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

O.A. (A) No. 626 of 2022 with M.A. No. 765 of 2022

Sgt. Suraj S. 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
	03.08.2022 **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. Her name be shown as Counsel for the respondents when the case is listed next. **M.A. No. 765 of 2022** Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents. This is an application filed under section 15(6) (e) of the Armed Forces Tribunal Act, 2007 seeking suspension of sentence dated 10.06.2022 passed by the District Court-Martial by which applicant has been ordered to be in detention for a period of four months besides other sentences for the offences under sections 40(b) & (c), 41(2), 42(e) and 65 of the Indian Air Force Act, 1950. Learned counsel for the applicant submits that applicant has been held guilty for committing an act prejudical to good order and Air Force discipline, disobeying a lawful command given by his superior officer, using insubordinate language to his superior officer, using threatening language to his superior officer and for neglecting to obey a general order. He submits that applicant was framed in offences and held guilty on account of ill will and prejudices without having any grain of truth. There is no consistency in prosecution witnesses. No fair trial was held in the matter as proper opportunity of hearing was not provided to the applicant. Applicant is seeking suspension of detention only as he has already been dismissed from service with all consequential effects. Learned counsel for the respondents submits that looking to act and conduct of the applicant he does not deserve suspension of detention. A fair trial was held in his case and cogent and concrete evidence being found he was held guilty and sentenced. She submits that finding and sentence

	recorded by the District Court-Martial is yet to be confirmed. She further submits that at present applicant is receiving treatment in Military Hospital, Agra regarding his ailment and, as such, not in actual detention. Upon hearing submissions of learned counsel of both sides and that applicant has nearly served half of the detention awarded to him, we think proper to enlarge him on bail during pendency of Original Application (Appeal). Let applicant be enlarged on bail during pendency of Original Application (Appeal) on his filing a personal bond of Rs 50000/- and one surety in the like amount to the satisfaction of the Registrar of this Tribunal. Application stands disposed of accordingly. **(Vice Admiral Abhay Raghunath Karve)** **Member (A)** **(Justice Umesh Chandra Srivastava)** **Member (J)** AKD/-

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

O.A. (A) No. 626 of 2022 with M.A. No. 765 of 2022

Sgt. Suraj S. 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **O.A. (A) No. 626 of 2022** Heard Shri Ravi Kumar Yadav, Ld. Counsel appearing for the applicant and Ms. Appoli Srivastava, Ld. Counsel appearing for the respondents. This Original Application (Appeal) has been filed under section 15 of the Armed Forces Tribunal Act against the order dated 10.06.2022 of the District-Court Martial by which the applicant has been held guilty for the offences under sections 40(b) & (c), 41(2), 42(e) and 65 of the Indian Air Force Act, 1950 and sentenced to undergo detention for four months, to be dismissed from service and to be reduced to rank. Learned counsel for the respondents submits that Original Application (Appeal) is not maintainable being premature on two counts. Firstly, the order impugned in Original Application (Appeal) is not final being not confirmed by the competent authority under section 152 of the Indian Air Force Act, 1950 which clearly reads that no finding or sentence of a General, District or Summary General Court Martial shall be valid except so far as it may be confirmed as provided by this Act and, secondly, Statutory appeal preferred under section 161 of the Indian Air Force Act, 1950 by the applicant against the impugned order has not been disposed yet. Applicant is not permitted to avail two remedies together. He can file Original Application (Appeal) against the impugned order only after the same is confirmed by the competent authority and also the statutory appeal decided. Learned counsel for the applicant submits that there is no bar in law in filing Original Application (Appeal) against the impugned order under section 15 of the Armed Forces Tribunal Act, 2007 more so when personal liberty of the applicant has been infringed by keeping him in detention. He submits that impugned order which was passed on 10.06.2022 has not been confirmed yet

	without any cogent reasons. If applicant is forced to file Original Application (Appeal) after the impugned order being confirmed by the competent authority the purpose of the filing of Original Application (Appeal) will turn futile in regard to detention as in that circumstance the period of detention will be almost over. It is not known as to when the order will be confirmed. He submits that impugned order was passed on 10.06.2022 and applicant applied for its copy on 15.06.2022 and respondents took 38 days time in providing the copy whereas as per rules copy is to be provided within a reasonable time which in any case could not be 38 days. Upon hearing submissions of learned counsel of both sides and considering that order appealed which is dated 10.06.2022 has not yet confirmed while applicant is in detention under the said order, we admit the Original Application (Appeal) for hearing. Issue notice. Miss Appoli Srivastava, the learned counsel has accepted notice on behalf of all respondents. Service of notice is waived. Respondents may file reply to Original Application (Appeal) within four weeks. Rejoinder affidavit may be filed within two weeks next thereafter. List before the Registrar court on **03.11.2022** for exchange of pleadings. **(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

O.A. No. 308 of 2022

Rfn. Ekhalaq Ahamad (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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Kavita 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

O.A. No. 228 of 2022

Ex. PO EL (R) Sunil Dutt Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, 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

O.A. No. 291 of 2022

Ex. Sub. Jamaluddin Ansari 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam Singh, 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

O.A. No. 598 of 2022 with M.A. No. 705 of 2022

Ex. Hav. Moolraj 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
	03.08.2022 **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. Her name be shown as Counsel for the respondents when the case is listed next. Heard Shri R. Chandra, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents. The Original Application has been filed with delay of 06 years, 04 months and 04 days. Being a pensionary matter in which cause of action accrues every month, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 598 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 599 of 2022 with M.A. No. 708 of 2022

Ex. Recruit Ramprasad 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri G.S. Sikarwar, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents. This Original Application has been filed for issuing direction to respondents to issue Discharge Certificate and to issue Civil Employment Certificate. There is a delay of 02 years and 26 days in filing of Original Application. Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application. The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained. Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 599 of 2022** 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. 600 of 2022 with M.A. No. 717 of 2022

Ex. Gnr. Rahul 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
	03.08.2022 **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. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. This Original Application has been filed for the grant of disability pension. There is a delay of 01 month and 20 days in filing of Original Application. Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application. The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained. Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 600 of 2022** 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 602 of 022 with M.A. No. 721 of 2022

Ex. Gnr. Zala Vijay Singh Nathu 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
	03.08.2022 **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. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents. The Original Application has been filed with delay of 04 years, 02 months and 23 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. 602 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 603 of 2022 with M.A. No. 722 of 2022

Ex. Sub. Madho 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Rajesh Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents. In view of order dated 10.01.2022 of the Hon'ble Apex Court in Miscellaneous Application No. 21/2022 in MA 665/2021 in Suo Motu Writ Petition (C) No.3/2020, there is no delay in filing of Original Application, however, an application for condonation of delay has been moved which being not required is dismissed. 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 604 of 2022

Ex. ACP Nb. Sub. Kailash Chandra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Case 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 605 of 2022 with M.A. No. 724 of 2022

Ex. Hav/Clk. Arun Kumar Dwivedi 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri S.N. Singh Gaherwar and Shri Dinesh Kumar Upadhyay, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents. There is a delay of 37 days in filing of Original Application. Being a pensionary matter in which cause of action accrues every month, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 605 of 2022** 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

O.A. No. 606 of 2022 with M.A. No. 725 of 2022

Ex. JWO Devendra Nath Singh Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri S.N. Singh Gaherwar and Shri Dinesh Kumar Upadhyay, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents. There is a delay of 37 days in filing of Original Application. Being a pensionary matter in which cause of action accrues every month, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 606 of 2022** 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 **20.09.2022** for exchange of pleadings. List the matter before Tribunal on **03.11.2022.** **(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

Ex. A. No. 237 of 2022 Inre : O.A. No. 147 of 2020

Ex. Sub. Ombir 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 14.02.2022 of this Tribunal in Original Application No. 147 of 2020. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **03.11.2022.** **(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

Ex. A. No. 238 of 2022 Inre : O.A. No. 269 of 2020

Ex. Hav. (MACP Nb. Sub.) Shivanand Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 16.09.2021 of this Tribunal in Original Application No. 269 of 2020. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **03.11.2022.** **(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

Ex. A. No. 239 of 2022 Inre : O.A. No. 618 of 2021

Ex. Hav. Sanjai 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Devesh Kumar, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 09.03.2022 of this Tribunal in Original Application No. 618 of 2021. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **04.11.2022.** **(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

Ex. A. No. 240 of 2022 Inre : O.A. No. 488 of 2021

Smt. Dilmani W/o Late Nk. Mohd. Saheed 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
	03.08.2022 **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. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 08.02.2022 of this Tribunal in Original Application No. 488 of 2021. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **04.11.2022.** **(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

Ex. A. No. 241 of 2022 Inre : O.A. No. 308 of 2021

Ex. HFO/MWO Bal Krishna 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 11.03.2022 of this Tribunal in Original Application No. 308 of 2021. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **04.11.2022.** **(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

Ex. A. No. 242 of 2022 Inre : O.A. No. 56 of 2019

Ex. Spr. Bharat Chandra Biswas 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
	03.08.2022 **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. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 08.10.2021 of this Tribunal in Original Application No. 56 of 2019. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **07.11.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 243 of 2022 Inre : O.A. No. 649 of 2021

Ex. MWO Raj Kumar Upadhyay 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
	03.08.2022 **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. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 28.02.2022 of this Tribunal in Original Application No. 649 of 2021. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance. List on **07.11.2022.** **(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

Ex. A. No. 244 of 2022 Inre : O.A. No. 357 of 2020

Ex. Sub./AEC Hirdai Narain Kushwaha 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 31.05.2021 of this Tribunal in Original Application No. 357 of 2020. It is submitted by the Ld. Counsel for the respondents that in compliance of order PPO has been generated. PPO be brought on record within two weeks. List on **13.09.2022.** **(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

M.A. No. 706 of 2022 with M.A. No. 707 of 2022 Inre : O.A. No. 632 of 2020

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

Versus

Ex. Nk. Anand Kumar Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Dr. Chet Narayan Singh , Ld. Counsel for the applicants – Union of India & Others. For the facts averred in affidavit filed in support of delay condoantion application, delay of 01 month and 20 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal 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

M.A. No. 709 of 2022 with M.A. No. 710 of 2022 Inre : O.A. No. 331 of 2019

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

Versus

Smt. Prabhawati Widow of Late Nk. Nanku Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Amit Jaiswal, Ld. Counsel for the applicants – Union of India & Others. For the facts averred in affidavit filed in support of delay condoantion application, delay of 01 month and 21days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 711 of 2022 with M.A. No. 712 of 2022 Inre : O.A. No. 37 of 2020
Along with
Ex. A. No. 153 of 2022 to Ex. A. No. 167 of 2022

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

Versus

Hav. (AA) Shiv Saran Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Amit Jaiswal, Ld. Counsel for the applicants – Union of India & Others and Shri Shailendra Kumar Singh, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condoantion application, delay of 01 month and 21 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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{See rule 11(1)}
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M.A. No. 713 of 2022 with M.A. No. 714 of 2022 Inre : O.A. No. 195 of 2019

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

Versus

Ex. Rfn. Hakim Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Amit Jaiswal, Ld. Counsel for the applicants – Union of India & Others. For the facts averred in affidavit filed in support of delay condoantion application, delay of 01 month and 21 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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ORDER SHEET
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M.A. No. 715 of 2022 with M.A. No. 716 of 2022 Inre : O.A. No. 482 of 2018

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

Versus

Smt. Manpree Kaur W/o Late Gnr. Jagdeep Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicants – Union of India & Others. For the facts averred in affidavit filed in support of delay condoantion application, delay of 01 month and 22 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **Member (A)** **(Justice Umesh Chandra Srivastava)** **Member (J)** AKD/-

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

M.A. No. 718 of 2022 with M.A. No. 719 of 2022 Inre : O.A. No. 309 of 2017

Col. Vikram Chauhan Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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. Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. For the facts averred in affidavit filed in support of delay condoantion application, delay of 02 months and 17 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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T.A. No. 20 of 2022

Ex. JWO RBS 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next. On the case being taken up for hearing no one is present on behalf of the applicant. Shri Bipin Kumar Singh, Ld. Counsel for the respondents is present. This application has been received by transfer from Armed Forces Tribunal, Regional Bench, Kochi. Pleadings have been exchanged between the parties. The case is ripe for hearing. List on **10.11.2022** 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/-

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Ex. A. No. 149 of 2022 Inre : O.A. No. 126 of 2021

Ex. Hav. Sur Sari Charan Mishra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 5 are present. Shri Amit Jaiswal, Ld. Counsel appearing on behalf of respondent Nos. 1 to 5 prays for and is granted four weeks further time to file affidavit of compliance. List on **13.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 175 of 2022 with M.A. No. 480 of 2022 Inre : O.A. No. 629 of 2017

Ex. JWO Vishnu Deo Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 5 and 6 is taken on record. His name be shown as Counsel for the respondent Nos. 5 and 6 when the case is listed next. On the case being taken up for hearing Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 4 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 5 and 6 are present. Ld. Counsel for the respondent Nos. 5 and 6 submits that order in question has been complied with much before. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
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Ex. A. No. 176 of 2022 with M.A. No. 481 of 2022 Inre : O.A. No. 58 of 2018

Ex. JWO Ashok 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 5 and 6 is taken on record. His name be shown as Counsel for the respondent Nos. 5 and 6 when the case is listed next. On the case being taken up for hearing Shri Shyam Singh, Ld. Counsel for the respondent Nos. 1 to 4 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 5 and 6 are present. Ld. Counsel for the respondent Nos. 5 and 6 submits that order in question has been complied with much before. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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Ex. A. No. 177 of 2022 with M.A. No. 482 of 2022 Inre : O.A. No. 119 of 2018

Ex. MWO Surendra Kumar Srivastava 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
	03.08.2022 **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 Shyam Singh, Ld. Counsel for the respondent Nos. 1 to 4 is present and he submits that in view of PPO dated 11.10.20212 applicant is being paid pension @Rs.11,526/- with effect from 01.01.2006 and Rs.13,590/- with effect from 01.07.2009. Thus he submits that order has been complied with. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
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Ex. A. No. 178 of 2022 with M.A. No. 483 of 2022 Inre : O.A. No. 635 of 2017

Ayodhya Tiwari W/o Late Ex. Suib. Brij Bebari Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 4 and 5 is taken on record. His name be shown as Counsel for the respondent Nos. 4 and 5 when the case is listed next. On the case being taken up for hearing Shri Namit Sharma, Ld. Counsel for the respondent Nos. 1 to 3 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 4 and 5 are present. Ld. Counsel for the respondent Nos. 4 and 5 submits that order in question has been complied with much before. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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Ex. A. No. 179 of 2022 with M.A. No. 484 of 2022 Inre : O.A. No. 621 of 2017

Ex. JWO Bachcha Jee 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
	03.08.2022 **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 Yogesh Kesarwani, Ld. Counsel for the respondent Nos. 1 to 4 is present. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
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Ex. A. No. 180 of 2022 with M.A. No. 485 of 2022 Inre : O.A. No. 624 of 2017

Ex. JWO Raj Nath Mishra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 5 and 6 is taken on record. His name be shown as Counsel for the respondent Nos. 5 and 6 when the case is listed next. On the case being taken up for hearing Ms. Amrita Chakraborty, Ld. Counsel for the respondent Nos. 1 to 4 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 5 and 6 are present. Ld. Counsel for the respondent Nos. 5 and 6 submits that order in question has been complied with much before. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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{See rule 11(1)}
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Ex. A. No. 181 of 2022 with M.A. No. 486 of 2022 Inre : O.A. No. 623 of 2017

Arun Kumar Tiwari S/o Ex. Sub. Deo Nandan Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 4 and 5 is taken on record. His name be shown as Counsel for the respondent Nos. 4 and 5 when the case is listed next. On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent Nos. 1 to 3 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 4 and 5 are present. Ld. Counsel for the respondent Nos. 1 to 3 submits that in compliance of order arrears Rs.13,158/- on 09.12.2016 and Rs.44,795/- on 23.12.2016 have been credited in applicant's account. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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{See rule 11(1)}
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Ex. A. No. 182 of 2022 with M.A. No. 487 of 2022 Inre : O.A. NO. 117 of 2018

Smt. Sumitra Devi W/o Late Ex. WO Shyamala Prasad Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Vakalatnama filed by Mohd. Zafar Khan, Advocate on behalf of the respondent Nos. 5 and 6 is taken on record. His name be shown as Counsel for the respondent Nos. 5 and 6 when the case is listed next. On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent Nos. 1 to 4 assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 5 and 6 are present. Ld. Counsel for the respondent Nos. 5 and 6 submits that order in question has been complied with much before. Let affidavit of compliance be filed within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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Ex. A. No. 183 of 2022 with M.A. No. 488 of 2022 Inre : O.A. No. 641 of 2017

Ex. WO Mukhtyar Ahmed 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
	03.08.2022 **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 Mohd. Zafar Khan, Advocate appears on behalf of respondent Nos. 5 and 6 and submits that he will file Vakalatnama on behalf of respondent Nos. 5 and by the next date fixed. He submits that order has been complied with. Ms. Amrita Chakrabotry, Ld. Counsel for the respondent Nos. 1 to 4 is present. Let affidavit of compliance be filed by the respondent Nos. 5 and 6 within two weeks. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
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R.A. No. 59 of 2022 with M.A. No. 548 of 2022 Inre : O.A. No. 303 of 2019

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

Versus

Ex. Rect. Beeresh Kumar Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **M.A. No. 548 of 2022** Heard Shri Rajiv Pandey, Ld. Counsel for the review applicants – Union of India & Others. For the reasons stated in affidavit filed in support of application, delay of 01 month and 29 days in filing of Review Application is **condoned**. Delay condonation application stands disposed off. **R.A. No. 59 of 2022** Heard Shri Rajiv Pandey, Ld. Counsel for the review applicants – Union of India & Others. The Review Applicant has filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants – Union of India & Others have prayed for review and setting aside the judgement and order dated 03.12.2021 of this Tribunal passed in Original Application No. 303 of 2019 on the ground that this Tribunal has not considered the matter of fact that the respondent absented himself without leave from unit lines and that as per Government of India, Ministry of Defence, policy dated 28.02.1986 in which it is provided that if a recruit who is absent for more than 30 days during training will not be allowed to rejoin his training. The order reads as under:- *"A conceptus of our observations made above is that the O.A. deserves to be allowed, hence, partly allowed. The impugned order passed by the respondents declaring him deserter is quashed. The respondents are directed to reinstate the applicant in service and allow him to join his duty and complete his training as per rules and intimate the date of joining. The applicant shall not be entitled for any back wages or other benefits for the period he was out of service. The respondents are further directed to comply with the order within one month from the date of production of a certified copy of this order."*

It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.

For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-

> "*1. Application for review of judgment.- (1) any person considering himself aggrieved-*
>
> *(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*
> *(b) by a decree or order from which no appeal is allowed, or*
> *(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record , or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order."*

In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of ***Parsion Devi and others vs. Sumitri Devi and others***, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

> *"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."*

We have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is **rejected.**

(Vice Admiral Abhay Raghunath Karve) **Member (A)**	**(Justice Umesh Chandra Srivastava)** **Member (J)**

AKD/-

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

O.A. No. 405 of 2022

Ex. Nk. Gambhir 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
	03.08.2022 **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. Amit Asthana, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present. As prayed by the Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit. List on **06.10.2022**. **(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

O.A. No. 406 of 2022

Ex. Sgt. Harsh Vardhan 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
	03.08.2022 **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 and Shri Abhishek Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present. As prayed by the Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit. List on **07.10.2022**. **(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

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

Nb. Sub. Devendra Prasad Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Hearing concluded. Judgment reserved. **(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

O.A. No. 286 of 2022 with M.A. No. 446 of 2022

Ex. HFL Lallan 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **M.A. No. 446 of 2022** Heard Shri Abhishek Singh and Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Kaushikk Chatterjee, Ld. Counsel for the respondents. For the reasons stated in affidavit filed in support of application, amendment application is allowed. Let amendment be carried out by today itself. **O.A. No. 286 of 2022** As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **12.10.2022**. **(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

O.A. No. 401 of 2022

Nk. Akhil George 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
	03.08.2022 **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 Rajesh Shukla, Ld. Counsel for the respondents is present. As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **12.10.2022**. **(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

O.A. No. 403 of 2022

Ex. Sub./Clk. Dipak Kar 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
	03.08.2022 **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 K.P. Datta, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **07.10.2022**. **(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

O.A. No. 404 of 2022

Gp. Capt. Rajesh Kumar Mishra (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
	03.08.2022 **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 Bipin Kumar Singh, Ld. Counsel for the respondents is present. On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **07.10.2022**. **(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

O.A. No. 408 of 2022

Rect. Rinku 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
	03.08.2022 **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 Arvind Kumar Jauhari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit. List on **10.10.2022**. **(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

O.A. No. 409 of 2022

Ex. Nk. (MACP Hav.) Dattatray Vasant 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
	03.08.2022 **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 Mohd. Zafar Khan, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit. List on **10.10.2022**. **(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

O.A. No. 13 of 2021 along with Diary No. 669 of 2016 (Decided)

Ex. Hav. Lal Babu Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Yogesh Kesarwani, Ld. Counsel for the respondents is present. An application for adjournment has been received from Shri Shiv Kant Pandey, Ld. Counsel for the applicant. Accordingly, case is adjourned. List on **16.09.2022**. **(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

O.A. No. 359 of 2021

Smt. Bitan Devi W/o Ex. L/Nk. Ramesh 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
	03.08.2022 **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, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the applicant, the case is adjourned. List on **16.09.2022**. **(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

O.A. No. 291 of 2017

Ram Chandra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present. As prayed by the Ld. Counsel for the applicant, list on **08.08.2022.** **(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

O.A. (A) No. 251 of 2021 with M.A. No. 248 of 2021

Hav. Abdul Wasim Khan 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
	03.08.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **M.A. No. 248 of 2021** Heard Shri Virat Anand Singh, Ld. Counsel appearing for the applicant and Ms. Appoli Srivastava, Ld. Counsel appearing for the respondents. This is an application for grant of Bail during the pendency of Original Application (Appeal) filed under Section 15 of the Armed Forces Tribunal Act, 2007. During the course of hearing, Ld. Counsel for the applicant submitted that he is not intending to press the Bail Application, the same may be disposed off by fixing a date in the Original Application (Appeal) for final hearing. Accordingly, Bail Application is disposed off. **O.A. (A) No. 251 of 2021** List on **21.09.2022** for final hearing. **(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

O.A. No. 670 of 2021

Ex. Hav. Santosh Kumar 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
	03.08.2022 **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 Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. Learned counsel for the respondents prays for and is granted a week's further time to file counter affidavit. List on **12.08.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 825 of 2021

Ex Hav Brijesh Kumar Srivastava 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
	03.08.2022 **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 Salik Ram Yadava, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present. List on **06.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 878 of 2021

Ex. Deem(P) Ravi 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
	03.08.2022 **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 Wg. Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents three weeks further time is granted to file counter affidavit. List on **06.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 313 of 2022

Ex. Hav. Surander 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
	03.08.2022 **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 Ramakant Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Counter affidavit filed by the respondents is taken on record. List on **04.08.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 402 of 2022

Ex. Hav (ACP-I) Rajveer 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
	03.08.2022 **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 Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents a week's further time is granted to filed counter affidavit. List on **12.08.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. (A) No. 205 of 2021

Sep. Pawan Chandra Bhatt through mother Smt. Kamla Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Shailendra Kumar Singh and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. Learned counsel for the respondents submits that in detailed counter affidavit filed by the respondents certain facts have been stated which the applicant has not reverted by filing rejoinder affidavit, hence the same should be taken as accepted. On the other hand, learned counsel for the applicant submits that no rejoinder affidavit is required to be filed in the case. He further submits that he is ready to advance his argument today. Heard argument of learned counsel of both sides which could not be concluded today due to paucity of time. List tomorrow on **04.08.2022** as part heard case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 660 of 2020

Ex. Rect Heera 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
	03.08.2022 **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 Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present. List on **13.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 317 of 2021 with M.A. No. 243 of 2022

Ex. Rect. Prashant Kumar Prikshit 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
	03.08.2022 **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 and Shri Rahul Chaurasiya, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. List on **01.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 344 of 2021

Ex. JWO Anil Kumar Ojha Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Amit Pandey, Ms. Nisha Pandey and Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. List on **14.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 362 of 2021

Ex. Sep Raju J Akkatangerhal 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
	03.08.2022 **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, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. List on **02.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

T.A. No. 1061 of 2010 with M.A. No. 674 of 2021

R N Mishra Petitioner
By Legal Practitioner for the Petitioner

Versus

Chief of Air Staff & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Shiv kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. List on **13.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

T.A. No. 1065 of 2010

R.N. Mishra Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	03.08.2022 **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 Bhaskar Prasad Dubey and Shri Shiv Kant Pandey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. List on **13.10.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-