

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

O.A. No. 45 of 2016

Ex Sep Yogesh Giri
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 D.S. Kauntae, Ld. Counsel for the Applicant and Shri Mohd Zafar Khan, Ld. Counsel for the respondents.</p> <p>During the course of hearing learned counsel of the applicant drew our attention to certain documents filed along with the counter affidavit. Therefore, in our considered opinion perusal of the original record is necessary for adjudication of the case.</p> <p>Learned counsel for the respondents is directed to produce the original record pertaining to this case on the next date of listing.</p> <p>List this case on 25.03.2019 for further hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>

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

Court No.1

O.A. No. 601 of 2017

Patve Mohasin SK Salim
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Manoj Kumar Singh, learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that he has provided copy of the supplementary rejoinder affidavit to the learned counsel for the respondents and shall file the same in the Registry during the course of day.</p> <p style="text-align: center;">List this case for hearing on 09.04.2019.</p> <p style="text-align: center;">On the said date learned counsel for the respondents shall produce the original documents pertaining to the case.</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 style="text-align: left;">JPT</p>

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

O.A. No. 33 of 2018

Yogendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 V.P. Pandey, Ld. Counsel for the Applicant and Shri Mohd Zafar Khan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments heard and concluded.</p> <p style="text-align: center;">Judgment reserved.</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>JPT</p>

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

O.A. No. 124 of 2018

Ram Dhiraj Singh Kushwaha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Vijay Kumar Pandey, Ld. Counsel for the Applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the applicant submits that in this case perusal of circular letter no. 430 dated 10.03.2010 is necessary and therefore the respondents be directed to produce the same.</p> <p style="text-align: center;">Learned counsel of the respondents is accordingly directed to bring the said circular letter on record by the next date.</p> <p style="text-align: center;">List this case on 08.04.2019 for hearing.</p> <p style="text-align: center;">Learned counsel for the respondents shall produce the original documents pertaining to the case.</p> <p style="text-align: center;">Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad shall also remain present in the Tribunal on the date fixed.</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>JPT</p>

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

O.A. No. 142 of 2018

Jawahar Upadhyay
By Legal Practitioner for the Appellant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad is present.</p> <p style="text-align: center;">As prayed by the learned counsel for the parties, list this case for hearing on 08.04.2019.</p> <p style="text-align: center;">Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad shall also remain present in the Tribunal on the date fixed.</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>JPT</p>

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

O.A. No. 552 of 2018

Hari Shyam
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 J.N. Mishra, Ld. Counsel for the Applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he shall file rejoinder affidavit in the Registry during the course of day.</p> <p>List this case for hearing on 08.04.2019.</p> <p>Learned counsel for the respondents shall produce the original documents pertaining to the case as directed earlier.</p> <p>Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad shall also remain present in the Tribunal on the date fixed.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>

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

Ex-A No. 158 of 2017 with M.A. No. 910 of 2018
Inre T.A. No. 65 of 2016

Sanjay Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Sanjay Singh, petitioner in person and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>Ex.A. No. 158 of 2017</u></p> <p>This is an application filed by the petitioner for execution of order dated 22.03.2017 passed in T.A. No. 65 of 2016.</p> <p>In this case, SLP has been preferred before the Hon'ble Apex Court against the order under execution, whereby the Hon'ble Apex Court has directed to release the benefits to the petitioner without prejudice to his rights and without furnishing the documents required by the respondents.</p> <p>On behalf of the respondents, it has been submitted that since the petitioner has not furnished the bank details and other particulars, therefore, the Bank has issued Demand Draft on 30th January 2019 for Rs.32,10,658/-. This Demand Draft has been sent by Records.</p> <p>Learned counsel for the respondents is directed to furnish the documents whereby the said demand draft has been sent to the applicant on what address, because the petitioner, who is present in person, has denied the receipt of the said Demand Draft.</p> <p>On the request of the petitioner, list this case on 24.04.2019 for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 48 hours free of cost.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A) PKG</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p>

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

Ex-A No. 21 of 2018
Inre T.A. No. 48 of 2011

Taj Mohd Sheikh
By Legal Practitioner for the Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 V.K. Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p><u>Ex.A. No. 21 of 2018</u></p> <p style="text-align: center;">This is an application filed by the petitioner for execution of order dated 06.07.2017 passed in T.A. No. 48 of 2011.</p> <p style="text-align: center;">Learned counsel for the petitioner submits that the petitioner has furnished the documents to the respondents to complete the formalities, a copy of the same has already been provided to the learned counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the petitioner is directed to provide one set of the said documents to the learned counsel for the respondents to complete the formalities.</p> <p style="text-align: center;">List this case on 25.04.2019 for filing compliance report, failing which the respondents shall have to deposit cost of Rs.5000/- in the Registry, which shall be paid to the petitioner through cheque.</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
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 43 of 2018 Inre M.A. No. 972 of 2017

Shailesh Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Dr. Gyan Singh, learned counsel for the respondents.</p> <p><u>Ex.A. No. 43 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 16.01.2018 passed in M.A. No. 972 of 2017.</p> <p>Learned counsel for the applicant submits that he shall file objection on the PPO during the course of the day in the Registry.</p> <p>List this case on 19.03.2019 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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

Ex-A No. 123 of 2018 Inre O.A. No. 134 of 2012

Chandra Sekhar Tripathi
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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: Ms Kavita Belaura, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>Ex.A. No. 123 of 2018</u></p> <p style="text-align: center;">This is an application filed by the applicant for execution of order dated 10.04.2012 passed in O.A. No. 134 of 2012.</p> <p style="text-align: center;">In this case, learned counsel for the respondents has submitted that the order under execution has been complied with. He has drawn our attention towards Para 4 of the affidavit filed in support of the Ex.Application, which reads as under :</p> <p style="text-align: center;"><i>"4. That it is pertinent to mention that after submission of this order dated 10/04/2012 PPO dated 11/11/2016 has been issued. Applicant at sl.no.13-Hony Nb/Sub Baranwal has got Rs.2,00,000/- Two Lakh only and applicant at sl no.15 Hony Nb/Sub Jagat Singh Rawat has received Rs.1,21,000/- whereas present applicant did not get single penny as arrears. A copy of PPO dated 11/11/2016 is being annexed as Annexure No.1 to this affidavit."</i></p> <p style="text-align: center;">Learned counsel for the applicant has submitted that he is praying for pension of the rank of Naib Subadar. Since the applicant is claiming parity with Hony Nb Sub Jagat Singh Rawat, whose case was decided alongwith the case of the applicant and the prayer of the O.A. is limited only to the payment of arrears.</p> <p style="text-align: center;">On behalf of the respondents, it is pleaded that arrears have also been mentioned in the PPO, therefore, the order under execution stands complied with.</p> <p style="text-align: center;">Learned counsel for the applicant is directed to produce the PPO of other applicants, so that we can verify whether the other applicants have received the same pension, which have been received by the applicant.</p> <p style="text-align: center;">List this case on 08.04.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Ex-A No. 199 of 2018 Inre O.A. No. 245 of 2016

Dhirendra Nath Singh
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 AK Srivastava, Advocate holding brief of Shri Anand Saran, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><u>Ex.A. No. 199 of 2018</u></p> <p>This is an application filed by the applicant for execution of order dated 06.12.2017 passed in O.A. No. 245 of 2016, whereby the disability pension was granted to the applicant w.e.f. the date of discharge i.e.07th May 1971 and the benefit of rounding off was also extended from the date of discharge.</p> <p>On behalf of the respondents, the submission has been made that benefit of rounding off of disability pension can be granted only w.e.f. 01.01.1996 and not from the date of discharge, which is much prior to the date when the policy of rounding off came into existence.</p> <p>This is an error apparent on the fact of record. Therefore, with the consent of the learned counsel for the parties, we hereby correct the original order to that effect</p> <p>The applicant shall be entitled to the benefit of rounding off w.e.f. 01.01.1996 and not from the date of discharge.</p> <p>The original order is corrected accordingly.</p> <p>Copy of this order be also placed on the original record of the O.A.</p> <p>List this case on 26.04.2019 for orders.</p> <p>The respondents is directed to issue the corrigendum PPO positively by the date fixed.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1215 of 2017 Inre O.A. No. Nil of 2017

Smt Maya Devi
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Ashok Kumar, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1215 of 2017</u></p> <p>By means of this O.A., the applicant has made prayer for grant of disability pension, which is a recurring cause of action.</p> <p>Objection and reply to the objection on the application for condonation of delay have been exchanged.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>After perusal of record, in the absence of learned Advocate, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>List this case on 21.02.2019 for hearing.</p> <p>Meanwhile, counter and rejoinder affidavits may be exchanged.</p> <p>Respondents are directed to produce the medical papers of the applicant on the date fixed, failing which they will have to file an affidavit specifically mentioning that the medical papers of the applicant are not available.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1583 of 2017 Inre O.A. No. Nil of 2017

Sep/Driver Vijay Amrit Singh
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 K.K. Misra, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Learned counsel for the applicant has placed reliance on certain pronouncements of the Regional Bench of the AFT on the point of maintainability of this O.A., copy of the same has already been provided to the learned counsel for the respondents, who prays for and granted four weeks' time to go through it and furnish case law in support of his submission.</p> <p>List this case on 02.04.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) 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. 1796 of 2017 Inre : O.A. No. (Nil) of 2017

Surendra 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>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to bring on record the copy of Civil Misc. Writ Petition No. 43073 of 2008, which the applicant had earlier filed before the Hon'ble High Court of Judicature at Allahabad.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant, list this case on 03.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

M.A. No. 1844 of 2017 Inre : O.A. No. (Nil) of 2017

Lalit Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant in support of his submission on the point of explanation of delay has placed reliance on the earlier Original Application No. 353 of 2015, filed in the Armed Forces Tribunal Principal Bench, New Delhi, which the applicant had withdrawn with liberty to file the same in the appropriate Bench of the Tribunal.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to file the certified copy of Original Application No. 353 of 2015 filed in the Armed Forces Tribunal, Principal Bench, New Delhi so that it may be ascertained whether any averment was made therein that the applicant was not having discharge order.</p> <p style="text-align: center;">List this case on 03.05.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

M.A. No. 2035 of 2017 Inre : O.A. No. (Nil) of 2017

Sanjay Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.K. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant has filed the Supplementary Affidavit in support of application for condonation of delay.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for time to file his reply to the said Supplementary Affidavit.</p> <p style="text-align: center;">List this case on 03.04.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

M.A. No. 136 of 2018 Inre : O.A. No. (Nil) of 2018

Govind Lal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Ashish Kumar Singh, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>By means of this Original Application the applicant is claiming promotion with effect from 1987.</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 04.04.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

M.A. No. 1188 of 2018 Inre : O.A. No. (Nil) of 2018

Gajendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Girish Tiwari and Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1188 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 pension of Honorary Naib Subedar, which is recurring cause of action. As per office report there is delay of 01 month and 17 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is condoned.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on 08.04.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</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
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p>15.02.2019 <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u> Present: Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p>Shri R.K. Tiwari, Assistant Accounts Officer, Principal Controller of Defence Accounts is also present.</p> <p>On 07.01.2019 we had passed the following order :-</p> <p style="padding-left: 40px;">"In this case the order dated 09.01.2018 passed by this Tribunal was not complied within the stipulated time by the respondents. Thereafter, an application for extension of time of was moved on behalf of the respondents. An additional two month's time was granted to the respondents vide Tribunal's order dated 24.07.2018. Again four weeks time was granted to the respondents vide Tribunal's order dated 20.11.2018. But, even then the respondents have not filed compliance report. Earlier the respondents have moved an application for condonation of delay along with application for leave to appeal which have been rejected vide Tribunal's order dated 02.01.2019. Today again Ld. Counsel for the respondents prays for further time to file compliance report. The respondents have delayed the execution of order dated 09.01.2018 passed by this Tribunal for a considerable time.</p> <p style="padding-left: 40px;">Accordingly, we hereby grant four weeks further time file compliance report subject to payment of cost of Rs.15,000/- which shall be deposited in the registry and shall be paid to applicant. Payment of cost shall be a condition precedent to right to file the compliance report."</p> <p>Today Ld. Counsel for the respondents submits that the sanction for the execution of the order passed by this Tribunal has been granted and prays for further time to file compliance report. It is also submitted by the Ld. Counsel for the respondents that the cost imposed by the earlier order shall be paid within a week.</p> <p>List this case on 16.04.2019 for filing compliance report, failing which the respondents will have to pay cost of Rs.20,000/-, which shall be deposited in the Registry and shall be paid to the applicant.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/GSR/-</p>

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

M.A. No. 2040 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. L. Nk. Rajender Singh Indolia
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents has pointed out certain personal allegations made in the application for condonation of delay. When we asked to the Ld. Counsel for the applicant, he expressed his unconditional apology.</p> <p><u>M.A. No. 2040 of 2018</u></p> <p style="text-align: center;">This is an application for condonation of delay in filing the Original Application. By means of this Original Application the applicant has prayed for quashing his discharge order, which needs to be adjudicated by this Tribunal. As per office report there is delay of 12 days in filing the Original Application. The reasons given in the application for condonation of delay seem to be genuine. Accordingly, application for condonation of delay is allowed and delay in filing the Original Application is condoned.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as Original Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed by the Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List this case on 03.05.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 228 of 2015

Ramesh Chandra Dixit
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Col. R.C. Dixit (Retd.) in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The applicant has informed that the cost has been deposited by him.</p> <p>It is submitted by the applicant that the objection on the point of maintainability was raised by the Ld. Counsel for the respondents and the reply has also been filed by the applicant. The applicant prays for time for preparation on the said point.</p> <p>List this case on 12.03.2019 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 679 of 2017

Surendra Singh & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Ashok Kumar, Ld. Counsel for the applicants and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments heard. Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 97 of 2018

Peskar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>In compliance of the order dated 05.12.2018, the Ld. Counsel for the applicant has not incorporated the necessary impleadment, which was required to be incorporated as per his impleadment application. He prays for further time for the same.</p> <p>List this case on 04.04.2019 for orders.</p> <p>Meanwhile Counter Affidavit may also be filed.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 186 of 2018
Along with O.A. No. 338 of 2017 (Decided)

Ex. Hav. (Hony. Nb. Sub.) Raj Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant has deposited the cost in compliance of order dated 14.01.2019 passed by this Tribunal.</p> <p>Ld. Counsel for the respondents has raised preliminary objection with regard to maintainability of Original Application on the ground of principle of res-judicata.</p> <p>By means of this Original Application the applicant has prayed for quashing the Note -01 of the Corr. PPO dated 05.03.2018 and also quashing the Circular No. 430 dated 10.03.2012 and Circular No. 501 dated 17.01.2013, which need to be adjudicated by this Tribunal.</p> <p style="text-align: center;">Admit.</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 08.04.2019 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 231 of 2018

Bhupendar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Kauntae, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is informed at the Bar that the pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List this case on 03.05.2019 for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 306 of 2018

Jugendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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. Mishra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>In this case notice was issued to the Respondent No. 5. It was sent by post. It has not been personally served.</p> <p>Ld. Counsel for the applicant has submitted that he has impleaded the Respondent No. 5 as party because even issuance of the P.P.O. in pursuance of order dated 28.07.2017 passed by this Tribunal in O.A. No. 212 of 2015 the applicant has not received any payment and the Execution Application No. 04 of 2018 Inre : O.A. No. 212 of 2015 was dismissed as infructuous.</p> <p>By means of order dated 28.07.2017 passed by this Tribunal in O.A. No. 212 of 2015 the applicant was granted disability pension @30% with the benefit of rounding off to 50%, but, as per the submission of the Ld. Counsel for the applicant he has not received any payment till date in compliance of said order.</p> <p>Ld. Counsel for the applicant submits that he shall move an application for restoration of Execution Application No. 04 of 2018 and this Original Application may be dismissed as withdrawn with liberty to file an application for restoration of said Execution Application and to move an application to implead the concerned Bank as party.</p> <p>We accordingly, dismiss the Original Application No.306 of 2018 with liberty as aforesaid.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 324 of 2018

Raje Singh Negi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments heard.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 274 of 2016

Rajendra Prasad Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 B.K. Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submitted that in pursuance of the order dated 19.12.2018 the record has been received, but, the same has been made available to him today Morning. Therefore, he prays for short adjournment to go through the record.</p> <p>List this case on 14.03.2019 for hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 462 of 2017

Hem Raj Bhatta
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad is also present.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p style="text-align: center;">List this case on 08.04.2019 for hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">On the date fixed Shri R.K. Tiwari, Assistant Accounts Officer, representative of PCDA (P), Allahabad shall remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 466 of 2017

Udai Bhan Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 respondents.</p> <p>Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad is also present.</p> <p>Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 08.04.2019 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>On the date fixed Shri R.K. Tiwari, Assistant Accounts Officer, representative of PCDA (P), Allahabad shall remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 568 of 2017

Hony. Nb. Sub. Mukati Nath Rai
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad is also present.</p> <p>Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 08.04.2019 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>On the date fixed Shri R.K. Tiwari, Assistant Accounts Officer, representative of PCDA (P), Allahabad shall remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

O.A. No. 588 of 2017

Bhim Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Shri amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Shri R.K. Tiwari, Assistant Accounts Officer, PCDA (Pension), Allahabad is also present.</p> <p>Ld. Counsel for the applicant prays for adjournment. Accordingly, the case is adjourned.</p> <p>List this case on 08.04.2019 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>On the date fixed Shri R.K. Tiwari, Assistant Accounts Officer, representative of PCDA (P), Allahabad shall remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>AKD/GSR/-</p>

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

DY- No. 450 of 2019 Inre O.A. No. Nil of 2019

Ex Hav/Clk Ram Chandra Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Namit Sharma, 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: The applicant in person and Shri Namit Sharma, learned counsel for the respondents.</p> <p><u>DY. No. 450 of 2019</u></p> <p>By means of this O.A., the applicant has challenged punishment awarded by SCM. As per office report, it is delayed by 04 years, 10 months & 10 days in filing the Original Application.</p> <p>Registry has noticed certain defects in the O.A. The applicant who is present in person is directed to either rectify the defects or to move an application for his objection on the defects, raised by the Registry.</p> <p>List this case on 25.03.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 156 of 2019 Inre O.A. No. Nil of 2019

Ex Nk Ramesh Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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. Shesh Narain 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 A.K. Srivastava (Retd), learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 156 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 06 years, 10 months & 29 days in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Meanwhile, counter and rejoinder affidavits may be exchanged.</p> <p>List this case on 20.02.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents is directed to produce original documents including medical papers pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

M.A. No. 157 of 2019 Inre O.A. No. Nil of 2019

Ex Hav Rajendra Kumar Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 V.P.S. Vats, 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 A.K. Srivastava (Retd), learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents.</p> <p><u>M.A. No. 157 of 2019</u></p> <p>This is an application for condonation of delay filed by the applicant for payment of pensionary benefits. As per office report, it is delayed by 12 years, 07 months & 04 days in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</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, to be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 05.04.2019 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

M.A. No. 182 of 2019 Inre O.A. No. Nil of 2019

Ex JWO Sakti Ranjan Behera
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Pankaj Kumar Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A. No. 182 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 09 months & 05 days in filing the Original Application.</p> <p>Reasons shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient. Since pension is recurring cause of action, hence we allow the application for condonation of delay and delay in filing the original application is hereby condoned.</p> <p>Having heard learned counsel for the parties, we find that this is a fit case for adjudication.</p> <p>Admit.</p> <p>Meanwhile, counter and rejoinder affidavits may be exchanged.</p> <p>List this case on 21.02.2019 for hearing.</p> <p>On the date fixed, learned counsel for the respondents is directed to produce original documents including medical papers pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 20 of 2019 Inre O.A. No. 453 of 2017

Ex Sep Bhag Bahadur Tamang
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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>Ex.A. No. 20 of 2019</u></p> <p>This is fresh application filed by the applicant for execution of order dated 06.12.2017 passed in O.A. No. 453 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 11.04.2019 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 158 of 2019 with M.A. No. 159 of 2019
Inre M.A. No. 2001 of 2017 Inre O.A. No. Nil of 2017

Rect Nihal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others (Army)

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Shri Asheesh Agnihotri, Advocate on behalf of respondents is taken on record.</p> <p style="text-align: center;">Present: None for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 158 of 2019</u></p> <p style="text-align: center;">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 03.12.2018, passed by this Court in M.A. No. 2001 of 2017 Inre O.A. No. Nil of 2017, whereby this Tribunal has not extended the delay in filing O.A. Accordingly application for condonation for delay was rejected and the O.A. was dismissed . As per office report, there is delay of 01 month & 03 days in filing the application for leave to appeal.</p> <p style="text-align: center;"><u>M.A. No. 159 of 2019</u></p> <p style="text-align: center;">This application has been filed by the applicant after expiry of the period of limitation and no question of law of general public importance involved could be brought to our notice.</p> <p style="text-align: center;">Accordingly, application for leave to appeal is rejected on the ground of delay as well as on merits.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left;">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
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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.</p> <p><u>Ex.A. No. 101 of 2017</u></p> <p>This is an application filed by the applicant for execution of order dated 24.08.2012 passed in O.A. No. 332 of 2012.</p> <p>Learned counsel for the applicant submits that he shall file objection against PPO in the Registry during the course of day after providing a copy to learned counsel for the respondents.</p> <p>As directed by the Court on 20.12.2018, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad is present in person.</p> <p>List this case on 25.03.2019 for orders.</p> <p>On the date fixed, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad shall again remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

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

Ex-A No. 122 of 2017 with M.A. No. 716 of 2018
Inre EX.A. No. 92 of 2013 & O.A. No. 333 of 2012

Ram Ashre Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.02.2019</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 Maj Atul Gupta, Departmental Representative for the respondents.</p> <p><u>Ex.A. No. 122 of 2017</u></p> <p>This is an application filed by the applicant for execution of order dated 24.08.2012 passed in O.A. No. 333 of 2012.</p> <p>Learned counsel for the applicant submits that he shall file objection against PPO in the Registry during the course of day after providing a copy to learned counsel for the respondents.</p> <p>As directed by the Court on 20.12.2018, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad is present in person.</p> <p>List this case on 25.03.2019 for orders.</p> <p>On the date fixed, Shri R.K. Tiwari, Assistant Account Officer, representative of PCDA (P) Allahabad shall again remain present to assist the Tribunal.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>