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

O.A. No. 600 of 2021

Ex.Sub. Jawahar Lal Mandal 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
	31.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. Original Application is **allowed.** For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 598 of 2021

Ex. Gnr. Santosh 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
	31.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents. Original Application is **allowed.** For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 46 of 2022 with M.A. No. 63 of 2022

WO Bal Bachan Prasad (Retd.) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Heard Shri Chaturbhuj Dwivedi and Shri P.K. Khare, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents. The Original Application has been filed with delay of 01 year, 05 months and 10 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 46 of 2022** It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **21.03.2022** for exchange of pleadings. List the matter before Tribunal on **19.04.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 47 of 2022 with M.A. No. 64 of 2022

JWO Tribhuwan Thakur (Retd.) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. Heard Shri Chaturbhuj Dwivedi and Shri P.K. Khare, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. The Original Application has been filed with delay of 01 year, 06 months and 08 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 47 of 2022** It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **21.03.2022** for exchange of pleadings. List the matter before Tribunal on **19.04.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 48 of 2022

Ex. Nk. Shachche Lal 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. HeardShri Ashok Kumar and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents. The innocuous prayer of the applicant is that to direct the respondents to decide the applicant's First Appeal dated 12.01.2021, which is pending with the respondents. With the consent of Ld. Counsel for the parties, we hereby **dispose off** the Original Application finally with the direction to the respondents to decide the applicant'sFirstAppeal dated 12.01.2021, annexed as Annexure No. A-1 of Original Application, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly. Let copy of this order be provided to the learned Counsel for the parties. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 49 of 2022

Ex. JWO Bhola Prasad Shaw 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. HeardShri Shiv Kant Pandey, Shri Amit Pandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **21.03.2022** for exchange of pleadings. List the matter before Tribunal on **19.04.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 50 of 2022

Ex. WO Vijai Pratap Narain Mishra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondent Nos. 1 to 10 are taken on record. HeardShri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 10 assisted by Sqn. Ldr. Ashutosh Pandey, Departmental Representative for the respondents. Ld. Counsel for the respondent Nos. 1 to 10 submits that Original Application is bad for plural remedies and for misjoinder of parties. Ld. Counsel further submits that respondent Nos. 1 to 10 be allowed to file objection in this regard in writing which is allowed. Let objection be filed within two weeks. List on **21.03.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 56 of 2022 with M.A. No. 77 of 2022

Ex. Hony. Nb. Sub. Prahlad Rai Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the respondents is taken on record. Heard Shri Ram Singh and Shri Ramkripal Yadav, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents. The Original Application has been filed with delay of 13 years, 08 months and 13 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 56 of 2022** Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, to which Ld. Counsel for the respondents has no objection. With the consent of Ld. Counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, within a period of three months from the date of receipt of copy of this order and communicate to the applicant accordingly after verifying the documents. Let a copy of this order be provided to the learned Counsel for the parties. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 57 of 2022 with M.A. No. 78 of 2022

Dropati Rai @ Dropati Devi W/o Late Ex. Hony. Nb. Sub. Maheshwar Nath Rai Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. Heard Shri Ram Singh and Shri Ramkripal Yadav, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. The Original Application has been filed with delay of 13 years, 08 months and 13 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 57 of 2022** Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicant in terms of letter No.1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, to which Ld. Counsel for the respondents has no objection. With the consent of Ld. Counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, within a period of three months from the date of receipt of copy of this order and communicate to the applicant accordingly after verifying the documents. Let a copy of this order be provided to the learned Counsel for the parties. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 59 of 2022 with M.A. No. 79 of 2022

Nk. Jambe Prasad (Retd.) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Dr. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents. The Original Application has been filed with delay of 02 months and 15 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 59 of 2022** It is a fit case for adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **21.03.2022** for exchange of pleadings. List the matter before Tribunal on **19.04.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 60 of 2022 with M.A. No. 81 of 2022

Ex. Sep. RamadharSaroj 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Ms. Deepti Prasad Bajpai, Advocate on behalf of the respondents is taken on record. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents. The Original Application has been filed with delay of 01 year, 08 months and 13 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 60 of 2022** Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents. This Original Application has been filed to grant service element of disability pension to the applicant inter alia on the ground that being discharged in low medical category before completing the terms of engagement applicant is entitled to disability pension which includes service element also. The matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List the matter before Registrar on **21.03.2022** for exchange of pleadings. List the matter before Tribunal on **19.04.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 61 of 2022 with M.A. No. 82 of 2022

Ex. Hav. Rajendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Ram Sharan Awasthi, Advocate on behalf of the respondents is taken on record. Heard Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Ram Sharan Awasthi, Ld. Counsel for the respondents. The Original Application has been filed with delay of 03 years, 09 months and 13 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. **O.A. No. 61 of 2022** Heard Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Ram SharanAwasthi, Ld. Counsel for the respondents. Ld. Counsel for the applicant submits that applicant was discharged from service on 30.09.1988 after completing the terms of engagement and was in receipt of pension. He further submits that applicant's pension has been stopped by the respondents since 01.12.2015 without any justifiable reason. He further submits that in regard to release of pension documents were required to be submitted by the applicant, which applicant has submitted vide Zila Sainik Kalyan Adhikari, Fatehgarh letter dated 08.11.2021. Ld. Counsel for the respondents to seek instructions why despite required documents being submitted by the applicant the pension has not been released. Instructions be sought within two weeks. List on **21.03.2022.** Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 12 of 2022 Inre : O.A. No. 209 of 2018

Smt. Nirmala KumariJha @ Nirmala Kumari 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri B.B. Tripathi, Ld. Counsel for the applicant and Major Sini Thomas, Departmental Representative for the respondents. Major Sini Thomas, Departmental Representative submits that while processing the case for implementation of the order the Records has observed discrepancy regarding death of birth of applicant. A letter has been sent to applicant requiring her to submit fresh Aadhar Card with correct date of birth as mentioned in the service record. She further submits that despite letter being issued much before, Records has not yet received Aadhar Card with correct date of birth. In view of aforesaid, applicant is directed to submit fresh Aadhar Card with correct date of birth at earliest so that order may be implemented. List on **12.04.2022**. **(Vice Admiral AbhayRaghunathKarve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 15 of 2022 Inre : O.A. No. 525 of 2021

Nk. (Musician) Kishan Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Chief of Army staff& Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Kaushik Chatterjee, Advocate on behalf of the respondents is taken on record. Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents assisted by Major Sini Thomas, Departmental Representative for the respondents. Major Sini Thomas, Departmental Representative, on instruction received, submits that order is in the process of implementation and is presently pending with DGMS. Considering that respondents were directed to decide Statutory Complaint of the applicant within six weeks from the date of receipt of copy of order by speaking order, we direct respondents to decide the Statutory Complaint within two weeks positively, else the officer responsible for implementation of the order shall file a personal affidavit stating reasons for non-compliance of the order. List on **28.02.2022.** Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 65 of 2022 Inre : O.A. No. 291 of 2021

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Sep. Raghuvendra Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Dr. Gyan Singh, Ld. Counsel for the applicants – Union of India & Others. Applicant's – Union of India and Others have filed this application seeking correction in the order dated 09.11.2021 in Original Application No.291 of 2021, Sep. Raghuvendra Singh Versus Union of India and Others on the ground that RSMB has assessed the applicant's composite disabilities @60% instead of 50% which needs to be corrected. We have gone through the order dated 09.11.2021 and find that we have allowed the Original Application for the second and third disabilities @20% and @30% respectively, the sum of which arrives at 50%. We further find that for the first and fourth disabilities we have agreed with the opinion of RSMB. As such, we do not find any reason for correction in the order. Accordingly, correction application is **dismissed.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 66 of 2022 with M.A. No. 67 of 2022 Inre : O.A. No. 31 of 2017

Ex. Sep. Mange 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri D.K. Pandey, Advocate on behalf of the respondents is taken on record. Heard Shri Ashok Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. As per office note, there is no delay in filing Leave to Appeal, however, an application for condonation of delay has been moved which being not required is **dismissed**. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 seeking leave to appeal against the decision of this Tribunal in Original Application No. 31 of 2017, Ex. Sep. Mange Ram Versus Union of India & Others, decided on 29.10.2021. Upon hearing submissions of Ld. Counsel of the parties, we do not find any point of law of general public importance involved in the decision so that application for leave to appeal may be allowed. In the result, leave to appeal application is **dismissed.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 70 of 2022 Inre : O.A. No. 445 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Rect. Harvir Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** HeardShri Shyam Singh, Ld. Counsel for the applicants – Union of India and Others. For the reasons stated in affidavit filed in support of correction application, correction application is **allowed**. In the order dated 13.07.2021 the rank of the applicant be corrected as '**Rect**' in place of 'Rfn' and the date of discharge of the applicant be corrected as '**06.11.1995 (AN)**' in place of '05.11.1995'. Further, in para 9 of the order **'w.e.f. his next date of discharge i.e. 07.11.1995'** be corrected in place of 'w.e.f. his date of discharge i.e. 05.11.1995'. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 80 of 2022 Inre : O.A. No. 634 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sub. Vinod Kumar Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Devesh Kumar Mishra, Ld. Counsel for the applicants – Union of India & Others. This application has been filed by the applicant's – Union of India and Others for correction of Original Application No. 634 of 2020 to Original Application No. 486 of 2020 in its entire orders sheets dated 01.03.2021, 12.03.2021, 16.03.2021 and 23.11.2021. On perusal of records it appears that inadvertently initially Original Application No.486 of 2020 was allotted to this Original Application of which order sheets dated 10.11.2020 and 23.11.2020 were drawn. Later on it was found by the registry that Original Application No. 486 of 2020 was allotted to Ex. Rect. Guru Prasad Versus Union of India, therefore, to rectify the aforesaid error, number 634 of 2020 was allotted to this Original Application. Accordingly, the order sheets of dated 01.03.2021, 12.03.2021 and 16.03.2021 were drawn mentioning as Original Application No. 634 of 2020. In view of above, in the order sheets dated 10.11.2020 and 23.11.2020 Original Application number be corrected as '**634 of 2020**' in place of '486 of 2020'. Correction application stands **disposed off** accordingly. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 45 of 2019 Inre : O.A. No. 110 of 2018

Ex. Hav. Dinesh Pal 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** HeardShri Vinay Pandey, Ld. Counsel for the applicant and Mr. Amrita Chakraborty, Ld. Counsel for the respondents. In regard to compliance, Ld. Counsel for the respondents submits that Government Sanction has been accorded on 21.01.2022 and PPO shall be issued very soon. She also submits that cost has been deposited. Respondents to file affidavit of compliance within four weeks. List on **03.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 63 of 2019 Inre : T.A. No. 185 of 2009

Ex. Nk. Vijay Kumar 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj (Allahabad). Ld. Counsel for the respondents submits that PPO has been issued on 20.01.2022 and cost Rs.10,000/- has been deposited in registry on 03.01.2022. Let PPO be brought on record by way of affidavit within two weeks from today. List on **03.03.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 2 of 2020 Inre : O.A. No. 269 of 2015

Ex. Nb. Sub. RadheyShyam Sharma 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. Ld. Counsel for the applicant submits that applicant being posted in Maharashtra Police and being not permitted to leave station, objection against affidavit of compliance could not be filed. He seeks and is allowed three weeks further time to file objection against affidavit of compliance. List on **04.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 8 of 2021 Inre : O.A. No. 282 of 2016

Varun Kumar Pandey 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Ld. Counsel for the applicant submits that in compliance to order passed by this Tribunal applicant is receiving disability element only, not service element also which included in disability pension. He further submits that applicant has knowledge about filing of Special Leave Petition in the Hon'ble Apex Court as notice in this regard has been received by the applicant in the month of January, 2022 itself. He further submits that since there is no stay against decision of this Tribunal, respondents be directed to make complete implementation of the order. In reply, the Ld. Counsel for the respondents submits that Special Leave Petition filed against decision of this Tribunal was listed for hearing in the Hon'ble Apex Court on 27.01.2022, on which date the Hon'ble Apex Court was pleased to pass the order to issue notice to applicant again as the notice issued earlier was not found served upon him. He further submits that Special Leave Petition is listed again on 28.02.2022. Keeping in view the aforesaid facts, respondents are granted four weeks further time to either bring stay order or implement the order in entirety. List on **16.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 14 of 2021 Inre : O.A. No. 263 of 2020

Ex. Nk. Saurabh 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present. Dr. Chet Narayan Singh, Ld. Counsel appearing on behalf of respondents submits that four weeks further time be granted to file affidavit of compliance. Considering that enough time has already been granted to respondents for compliance of the order, they are granted four weeks further time on payment of Rs.10,000/- to the applicant. It is clarified that if the order is not complied with in the given time, the officer responsible for implementation of the order shall appear in person before the Tribunal on the next date fixed to explain the reason for non-implementation of the order. List on **21.03.2022**. Let copy of this order be provided to Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 30 of 2021 Inre : O.A. No. 530 of 2019

Ex. Sub. Harendra Singh Rawat 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present. Shri Ashish Kumar Singh, Ld. Counsel appearing on behalf of respondents submits that PPO has been generated. He further submits that a week further time be granted to him to file affidavit of compliance which is allowed. List on **09.02.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 106 of 2019 Inre : O.A. No. 275 of 2017

Smt. Seeta Devi [W/o Ex. Cfn. (Late) Ram 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma and Shri Vinay Pandey, Ld. Counsel for the respondents. Ld. Counsel for the applicant submits that Execution Application may be dismissed being infructuous as payment has been received to the applicant. In view of the above, Execution Application is **dismissed** being infructuous. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. (A) No. 39 of 2017 with M.A. No. 1237 of 2018

Smt. Sunita Singh W/o Abhishek Kumar Singh (In Custody) 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Ashish Asthana, Shri Shailendra Kumar Singh and Shri Jitendra Saksena, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. Matter needs physical hearing. List on **19.04.2022** for final hearing. On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 88 of 2018

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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri AK Singh and Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. Pleadings have been exchanged between the parties and the case is ripe for hearing. List on **15.03.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 345 of 2019

Air Vice Marshal Rajesh Isser, AVSM, VM (Gallentary) 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present. Col Y.R. Sharma (Retd), learned counsel for the applicant is still reported to be not well. The matter requires physical hearing. List on **07.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 174 of 2020

Ex. Hony Nb Sub Parimal Das 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present. The matter requires physical hearing. List on **11.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 610 of 2020

Ravinder 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present. Learned counsel for the applicant is unable to attend the Court being out of station. List on **16.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 614 of 2020

Sep Avnish 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Col. AK Srivastava (Retd), Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present. Learned counsel for the applicant prays for and is granted four weeks' further time to file rejoinder affidavit. List on **11.04.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. NO. 675 of 2020

Ex. Hav Surendra 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri SS Rajawat and Shri Mukesh Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. Shri SS Rajawat, learned counsel for the applicant submits that rejoinder affidavit is under preparation and may be filed very soon. Let rejoinder affidavit be filed within two weeks. List on **18.04.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 12 of 2021

Smt. Phulmaya Lamichhane
W/O NK (Late) Hari Bahadur Gurung 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Veer Raghav Chaubey and Ravi Raghavan, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative. The instant application has been filed for the grant of family pension to the applicant being wife of deceased soldier Nk (Late) Hari Bahadur Gurung. In regard to above claim, respondents contention is that in view of variation in surname of the applicant in her claim and the service records of the deceased soldier an investigation was carried out which revealed that deceased soldier had contracted two marriage in his life time, one with Tek Kumari and other with the applicant during subsistence of first marriage. Respondents have, however, said nothing regarding current status of 1st wife which is necessary for just decision of the case. Respondents are therefore, directed to file current status of the 1st wife within two months. List on **18.04.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 226 of 2021

Ex. Rect Ramu 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Sanjay Kumar Singh and Shri Rajesh Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti P Bajpai, Ld. Counsel for the respondents are present. Supplementary affidavit filed by the respondents and rejoinder affidavit filed by the applicant are taken on record. The main dispute in the case is regarding total number of days applicant was absent during training on medical ground. Applicant states that he was absent for 160 days only whereas respondent's contention is that it was 190 days. The dispute can be resolved after perusing original documents relating to admission of applicant in army hospital only. Accordingly, respondents are directed to produce original documents relating to applicant's admission in army/concerned hospital for perusal of Bench. They are further directed to bring policy under which absence of not more than 180 days on medical reason has been mandated. List on **30.03.2022**. A copy of the order be provided to learned counsel for the respondents/Legal Cell for compliance. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 400 of 2021

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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present. Shri Om Prakash Kushwaha, learned counsel appearing for applicant submits that applicant is required to file rejoinder affidavit to detailed counter affidavit filed by the respondents. He prays for two weeks' time to file rejoinder affidavit which is allowed. List on **08.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 441 of 2021

Ex. Sep Ram Milan Sharma 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajesh Shukla and Mohd Zafar Khan, Ld. Counsel for the respondents are present. Learned counsel for the respondent Nos. 1 to 4 submits to grant two days' time to file counter affidavit which is allowed. A counter affidavit has been filed by respondent Nos. 5 & 6 and the same is taken on record. After counter affidavit being filed by respondent Nos. 1 to 4, applicant will have two weeks' time to file rejoinder affidavit. List on **03.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 445 of 2021

Ex. Sub (Hony Sub Maj) Ansuya Prasad Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Shri Pradeep Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present. On the request of learned counsel for the respondents three weeks time is granted to file counter affidavit. List on **10.03.2022** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A. No. 799 of 2021

Ex. Nk Satyendra Narayan Dubey 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
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Col. AK Srivastava (Retd), Ms. Hemlata and Shri Amarendu Srivastava, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. Learned counsel for the applicant submits that applicant has been convicted under Section 341, 324 & 307 IPC, not under Section 302 IPC as mentioned in 2nd line of para 3 and 3rd line of para 4 in order dated 15.12.2021 which be corrected. In view of aforesaid, let correction be made. In regard to non filing of order of discharge, learned counsel for the applicant submits that the same has not yet been served to the applicant. Regarding counter affidavit, learned counsel for the respondents submits that para-wise comments are still awaited therefore, three weeks further time be granted which is allowed. List on **14.03.2022.** In the meantime, respondents are directed to provide medical aid to the applicant in Military Hospital. A copy of the order be provided to learned counsel for the respondents/Legal Cell for compliance. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A (A) No. 422 of 2020

Smt. Alka Bhadauria W/o Ex. Spr Devesh Singh Bhadauriya Appellant
By Legal Practitioner for the Appellant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Ms. Appoli Srivastava, Ld. Counsel for the respondents is present. Col Y.R. Sharma (Retd), learned counsel for the applicant is still reported to be not well. The matter needs physical hearing. List on **12.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

O.A.(A) No. 667 of 2020

Smt. Firoz Bano Wife of Mohd Yunus Khan (Deceased) Appellant
By Legal Practitioner for the Appellant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the appellant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. The matter needs physical hearing. List on **12.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

T.A. No. 84 of 2012

Narendra Kumar Rana Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the petitioner and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present. The matter needs physical hearing. List on **13.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

T.A. No. 16 of 2016

Ashutosh Singh Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard arguments of Shri JN Mishra, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents. Judgment reserved. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB

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

T.A. No. 37 of 2016

KN Dwivedi Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	01.02.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh and Shri DC Lohumi, Ld. Counsel for the respondents are present. The matter needs physical hearing. List on **19.04.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB