(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. 122 of 2017 with M.A. No. 716 of 2018,

Ex.A. No. 92 of 2013 Inre O.A. No. 333 of 2012

Ram Ashre Yadav

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>23.05.2019</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 Shyam Bihari Tiwari, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents, Maj Atul Gupta, Departmental Representative and Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad.</p> <p><u>Ex. A. No. 122 of 2017</u></p> <p>This is an application for execution of the order dated 24.08.2012 passed in O.A. No. 333 of 2012.</p> <p>In this case the applicant is aggrieved by the condition i.e. Note mentioned in the PPO that no consolidation shall be permitted.</p> <p>On behalf of the representative of PCDA (P) Allahabad it was submitted that the relevant pension tables have pension calculated by two methods i.e. consolidation method and modified parity method. The most beneficial method between the two for a pensioner is required to be used for fixing his pension. In the present case, fixing pension through consolidation method will result in reduction of existing pension and a loss to the pensioner, hence an advisory has been given in Note that pension is not to be consolidated in the larger interest of pensioner. The said condition is beneficiary and in case the consolidation is permitted then the total pension being received by the applicant at present, shall stand reduced.</p> <p>Having received this clarification during the hearing, on the last date and today also, learned counsel for the applicant continuously insisted that this note that consolidation of pension is not be done should be removed.</p> <p>Therefore, we direct the respondents to issue corrigendum PPO to the applicant without the note that no consolidation shall be permitted. The adverse consequences of the removal of the said condition, if any, shall be accepted by the applicant because this order is being passed on his own prayer and insistence. However, a written undertaking is to be taken</p>

from the applicant that he fully understands that his pension could stand reduced after removal of the note on consolidation in the PPO.

List this case on 31.07.2019 for orders.

Additionally, by the date fixed, learned counsel for the respondents shall file a compliance report regarding the payment of interest to which the applicant is entitled on delayed payment.

Shri R.K. Tiwari, AAO, representative of PCDA (P) Allahabad is exempted from further appearance before this Court unless specifically called for.

(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. 209 of 2017 Inre T.A. No. 888 of 2010

Ranbir 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>23.05.2019</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 Yashpal Singh, learned counsel for the petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>Ex. A. No. 209 of 2017</u></p> <p>This is an application for execution of the order dated 04.07.2017 passed in T.A. No. 888 of 2010.</p> <p>Learned counsel for the petitioner prays for and is granted four weeks further time to file his objection.</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

Ex. A. No. 119 of 2018 Inre T.A. No. 7 of 2012

Ganpati 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>23.05.2019</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 petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>Ex. A. No. 119 of 2018</u></p> <p>This is an application for execution of the order dated 21.09.2017 passed in T.A. No. 7 of 2012.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time further time to file reply to the objection filed by learned counsel for the petitioner.</p> <p>List this case on 15.07.2019 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 2020 of 2018 with M.A. No 2021 of 2018 Inre M.A. No 1524 of 2016

Sunil Dutt

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>23.05.2019</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: Applicant Shri Sunil Dutt in person and Shri VPS Vats, Ld. Counsel for the respondents.</p> <p>The applicant Shri Sunil Dutt present in person submits that his counsel is ill and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>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/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No 15 of 2019 Inre O.A. (Nil) of 2019

Ex HFO Sureshwari Prasad 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>23.05.2019</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 DK Pandey, Ld. Counsel for the respondents.</p> <p><u>M.A No. 15 of 2019</u></p> <p>This is an application for condonation of delay in filing Original Application. There is delay of 23 years, 05 months and one day in filing the Original Application. Since the matter relates to grant of disability pension which involves recurring cause of action, the delay is condoned.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Counter affidavit be filed by learned counsel for the respondents within four weeks. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 24.07.2019 for orders 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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No 311 of 2019 with M.A. No 312 of 2019 Inre Dy No 2745 of 2018

Ex Hav Trilok 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>23.05.2019</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 S Chandra, 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/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

M.A. No 313 of 2019 With M.A. NO 314 of 2019 Inre T.A. No 40 of 2017

Lakhan 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>23.05.2019</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 RC Pandey, 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/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 264 of 2017

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>23.05.2019</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 SS Rajawat, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to incorporate the amendment allowed vide order dated 26.04.2019.</p> <p>List the case on 01.07.2019 for orders.</p> <p>Ld. Counsel for the applicant shall incorporate the amendment before the date fixed.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 267 of 2017

Dinesh 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>23.05.2019</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 Dr Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>Vide order dated 10.10.2018 Ld. Counsel for the respondents was directed to produce the promotion cadre course result to the rank of Naik relating to to batchmates of the applicant.</p> <p>Today he has produced before us promotion list of batchmates of the applicant which shows that some of the batchmates were promoted on 29.01.1990 while others, including applicant were promoted on the very next date i.e. on 30.01.1990. Hence we need more clarity as to how only one day gap is there between two groups.</p> <p>Ld. Counsel for the respondents prays for time to submit consolidated result of batchmates of the applicant and clarify the point.</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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 664 of 2017

Ashok 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>23.05.2019</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 SN Pandey, Ld. Counsel for the respondents.</p> <p>Since, there is a resolution of AFT Bar Association for not to pass any adverse order due to commitments related to Election Result for 2019, hence, the case is adjourned.</p> <p>List this case on 25.07.2019 for orders.</p> <p>In the meantime, rejoinder affidavit may be filed by Ld. Counsel for the applicant.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 228 of 2019

Ex Hav Bhupendra 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>23.05.2019</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>Memo of appearance filed by Shri Vinay Pandey, Advocate on behalf of respondent No 4 is taken on record.</p> <p>Present: Shri JN Mishra, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents and Shri Vinay Pandey, Ld. Counsel for respondent No 4.</p> <p>Ld. Counsel for the respondent No 4 submits that copy of Annexure has not been provided by Ld. Counsel for the applicant. Ld. Counsel for the applicant is direct to provide copy of the said Annexure to Ld. Counsel for the respondents.</p> <p>In the meantime Ld. Counsel for the respondent shall file counter affidavit.</p> <p>List this case on 16.07.2019 for orders before 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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. (A) No 191 of 2014

Ravi Shankar 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>23.05.2019</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 Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>The issue involved in this case is maintainability of this case.</p> <p>Since, there is a resolution of AFT Bar Association for not to pass any adverse order due to commitments related to Election Result for 2019, hence, the case is adjourned.</p> <p>List this case on 29.07.2019 for orders.</p> <p>(Air Marshal B.B.P. Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 232 of 2010

Jagdish 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>23.05.2019</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 SK Singh, Ld. Counsel for the applicant and Maj Atul Gupta, OIC Legal Cell for the respondents.</p> <p>OIC Legal Cell submits that arguing counsel is not present and prays for adjournment. Accordingly the case is adjourned.</p> <p>List this case on 16.08.2019 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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 301 of 2012

Padam Bahadur Gurung & Others

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>23.05.2019</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 Ms Anju Singh , Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that the case of similar issue is pending before the Hon'ble Apex Court, outcome of which is awaited. He prays for adjournment on this ground.</p> <p>List this case on 16.08.2019 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>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>23.05.2019</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 OP Kushwaha, Advocate holding brief of Shri KK Misra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>Brief holder appearing on behalf of the applicant prays for adjournment of the case.</p> <p>Accordingly the case is adjourned.</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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 219 of 2014

Chandrabhan Singh & another

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>23.05.2019</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 Shri Namit Sharma , Ld. Counsel for the respondents.</p> <p>Since, there is a resolution of AFT Bar Association for not to pass any adverse order due to commitments related to Election Result for 2019, hence, the case is adjourned.</p> <p>List this case on 02.08.2019 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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 320 of 2017

Smt Saroj 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>23.05.2019</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 Namit Sharma, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant is directed to bring on record the earlier correspondence which wife of the deceased soldier made with the respondents after he became missing.</p> <p>List this case on 24.07.2019 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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. No 328 of 2017

Pradeep 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>23.05.2019</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 Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri VPS Vats, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for adjournment of the case on the ground that his senior is not present today.</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>UKT/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1

O.A. (A) No 87 of 2018

Yadav Ajay Kumar Banwari

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>23.05.2019</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 Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>Since, there is a resolution of AFT Bar Association for not to pass any adverse order due to commitments related to Election Result for 2019, hence, the case is adjourned.</p> <p>List this case on 19.08.2019 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>UKT/-</p>