

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

O.A. No. 900 of 2022 with M.A. No. 1116 of 2022

Sgt. Satish Kumar Tiwari (Retd.)
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Shyam Singh, Advocate has appeared on behalf of the respondents and filed Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1116 of 2022</u></p> <p>This application has been filed for condoning the delay of 06 years, 09 months and 03 days in filing of Original Application.</p> <p>Ld. Counsel for the applicant submits that delay in filing the application is not intentional. Further, limitation is not applicable in pensionary matters.</p> <p>Cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 900 of 2022</u></p> <p>Ld. Counsel for the applicant submits that applicant's claim for the grant of disability pension has been wrongly denied on the premise being disability neither attributable to nor aggravated by military service. In fact the disability is connected with the service.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>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.</p> <p>List the matter before Registrar on 08.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 09.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 338 of 2022 Inre : O.A. No.614 of 2021

Cpl. Shiv Singh Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Ashish Kumar Singh, Advocate has appeared on behalf of the respondents and file Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 26.04.2022 of this Tribunal in Original Application No. 614 of 2021.</p> <p>Ld. Counsel for the respondents, on instruction received, submits that in compliance of the order PPO has been generated.</p> <p>Let PPO be brought on record by way of affidavit within two weeks.</p> <p>List on 18.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 1118 of 2022 with M.A. No. 1119 of 2022 Inre : O.A. No. 145 of 2020

Union of India & Others

By Legal Practitioner for the Applicants

Applicants

Versus

Ex. Hav. Dev Prakash Shukla

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Devesh Kumar, Ld. Counsel for the applicants – Union of India and Others.</p> <p>This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 12.10.2021 of this Tribunal in Original Application No. 145 of 2020.</p> <p>It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 06 month and 19 days in filing of application be condoned.</p> <p>In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p>Upon hearing submission of Ld. Counsel for the applicants, we find that no point of law of general public importance is involved so that leave may be granted.</p> <p>Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 59 of 2019 Inre : O.A. No. 182 of 2017

Ex. Sep. Neeraj Bhatt Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>An objection has been filed by the applicant against the PPO issued in respect of the applicant, which is taken on record.</p> <p>Applicant was enrolled in the Indian Army on 28.09.2001 as Sepoy and was discharged from service on 31.12.2008 after rendering only about 07 years and 03 months of service. He had challenged the order of discharge by way of Original Application No. 182 of 2017 which was allowed vide order dated 15.10.2018 directing the respondents to reinstate the applicant in service with 20% salary of the period during which he remained out of service. In compliance of this order, applicant was notionally reinstated in service and notionally discharged on 30.09.2018 and during the period he was out of service he was paid salary @20%. PPO has been issued to the applicant in the rank of Sepoy from the next date of discharge to which the objection of the applicant is that applicant was deliberately notionally kept in service for a period of 17 years from the date of enrolment to cause pecuniary loss to him for the period he was out of service as he was allowed only @20% of salary. It is submitted by the Ld. Counsel for the applicant that minimum qualifying service for pension for a Sepoy in the Indian Army is 15 years and not 17 years, therefore, in compliance of the order passed by this Tribunal applicant</p>

could have been notionally treated in service for a period of 15 years only from the date of enrolment and not for a period of 17 years, the term of engagement of Sepoy, as in the event of being kept in service for a period of 17 years applicant is put to pecuniary loss being paid only 20% of the salary which is much less than the pension.

We have gone through the facts and circumstances of the case and the Judgment passed in the matter as well and we find that logic assigned by the applicant for notionally treating him into service for a period of 15 years only is absolutely incorrect. It is nowhere said in the order that applicant will be notionally kept in service for a period of 15 years only to complete minimum qualifying service for the grant of pension. The order passed in the Original Application is plain and simple to reinstate the applicant into service which means to reinstate him till the completion of terms of engagement which is 17 years in the case of Sepoy. Since, in compliance of the order applicant has been notionally kept in service for a period of 17 years to complete the term of engagement we do not find any wrong in it nor in the PPO. The PPO issued is absolutely in terms of the order.

In view of the above, the order seems to have been complied with. Accordingly, Execution Application is **dismissed** being rendered infructuous.

(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
E-Court

Ex. A. No. 79 of 2022 with M.A. No. 858 of 2022 Inre : Ex. A. No. 84 of 2019,
Ex. A. No. 181 of 2017 Inre : O.A. No. 174 of 2016

Smt. Nisha Devi W/o Late Ex. Sep. Kailash Kumar	Applicant
By Legal Practitioner for the Applicant	
Versus	
Union of India & Others	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
<p style="margin: 0;"><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="margin: 0; text-align: justify;">Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="margin: 0; text-align: justify;">Ld. Counsel for the applicant submits that disability element of pension amounting to Rs.7,86,116/- is still due against the respondents as the Bank has not yet credited this amount in applicant's account.</p> <p style="margin: 0; text-align: justify;">In regard to above, Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj seeks and is allowed two weeks time to apprise the Tribunal why disability element has not been credited in applicant's account.</p> <p style="margin: 0; text-align: center;">List on 15.12.2022.</p> <p style="margin: 0; text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="margin: 0;">AKD/-</p>	

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

Ex. A. No. 86 of 2022 Inre : O.A. No. 303 of 2019

Rect. Beeresh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that Government Sanction is still awaited, three weeks further time be granted to file affidavit of compliance, which is allowed.</p> <p>List on 04.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 192 of 2022 Inre : R.A. No. 11 of 2022 Inre ; O.A. No. 438 of 2019

Ex. Hav. Kamal Dev Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, three weeks further time is granted to file affidavit of compliance.</p> <p style="text-align: center;">List on 04.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
E-Court

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
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present and he submits that in compliance to order dated 14.02.2022 in Original Application No. 147 of 2020, Appeal dated 07.08.2019 preferred by the applicant has been decided by a speaking and reasoned order dated 26.08.2022 and copy of the order has also been sent to the applicant.</p> <p>In view of the above, order seems to have been complied with. Accordingly, Execution Application is dismissed being rendered infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

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
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri Arun Kumar Sahu, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present and submits that in compliance to order PPO has been generated and arrears have also been credited in applicant's account. Applicant is in receipt of pension @Rs.22,550/-0 and disability element @6,765/- with effect from 01.11.2018.</p> <p>In view of the above, order seems to have been complied with. Accordingly, Execution Application is dismissed being rendered infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 95 of 2020 with M.A. No. 979 of 2019

Ex. Sep. Arbind Rai

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri Yashpal Singh, Ld. Counsel appearing on behalf of the applicant submits that Rejoinder Affidavit is ready and will be filed in Registry during the course of the day. He has filed amended copy of the Original Application, which is taken on record.</p> <p style="text-align: center;">List on 15.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left; margin-top: 20px;">AKD/-</p>

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

O.A. No. 635 of 2021

Ex. HFO Shiv Kumar Gupta
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Counter Affidavit filed by the respondents and Rejoinder Affidavit filed by the applicant are taken on record.</p> <p>Heard Shri Sudhir Kumar Singh and Shri Abhishek Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>Original Application is dismissed.</p> <p>For order, see our Judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 676 of 2021 with M.A. No. 46 of 2022

Ex. Gnr. Man Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents. Original Application is dismissed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 752 of 2021

Vijay Bahadur Singh & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Vijay Kumar Pandey and Shri Girish Pandey, Ld. Counsel for the applicants and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to release the arrears of pension to the rank of Honorary Naib Subedar with effect from 01.01.2006 to 20.12.2018 in favour of the applicants and provide the interest on the aforesaid delayed amount of pension with 18% per annum since due date to actual date of payment, in the interest of justice.</p> <p>In para 6 of the Counter Affidavit filed by the respondents it is conceded that as per Circular No. 631 dated 05.03.2020 issued by the Principal Controller of Defence Accounts (Pension), Prayagraj the individual is entitled for the further revision of pension and the concerned Pension Disbursing Authorities are authorized to revise pension of Pre-2006 retiree Havildar granted Honorary Naib Subedars drawing pension with 15 years or more qualifying service. In para 8 of the Counter Affidavit it is stated that applicants are required to approach the Pension Disbursing Authority of their father where he was drawing pension.</p> <p>In view of the facts stated in the Counter Affidavit, the Original Application is disposed off with direction to respondents to pay arrears of pension to the applicants as Life Time Arrears within a period of four months from the date of receipt of copy of this order.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 29 of 2022 Inre : O.A. No. 529 of 2021

Ex. Gnr. Harijan Kirti Bhai Ajeshih
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Ashok Singh, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">An affidavit of compliance has been filed today in Court by the respondents, which is taken on record.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that since the order has been complied with Execution Application has rendered infructuous and should be dismissed as such.</p> <p style="text-align: center;">Ld. Counsel for the applicant admits the compliance of the order.</p> <p style="text-align: center;">In view of the above, Execution Application has rendered infructuous being order complied with. Accordingly, Execution Application is dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 605 of 2022

Ex. Hav./Clk. Arun Kumar Dwivedi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">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.</p> <p style="text-align: center;">Original Application is allowed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 4 of 2022

Capt Sonam Tiwari (Retd)

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed by the respondents which is taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within three weeks.</p> <p>List on 09.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>
	SB

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

O.A. No. 105 of 2022

Ex Rect Vikas Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Virat Anand Singh and Shri Anugrah Narayan, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Counter affidavit has been filed in court today by the respondents which</p>

is taken on record.

Rejoinder affidavit, if any, may be filed within three weeks.

List on **11.01.2023**.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
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. 210 of 2022

Hony Sub Maj Hans Raj Singh Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri V.K. Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit has been today in court by the applicant which is taken on record.</p> <p>Copy of rejoinder affidavit has not been served to learned counsel for the respondents. Let it be served within a week.</p> <p>List on 12.01.2023.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E-Court)

O.A. No. 381 of 2022

Ex Nk (ACP Nb Sub) Kaushalesh Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>It is submitted by learned counsel for the respondents that counter affidavit has been prepared and its soft copy has been served to learned counsel for the applicant, hard copy of counter affidavit will be filed in the Registry tomorrow after serving its copy to learned counsel for the applicant.</p> <p>After counter affidavit being filed, applicant will have three weeks time to file rejoinder affidavit next thereafter.</p> <p>List on 12.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 415 of 2022

Ex. Hav. Suresh Kumar Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Dharam Raj Singh, Col. A.K. Srivastava (Retd) and Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed by the respondents which is taken on record.</p> <p>Copy of counter affidavit has not been served on learned counsel for the applicant. Let it be served within a week. Thereafter, applicant will have three weeks time to file rejoinder affidavit.</p> <p>List on 16.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 502 of 2022 with M.A. No. 614 of 2022

Ex. Gdr Nek Pal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed the respondents which is taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within three weeks.</p> <p>List on 01.12.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p><small>SB</small></p>

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

O.A. No. 527 of 2022 with M.A. No. 640 of 2022

Cfn. Deepak Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Shri Manoj Kumar Awasthi, learned counsel holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant informed that Shri R.K. Mishra is down with fever.</p> <p>Considering illness of learned counsel for the applicant, case is adjourned today.</p> <p>List on 10.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 528 of 2022 with M.A. No. 641 of 2022

Cfn. Tej Prakash 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
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Shri Manoj Kumar Awasthi, learned counsel holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant informed that Shri R.K. Mishra is down with fever.</p> <p>Considering illness of learned counsel for the applicant, case is adjourned today.</p> <p>List on 10.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 529 of 2022 with M.A. No. 642 of 2022

Sep. Hemant Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Shri Manoj Kumar Awasthi, learned counsel holding brief of Shri R.K. Mishra, Ld. Counsel for the applicant informed that Shri R.K. Mishra is down with fever.</p> <p>Considering illness of learned counsel for the applicant, case is adjourned today.</p> <p>List on 10.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 599 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
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri G.S.Sikarwar, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Learned counsel for the applicant submits that applicant does not wish to press this application, Original Application may be dismissed as not pressed.</p> <p style="text-align: center;">Accordingly, Original Application is dismissed being not pressed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 689 of 2022

L/Hav Vijay Pal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Prasoon Kumar Anjor, Advocate holding brief of Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>A short counter affidavit has been filed by the respondents which is taken on record.</p> <p>We are informed that Shri Vinay Pandey, learned counsel for the applicant is unable to attend hearing due to some medical exigencies.</p> <p>List on 11.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

T.A. No. 2 of 2019

Ex. L NK R A Gupta Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shivendra Pratap Singh and Shri Vivekanand, Ld. Counsel for the petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>The case needs physical hearing.</p> <p>List on 01.12.2022 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents/Legal Cell shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

M.A. No. 937 of 2019 with M.A. No. 749 of 2022 Inre O.A. (Nil) of 2019

Sep. Vijay Badavanmath

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg. Cdr. Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents are present.</p> <p>Supplementary counter affidavit filed by the respondents is taken on record.</p> <p>The matter pertains to maintenance allowance.</p> <p>List on 14.11.2022 for hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 361 of 2012 with M.A. No. 452 of 2019

Sangeeta 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
	<p><u>03.11.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri S.K. Singh, Ld. Counsel for the applicant and Shri RKS Chauhan and Shri D.S. Tiwari, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">The matter pertains to maintenance allowance.</p> <p style="text-align: center;">List on 14.11.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>
SB	

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

O.A. No. 95 of 2017

Gaganjot Kaur

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri K.K. Misra, Ld. Counsel for the applicant and Shri Ram Kumar Verma and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">The matter pertains to maintenance allowance.</p> <p style="text-align: center;">List on 14.11.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 423 of 2020

Ex. Sub Sarvesh Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing applicant is present in person alongwith Wg Cdr S.N. Dwivedi, Advocate who has filed Vakalatnama on behalf of the applicant.</p> <p>Dr. Gyan Singh, Ld. Counsel for the respondents is present.</p> <p>Applicant states that since he was not being attended by his counsel, Col B.P. Singh (Retd), since long, he has engaged Wg Cdr SN Dwivedi as his counsel in his case who has filed Vakalatnama today which is taken on record.</p> <p>No affidavit has been filed in support to what has been stated by the applicant. Let affidavit be filed within two weeks.</p> <p>List on 02.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 262 of 2021

Ex. Sub Maj Nathu Lal Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>The short question involved in this application whether applicant had taken Rs. 1,57,400/- as advance from the respondents during the course of service or not. This controversy can be resolved after perusing the relevant Pay Books maintained by the respondents. Respondents are therefore, directed to produce the same for perusal of the bench on the next date of hearing.</p> <p>List on 11.01.2023.</p> <p>Let a copy of order be provided to learned counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 481 of 2021 with M.A. No. 502 of 2021

Abhishek Badoni (Army Cadet)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>No objection has been filed regarding condonation of delay in filing the application and maintainability of the Original Application.</p> <p>List on 11.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A.(A) No.309 of 2016

Gyanendra Madhukar
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Devansh Bhardwaj, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Case needs physical hearing.</p> <p style="text-align: center;">List on 01.12.2022 for physical hearing.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>SB</p>

