

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

**O.A. No. 880 of 2021 with M.A. No. 1042 of 2021**

**Lt. Col. Awadhesh Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p><b><u>M.A. No. 272 of 2022 Inre : O.A. No. 880 of 2021</u></b></p> <p>Heard Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant has not yet been released from arrest by the respondents. The applicant was in close arrest in regard to Court Martial proceedings. He applied for release from close arrest by means of the bail application (Misc. Application No. 272 of 2022) in this Tribunal, which was allowed on 11.03.2022 subject to his furnishing a personal bond of Rs.1 Lac and one surety in the like amount. In compliance of this order the applicant furnished his personal bond and surety bond before the Commanding Officer on 01.04.2022, however, the respondents have not yet released him from arrest. The applicant is now under open arrest and he has not been allowed to return to his unit, nor leave the present unit.</p> <p>Ld. Counsel for the respondents, on the other hand, submits that in compliance of the order of this Tribunal pronounced on 11.03.2022 in open Court, the applicant was immediately released from close arrest, even without the filing of his personal bond and the surety bond. The applicant furnished his personal bond and the surety bond on 01.04.2002 only, and even these are not entirely in terms of the order. Ld. Counsel for the respondents, however, admits that applicant has not been returned to his unit.</p> <p>Upon hearing submissions of Ld. Counsel of both sides we find that although in compliance of the order dated 11.03.2022 the applicant has been released from close arrest, however, he has been retained in the present unit stating that his presence is required in the matter and that the personal bond and surety bond are not in terms of the order. It appears that there is some confusion with regard to contents of the bond furnished by the applicant. In</p> |

order to avoid any confusion we modify the order dated 11.03.2022 in Bail Application (Misc. Application No. 272 of 2022) to the extent that personal bond and surety bond will be filed before the Registrar of this Tribunal, who after accepting the same, if satisfied, shall issue release order to the concerned authority to release the applicant from the custody/retention with immediate effect.

**O.A. No. 880 of 2021**

List this matter on **26.05.2022** for hearing on maintainability of the Original Application.

**(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 (E-Court)**

**Ex. A. No. 92 of 2021 Inre : O.A. No. 464 of 2020**

**Ex. WO Shashi Kant Chaturvedi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On 05.04.2022, during the course of hearing in the case, a plea was taken by the Ld. Counsel for the applicant that representation preferred by the applicant dated 05.09.2016 has not been decided by the Central Government or Chief of the Air Staff. It was submitted that since the representation was addressed to the Central Government/Chief of the Air Staff, the same was required to be decided by the Central Government or the Chief of the Air Staff and not by any other authority. It was also submitted that since the representation has been decided by an authority who was not competent to decide it, direction be issued to the respondents to implement the order by taking the representation decided by the Central Government or Chief of the Air Staff.</p> <p>The Ld. Counsel for the respondents, in turn, had submitted that there is no such direction in the order in question to get the representation decided by the Central Government or the Chief of the Air Staff rather the direction was to get it decided which has been done on 06.10.2016, a date much before the filing of Original Application. Thus, it was submitted that Execution Application had been filed unnecessarily.</p> <p>During the course of hearing a query was made by the Bench to the Ld. Counsel for the applicant as to under which rule/provision of the law the representation is required to be decided by the Central Government or Chief of the Air Staff, the Ld. Counsel for the applicant sought one day time to show the relevant rule/provision of the law which was allowed. However, today when the case was taken up for hearing, the Ld. Counsel for the applicant could not show any such rule/provision of the law under which a representation is required to be decided by the Central Government or Chief of the Air Staff. The</p> |

Ld. Counsel for the applicant also admitted that the representation which the applicant has preferred is not a Statutory Complaint and also that there is no such direction in the order to decide the representation by the Central Government or Chief of the Air Staff. The direction is to decide the representation only.

After hearing submissions of Ld. Counsel of both sides we find that the representation which the applicant had preferred in the matter has been disposed off on 06.10.2016, a date before the filing of Original Application. We also find that there is no such direction in the order to decide the representation by the Central Government or Chief of the Air Staff. The representation cannot be required to be decided by Central Government or the Chief of the Air Staff merely on the reason that it is addressed to the said authority. We also find that since the representation preferred by the applicant had been disposed off before the filing of Original Application, the Original Application and this Execution Application have been unnecessarily filed, therefore, application deserves to be dismissed.

Accordingly, Execution Application 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 (E-Court)**

**Ex. A. No. 62 of 2019 Inre : O.A. No. 627 of 2017**

**Ex. Nk. Satya Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Affidavit of compliance and Exemption Application filed by the respondents are taken on record.</p> <p>Col. Prashant Dahiya, Officiating Director, Supply and Transport Directorate, Integrated Headquarters of Ministry of Defence, New Delhi is also connected through Video Conferencing and he submits that in compliance of the order dated 27.04.2018 in Original Application No. 627 of 2017 Government Sanction has been accorded on 04.03.2022. He also submits that letter has already been written on 19.03.2022 to Principal Controller of Defence (Pensions), Prayagraj for generation of PPO. Thus he submits that since the Government Sanction has been accorded, the physical presence of Director, Supply and Transport Directorate, Integrated Headquarters of Ministry of Defence, New Delhi and Director –PS-4, Integrated Headquarters of Ministry of Defence, New Delhi be exempted.</p> <p>Upon hearing submissions made by the Ld. Counsel of both sides and also that Government Sanction in the matter has been accorded, some time is required in generation of PPO, three weeks further time is granted to make complete compliance of the order and to file affidavit of compliance and till then physical presence of officers are dispensed with.</p> <p style="text-align: center;">List on <b>04.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p> |

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

**Ex. A. No. 65 of 2019 Inre : O.A. No. 253 of 2012**

**Ex. Hav. Krishna Kumar Thakur**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Vinay Sharma, Advocate holding brief of Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Major Sini Thomas, Departmental Representative for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that order in question which is dated 12.12.2018 has still not been complied with by the respondents to which the submission of Ld. Counsel for the respondents is that respondents have filed Special Leave Petition against the decision of this Tribunal in the Hon'ble Apex Court which was listed for hearing on 01.02.2021. He further submits that Special Leave Petition was to be again listed for hearing on 18.03.2022, however, the same could not be heard. Thus he submits that further time be granted in the matter to bring the stay order.</p> <p>Considering the order which is to be executed is dated 12.12.2018 and there is no stay in the Special Leave Petition filed by the respondents against the decision of this Tribunal, we feel it appropriate to direct the respondents to make complete compliance of the order within four weeks without fail else the officer responsible for implementation of the order shall remain present in Tribunal on the next date fixed to explain why coercive measure be not taken against him for non-compliance of the order.</p> <p style="text-align: center;">List on <b>05.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>Member (J)</p> <p>AKD/-</p> |

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**Court No.1 (E-Court)**

**Ex. A. No. 71 of 2019 Inre : O.A. No. 591 of 2018**

**Ex. Gnr. Ratan Maity** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**The Commanding Officer, 152 A.D. Regt. & Others** Respondents  
By Legal Practitioner for Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant, Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 5 and Shri Amit Jaiswal, Ld. Counsel for the respondent No. 6 – Bank.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks time to file objection against affidavit of compliance.</p> <p style="text-align: center;">List on <b>06.07.2022</b>.</p> <p style="text-align: center;">Registry is directed to reflect the name of Shri Amit Jaiswal, Advocate as Counsel for the respondent No. 6 Bank when the case is listed next.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>     <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>     <b>Member (J)</b></p> <p>AKD/-</p> |

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

**Ex. A. No. 69 of 2021 Inre : O.A. No. 334 of 2019**

**Ex. Hav. (Hony. Nb. Sub.) Ramapati Upadhya**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri J.N. Mishra, Ld. Counsel for the applicant, Shri Ashish Kumar Singh, Ld. Counsel for the respondents and Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj.</p> <p>Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj submits that in view of Circular No. 631 dated 05.03.2020 issued by Principal Controller of Defence Accounts (Pensions), Prayagraj applicant is entitled to get the pension of Hony. Naib Subedar @Rs.8,330/- per month. He further submits that arrears at this rate have already been credited in applicant’s account much before. Applicant is also receiving pension @Rs.21,623/- per month regularly as per 7<sup>th</sup> CPC. Thus, he submits that order has been fully complied with.</p> <p>Upon hearing submissions of Ld. Counsel of both sides and perusing the Circular No. 631 dated 05.03.2020 issued by Principal Controller of Defence Accounts (Pensions), Prayagraj we find that order in question has been fully complied with.</p> <p>In view of above, Execution Application has become infructuous. Accordingly, Execution Application is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/>Member (A)    Member (J)</p> <p>AKD/-</p> |



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

**Ex. A. No. 93 of 2021 Inre : O.A. No. 255 of 2020**

**Ex. Rect. Anuj Pratap Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 02.07.2021 in Original Application No. 255 of 2020 by which respondents have been directed to reinstate the applicant in service in the same rank in which he was invalidated out of service with effect from 21.07.2014 with further direction to implement the order within a period of four months from the date of order.</p> <p>When the order was not complied with within the time given, Execution Application was filed wherein respondents were given several opportunities to implement the order, but they did not comply with the order, with the result the applicant has not been reinstated in service. On 14.02.2022 this Tribunal has while granting four weeks further time to the respondents, made clear in the order that if the order is not implemented within the time i.e. four weeks from 14.02.2022, the applicant shall be entitled to pay and allowances from the date of order treating him to be reinstated in service. Despite the same, the order has not been complied with, rather it is stated that it is still in the process of implementation.</p> <p>In the circumstances, we feel it appropriate that officer responsible for implementation of order is to be summoned in the Tribunal to explain the reason why coercive measure be not taken against him.</p> <p>Accordingly, AAG, PS-2 (C), Integrated Headquarters of Ministry of Defence, New Delhi is directed to remain physically present in the Tribunal on the next date fixed to explain the reason why coercive measure be not taken against him for non-compliance of the order.</p> <p>List on <b>06.07.2022</b>.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p> |

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

**Ex. A. No. 35 of 2022 Inre : O.A. No. 394 of 2020**

**Ex. Nk. Bishnu Bahadur Thapa**  
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><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Capt. Priyanka Rathore, Departmental Representative for the respondents.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance of the order under execution Government Sanction has been accorded on 28.02.2022 and letter to Principal Controller of Defence Accounts (Pensions), Prayagraj has been sent for the generation of PPO.</p> <p>Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj is present during the course of hearing and he submits that no such claim has yet been received by the PCDA (Pension), Prayagraj for generation of PPO.</p> <p>In the circumstances, respondents are directed to make complete compliance of the order within four weeks from today failing which they shall be liable to pay Rs.5,000/- as cost to the applicant.</p> <p style="text-align: center;">List on <b>06.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>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)**

**Ex. A. No. 36 of 2022 Inre : O.A. No. 252 of 2019**

**Smt. Ashia Begum W/o Late Ex. Ris. Hidayat Ullah**  
 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><b><u>06.04.2022</u></b><br/> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>It is submitted by Shri Kaushik Chatterjee, Ld. Counsel appearing on behalf of respondents that case has already been processed to Army Headquarters for the compliance of the order, therefore, four weeks further time be granted to file affidavit of compliance which is allowed.</p> <p>List on <b>07.07.2022</b>.</p> <p style="display: flex; justify-content: space-between;"><br/> <span><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</span> <span><b>(Justice Umesh Chandra Srivastava)</b><br/>Member (J)</span> </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. 612 of 2021**

**Ex. MWO Suresh Chandra Dwivedi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents and, as a last chance, two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>06.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. 666 of 2021**

**Ex. Nk. Hira Lal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal  |
|-----------------------|---|
|                       | <p><u><b>06.04.2022</b></u><br/><u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u><br/><u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents and, as a last chance, two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>09.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. 780 of 2021**

**Ex. Sigman Surya Bhan Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the applicant, list on <b>25.04.2022</b>.</p> <p>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)<br/>Member (A)      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. 53 of 2022**

|   |             |
|---|-------------|
| <b>Ex. Hav. Balwant Singh</b><br>By Legal Practitioner for the Applicant    | Applicant   |
| <b>Versus</b>   |             |
| <b>Union of India &amp; Others</b><br>By Legal Practitioner for Respondents | Respondents |

| <b>Notes of the Registry</b>                              | <b>Orders of the Tribunal</b>   |   |   |
|---|---|---|---|
|   | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Vijay Kumar Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Ashish Kumar 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 Counter Affidavit.</p> <p style="text-align: center;">List on <b>17.05.2022</b>.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>Member (J)</td></tr></table> <p style="margin-top: 20px;">AKD/-</p> | <b>(Vice Admiral Abhay Raghunath Karve)</b><br>Member (A) | <b>(Justice Umesh Chandra Srivastava)</b><br>Member (J) |
| <b>(Vice Admiral Abhay Raghunath Karve)</b><br>Member (A) | <b>(Justice Umesh Chandra Srivastava)</b><br>Member (J)   |   |   |



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

**O.A. No. 54 of 2022**

|   |             |
|---|-------------|
| <b>Ex. Nk. Inam Singh</b><br>By Legal Practitioner for the Applicant        | Applicant   |
| <b>Versus</b>   |             |
| <b>Union of India &amp; Others</b><br>By Legal Practitioner for Respondents | Respondents |

| Notes of the Registry | Orders of the Tribunal   |
|-----------------------|--|
|                       | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>17.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/>Member (A)    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. 55 of 2022**

**Ex. Hav. Raghu Raj Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of<br/>the<br/>Registry</b> | <b>Orders of the Tribunal</b>   |
|--------------------------------------|---|
|                                      | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></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 R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>05.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>      <b>Member (J)</b></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. 232 of 2010**

**Jagdish Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>List on <b>28.04.2022</b> for physical hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p><b>(Justice Umesh Chandra Srivastava)</b><br/>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. 73 of 2016**

**Hukum Chand**  
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><b><u>06.04.2022</u></b><br/> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Matter needs physical hearing.</p> <p style="text-align: center;">List on <b>29.04.2022</b> for physical hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/> Member (A)    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. 611 of 2020**

**Ex. Nb. Sub. Nageshwar Jha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Virat Anand Singh, Shri Pankaj Kumar Shukla and Shri Ashish Kumar Singh , Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that Rejoinder Affidavit has been filed in the registry today which be taken on record.</p> <p style="text-align: center;">Registry to place Rejoinder Affidavit on record.</p> <p style="text-align: center;">List on <b>07.07.2022</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b><br/>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. 206 of 2021

**Ex. Lance Nk. Konda Anja Goud**  
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><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, four weeks further time is granted to file Supplementary Counter Affidavit.</p> <p style="text-align: center;">List on <b>12.07.2022</b>.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p><br><div style="display: flex; justify-content: space-between;"><div style="text-align: center;"><p><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p></div><div style="text-align: center;"><p><b>(Justice Umesh Chandra Srivastava)</b><br/>Member (J)</p></div></div><br><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. 448 of 2021**

**Ex. Hav. (ACP Nb. Sub.) Sujay Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit which has been filed by the respondents is taken on record.</p> <p>Ld. Counsel for the applicant submits that Rejoinder Affidavit is under preparation and will be filed within a week.</p> <p>List on <b>12.07.2022</b> for final hearing.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/>Member (A)    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. 530 of 2021**

**Ex. Sol. Rect. Rohit Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that he has not received the copy of Rejoinder Affidavit.</p> <p>Ld. Counsel for the applicant to supply copy of Rejoinder Affidavit to the Ld. Counsel for the respondents by today itself.</p> <p>List on <b>13.07.2022</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. (A) No. 672 of 2020**

**Ex. Sep. Randhir Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Matter needs physical hearing.</p> <p style="text-align: center;">List on <b>04.07.2022</b> for physical hearing.</p> <p style="text-align: center;">On the date fixed Ld. Counsel for the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>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)**

**T.A. No. 2 of 2021 with T.A. No. 1230 of 2010**

**Ex. Hav. Suresh Chandra** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>On the last date Shri R. Chandra, Ld. Counsel for the applicant was directed to supply copy of Counter Affidavit to the Ld. Counsel for the respondents assuming that he is having said copy. However, his submission is that copy of Counter Affidavit is not available with him. Therefore, he is unable to supply a copy to the Ld. Counsel for the respondents.</p> <p>In the circumstances, respondents are directed to file fresh Counter Affidavit in the matter within three weeks from today.</p> <p>List on <b>05.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. 272 of 2022**

**Ex. Sgt. Rajesh Kumar Gupta**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-indent: 40px;">Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record.</p> <p style="text-indent: 40px;">Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-indent: 40px;">It is submitted by the Ld. Counsel for the applicant that applicant has filed this Original Application for the grant of notional increment. Applicant has been denied the grant of notional increment on the premise that he retired from service on 30.06.2021, whereas the increment was due on 01.07.2021. It is further submitted that applicant's case is covered with various pronouncement of the Hon'ble Apex Court, Hon'ble High Courts and various Benches of this Tribunal.</p> <p style="text-indent: 40px;">Ld. Counsel for the respondents seeks time to seek instructions in the matter which is allowed.</p> <p style="text-indent: 40px;">Instructions may be sought within two weeks.</p> <p style="text-indent: 40px;">List on <b>23.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>     <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. 273 of 2022**

**Ex. Sgt. Chand Basha Syed**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that applicant has filed this Original Application for the grant of notional increment. Applicant has been denied the grant of notional increment on the premise that he retired from service on 30.06.2021, whereas the increment was due on 01.07.2021. It is further submitted that applicant's case is covered with various pronouncement of the Hon'ble Apex Court, Hon'ble High Courts and various Benches of this Tribunal.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks time to seek instructions in the matter which is allowed.</p> <p style="text-align: center;">Instructions may be sought within two weeks.</p> <p style="text-align: center;">List on <b>23.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b><br/>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. 274 of 2022**

**Ex. Sgt. Sukanta Kumar Sahoo**  
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><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant has filed this Original Application for the grant of notional increment. Applicant has been denied the grant of notional increment on the premise that he retired from service on 30.06.2021, whereas the increment was due on 01.07.2021. It is further submitted that applicant's case is covered with various pronouncement of the Hon'ble Apex Court, Hon'ble High Courts and various Benches of this Tribunal.</p> <p>Ld. Counsel for the respondents seeks time to seek instructions in the matter which is allowed.</p> <p>Instructions may be sought within two weeks.</p> <p>List on <b>23.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>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. 275 of 2022**

**Ex. Sgt. Brij Mohan Singh Rawat**  
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><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Memo of Appearance filed by Shri Manu Kumar Srivastava, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that applicant has filed this Original Application for the grant of notional increment. Applicant has been denied the grant of notional increment on the premise that he retired from service on 30.06.2021, whereas the increment was due on 01.07.2021. It is further submitted that applicant's case is covered with various pronouncement of the Hon'ble Apex Court, Hon'ble High Courts and various Benches of this Tribunal.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks time to seek instructions in the matter which is allowed.</p> <p style="text-align: center;">Instructions may be sought within two weeks.</p> <p style="text-align: center;">List on <b>23.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>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. 276 of 2022**

**LS GI (S) Abhishek Kumar (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><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:justify">Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align:justify">Heard Shri Bipin Manish Kumar Rai, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align:justify">It is a fit case for adjudication.</p> <p style="text-align:justify">Admit.</p> <p style="text-align:justify">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 style="text-align:justify">List the matter before Registrar on <b>26.05.2022</b> for exchange of pleadings.</p> <p style="text-align:justify">List the matter before Tribunal on <b>13.07.2022</b>.</p> <p style="text-align:justify"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align:justify"><b>(Justice Umesh Chandra Srivastava)</b><br/>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. 278 of 2022 with M.A. No. 325 of 2022**

**Ex. Hav. Dinesh Kumar 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><b><u>05.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Manoj Kumar Singh, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 20 years, 10 months and 15 days.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 278 of 2022</u></b></p> <p>It is a fit case for 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 <b>26.05.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>13.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>    <b>Member (J)</b></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. 34 of 2022**

**Ex. Nk. Ram Babu Pal**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri J.N. Mishra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents and, as a last chance, two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>04.07.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>                                      <b>Member (J)</b></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. 51 of 2022**

**Ex. Sep. (MACP-II) Shailendra Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>  |
|------------------------------|--|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit. It is made clear that if the Counter Affidavit is not filed within the time given, opportunity shall stand closed without any reference.</p> <p>List on <b>05.05.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b><br/>Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b><br/>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. 100 of 2022**

**Ex. L/Nk. Deepak Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

| <b>Notes of the Registry</b> | <b>Orders of the Tribunal</b>   |
|------------------------------|---|
|                              | <p><b><u>06.04.2022</u></b><br/><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b><br/><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by Shri Ashish Kumar Singh, Advocate that he is appearing on behalf of all respondents, wherefore, no need to issue notice to respondent No. 3. Order in regard to issue of notice to respondent No. 3 is withdrawn.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks further time to file Counter Affidavit.</p> <p>List the matter before Registrar on <b>13.04.2022</b> for exchange of pleadings.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b><br/><b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p> |