

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

**By Circulation**

**R.A. No. 63 of 2022 with M.A. No. 775 of 2022 Inre : O.A. No. 380 of 2021**

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

Applicants

**Versus**

**Ex. Sep. Shyam Pal**  
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p><b><u>M.A. No. 775 of 2022</u></b></p> <p>For the facts averred in affidavit filed in support of delay condonation application, delay of 01 month and 27 days in filing of Review Application is <b>condoned</b>. Delay condonation application stands disposed off.</p> <p><b><u>R.A. No. 63 of 2022</u></b></p> <p>The file has been placed before us by Circulation.</p> <p>The Review Applicants have filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants – Union of India &amp; Others have prayed for review and setting aside the judgement and order dated 02.02.2022 of this Tribunal passed in Original Application No. 380 of 2021. The order reads as under:-</p> <p><i>“In view of the above, the Original Application No. 380 of 2021 deserves to be allowed, hence allowed. The impugned orders dated 17.04.2020, annexed as Annexure No. A-1 with Original Application, rejecting the applicant's claim for grant of disability pension, is set aside. The disability of the applicant is held as aggravated by Army/DSC Service. The applicant is entitled to get disability pension @30% for life which would be rounded off to 50% for life from the next date of his discharge from DSC. The respondents are directed to grant disability pension to the applicant @30% for life which would stand rounded off to 50% for life from the next date of his discharge from DSC. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment.”</i></p> <p>It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.</p> <p>For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p>

*"1. Application for review of judgment.- (1) any person considering himself aggrieved-*

*(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*

*(b) by a decree or order from which no appeal is allowed, or*

*(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order."*

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

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

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

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

Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

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

**O.A. No. 98 of 2022**

**Ex. Sgt. V.K. Chahar**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard the applicant Ex. Sgt. V.K. Chahar, in person and Shri Namit Sharma, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. 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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**M.A. No. 763 of 2022 Inre : O.A. No. 93 of 2021**

<b>Union of India &amp; Others</b> By Legal Practitioner for the Applicants	<b>Versus</b>	Applicants
<b>Ex. Nk. Birija Bhar Ram</b> By Legal Practitioner for Respondent		Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p><b><u>M.A. No. 763 of 2022</u></b></p> <p>Heard Ms. Deepti Prasad Bajpai, Ld. Counsel for the applicants – Union of India &amp; Others.</p> <p>For the facts averred in affidavit filed in support of application, modification application is <b>allowed</b>.</p> <p>In the order dated 11.10.2021 of this Tribunal in Original Application No. 93 of 2021 the name of the applicant be corrected as '<b>Brija Bhar Ram</b>' in place of 'Birija Bhar Ram'.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>

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

**Review Application No. 60 of 2022 with M.A. No. 757 of 2022 and**  
**M.A. No. 758 of 2022 Inre : O.A. No. 56 of 2019**

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

Applicants

**Versus**

**Ex. Spr. Bharat Chandra Biswas**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p><b><u>M.A. No. 757 of 2022</u></b></p> <p>For the facts averred in affidavit filed in support of delay condonation application, delay of 01 month and 27 days in filing of Review Application is <b>condoned</b>. Delay condonation application stands disposed off.</p> <p><b><u>R.A. No. 60 of 2022</u></b></p> <p>The file has been placed before us by Circulation.</p> <p>The Review Applicants have filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants – Union of India &amp; Others have prayed for review and setting aside the judgement and order dated 08.10.2021 of this Tribunal passed in Original Application No. 56 of 2019 . The order reads as under:-</p> <p><i>“In view of the above, the Original Application No.56 of 2019 deserves to be allowed, hence, allowed. The impugned orders rejecting the applicant’s claim for grant of disability pension, are set aside. The disability of the applicant is held as aggravated by military service. The applicant is entitled to get disability pension @40% for two years from the next date of his discharge. The respondents are directed to grant disability pension @40% for two years from the next date of his discharge. The respondents are further directed to conduct a Re-Survey Medical Board for the applicant to assess his further entitlement of disability pension. Respondents are further directed to give effect to the order within four months from the date of receipt of a certified copy of this order failing which the respondents shall have to pay interest @ 8% per annum till the date of actual payment.”</i></p> <p>It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.</p> <p>For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p>

*“1. Application for review of judgment.- (1) any person considering himself aggrieved-*

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

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

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

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

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

Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

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

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

O.A. No. 202 of 2022

**Col. Surya Prakash Singh (Retd.)**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri V.P Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. 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>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1**

**O.A. No. 616 of 2022**

**Ex. Sub. Kuldeep Singh Rautela**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>Matter 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 <b>23.09.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>





**Form No. 4**  
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**Court No.1**

**O.A. 622 of 2022 with M.A. No. 760 of 2022**

**Hony. Nb. Sub. Rajender Prasad Dubey**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Sunil Sharma, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>This is an Original Application for issuing direction to grant service pension to the applicant equivalent to Naib Subedar.</p> <p>There is a delay of 14 years, 01 month and 13 days in filing of Original Application for which an application for condonation of delay has been filed.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks time to file objection regarding maintainability of Original Application and delay.</p> <p>List on <b>21.09.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)                                      Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 623 of 2022 with M.A. No. 761 of 2022**

**Ex. MCAA-II (Hony. Sub. Lt.) Ram Naresh Maurya**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">In view of order dated 10.01.2022 of the Hon'ble Apex Court in Miscellaneous Application No. 21/2022 in MA 665/2021 in Suo Motu Writ Petition (C) No.3/2020, there is no delay in filing of Original Application, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p style="text-align: justify;">Matter needs 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>23.09.2022</b> for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on <b>09.11.2022</b>.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: justify;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 624 of 2022 with M.A. No. 762 of 2022**

**Ex. HFO Chandra Prakash Srivastava**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Deepti Prasad Bajpai, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>There is a delay of 08 years, 08 months and 12 days in filing of Original Application.</p> <p>Being a pensionary, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 624 of 2022</u></b></p> <p>Matter 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 <b>23.09.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.11.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p>
	AKD/-

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

**O.A. No. 625 of 2022 with M.A. No. 764 of 2022**

**Ex. Sep. Balaji Tripathi**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>There is a delay of 17 years, 05 months and 12 days in filing of Original Application.</p> <p>Being a pensionary, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 625 of 2022</u></b></p> <p>Matter 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 <b>23.09.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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**Court No.1**

**O.A. No. 627 of 2022 with M.A. No. 769 of 2022**

**Ex. Sgt. Ramesh Kumar Sharma**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Manu Kumar Srivastava, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p>There is a delay of 02 years, 03 months and 12 days in filing of Original Application.</p> <p>Being a pensionary, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 627 of 2022</u></b></p> <p>Matter 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 <b>23.09.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**O.A. No. 629 of 2022**

**Sep. Jatinder 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Sunil Sharma, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p style="text-align: center;">Shri Sunil Sharma, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">List on <b>19.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</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**

**O.A. No. 630 of 2022 with M.A. No. 773 of 2022**

**Ex. JWO O.N. Trivedi** 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri V.K. Pandey and Shri D.K. Dixit, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability element of disability pension to the applicant. It is submitted that applicant has been discharged from service after having put in 21 years and 10 days of colourful service in low medical category. The claim for the grant of disability element of disability has been wrongly denied by the respondents.</p> <p>There is a delay of 26 years, 03 months and 16 days in filing of Original Application.</p> <p>Being a pensionary, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 630 of 2022</u></b></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 <b>26.09.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>10.11.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>     <b>(Justice Umesh Chandra Srivastava)</b> <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**

**Ex. A. No. 256 of 2022 Inre : O.A. No. 195 of 2021**

**Smt. Laxmi Kandari W/o Hav. Sohan Singh (Missing)** 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>08.08.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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. 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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 24.09.2021 of this Tribunal in Original Application No. 195 of 2021.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on <b>23.09.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) 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**

**Ex. A. No. 257 of 2022 Inre : O.A. No. 340 of 2019**

**Ex. HFO Sureshwari Prasad 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri D.K. Pandey, Advocate on behalf of the respondent Nos. 1 to 5 is taken on record. His name be shown as Counsel for the respondent Nos. 1 to 5 when the case is listed next.</p> <p>Heard Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents Nos. 1 to 5.</p> <p>This application has been filed for implementation of order dated 22.02.2021 of this Tribunal in Original Application No. 340 of 2019.</p> <p>Ld. Counsel for the applicant submits that despite PPO being issued on 15.02.2022 nothing has been credited in applicant's account as yet.</p> <p>Issue notice to respondent Nos. 6 and 7 returnable within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>List on <b>22.09.2022.</b></p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**Ex. A. No. 259 of 2022 Inre : O.A. No. 847 of 2021**

**Ex. HFL Bachcha Lal**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 26.04.2022 of this Tribunal in Original Application No. 847 of 2021.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on <b>20.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    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**

**Ex. A. No. 260 of 2022 Inre : O.A. No. 698 of 2021**

**Ex. Sub. Brajesh 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 28.01.2022 of this Tribunal in Original Application No. 698 of 2021.</p> <p>Ld. Counsel for the applicant submits that Original Application has been disposed off with direction to respondents to provide benefit of Policy issued by Union of India to the applicant within a period of two months from the date of order. The said benefit has not yet been provided to the applicant.</p> <p>Ld. Counsel for the respondents is directed to seek instruction in the matter within four weeks.</p> <p>List on <b>22.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</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**

**Ex. A. No. 261 of 2022 Inre : O.A. No. 100 of 2020**

**Ex. Nb. Sub. Shyam 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri R.K. Singh, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 28.07.2021 of this Tribunal in Original Application No. 100 of 2020.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on <b>23.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**Ex. A. No. 262 of 2022 Inre : O.A. No. 364 of 2020**

**Ex. MWO Brij Bhushan** 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><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondent Nos. 1 to 5 is taken on record. His name be shown as Counsel for the respondent Nos. 1 to 5 when the case is listed next.</p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent Nos. 1 to 5 are present.</p> <p>Ld. Counsel for the respondent Nos. 1 to 5 prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>Ld. Counsel for the applicant submits that despite PPO being issued on 06.12.2021 nothing has been credited in applicant's account as yet.</p> <p>Issue notice to respondent Nos. 6 and 7 returnable within four weeks. Steps for notice be taken within a week.</p> <p>List on <b>20.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**Ex. A. No. 264 of 2022 Inre : O.A. No. 448 of 2020**

**Ex. Sep. Anjani Kumar Tripathi**  
 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>08.08.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <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 Anurag Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 20.01.2022 of this Tribunal in Original Application No. 448 of 2020.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p style="text-align: center;">List on <b>27.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <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**

**M.A. No. 766 of 2022 with M.A. No. 767 of 2022 Inre : T.A. No. 16 of 2016**

<b>Union of India &amp; Others</b> By Legal Practitioner for the Applicants	Applicants
<b>Versus</b>	
<b>Ex. Rect. Ashutosh Singh</b> By Legal Practitioner for Respondent	Respondent

Notes of the Registry	Orders of the Tribunal		
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Amit Jaiswal, Ld. Counsel for the applicants – Union of India &amp; others.</p> <p style="text-align: center;">For the facts averred in affidavit filed in support of delay condonation application, delay of 04 months in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off.</p> <p style="text-align: center;">This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <table border="0" style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p style="margin-top: 10px;">AKD/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)		

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

**M.A. No. 770 of 2022 with M.A. No. 771 of 2022 Inre : O.A. No. 484 of 2020**

<b>Union of India &amp; Others</b>	Applicants
By Legal Practitioner for the Applicants	
<b>Versus</b>	
<b>Ex. Rfn. Govind Singh Rawat</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Dr. Shailendra Sharma Atal, Ld. Counsel for the applicants – Union of India &amp; others.</p> <p style="text-align: center;">For the facts averred in affidavit filed in support of delay condonation application, delay of 04 months in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off.</p> <p style="text-align: center;">This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <p style="text-align: center;"> <span style="margin-right: 100px;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span> <span><b>(Justice Umesh Chandra Srivastava)</b> 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**

**Diary No. 376 of 2022 (Review Application) Inre : O.A. No. 306 of 2021**

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

Applicants

**Versus**

**Ex. Sep. Birender Rai**  
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shyam Singh, Ld. Counsel for the applicants – Union of India &amp; Others and Shri R. Chanera, Ld. Counsel for the respondent.</p> <p style="text-align: center;">The Review Applicants has filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants – Union of India &amp; Others have prayed for review and setting aside the judgement and order dated 26.11.2021 of this Tribunal passed in Original Application No.306 of 2021. The order reads as under:-</p> <p style="text-align: center;"><i>“In view of the above, the Original Application No. 306 of 2021 deserves to be allowed, hence allowed. The impugned order dated 28.05.2021, annexed as Annexure No. A-1 with Original Application, rejecting the applicant's claim for grant of service element of disability pension, is set aside. The applicant is held entitled to get disability pension, which includes service element as well as disability element, @40% for life which would be rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application. The respondents are directed to grant disability pension, which includes service element as well as disability element, to the applicant @40% for life which would stand rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application. The date of filing of Original Application is 23.06.2021. The disability element paid to the applicant shall be adjusted from the arrears for the aforesaid three years period. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment.”</i></p> <p style="text-align: center;">It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.</p> <p style="text-align: center;">For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p> <p style="text-align: center;"><i>“1. Application for review of judgment.- (1) any person considering himself aggrieved-</i></p>

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

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

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

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

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

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

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

**Ex. A. No. 120 of 2022 Inre : O.A. No. 306 of 2021**

**Ex. Sep. Birender 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><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel appearing for the respondents submits that since the Review Application filed against the decision under execution has been rejected today, a reasonable time be granted to make compliance of the order.</p> <p style="text-align: center;">Affidavit of compliance be filed within six weeks.</p> <p style="text-align: center;">List on <b>11.10.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)          <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 01 of 2021 Inre : O.A. No. 403 of 2018**

**Ex. Sub. Chandreshwar Mishra**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel appearing for the applicant and Shri Arun Kumar Sahu, Ld. Counsel appearing for the respondents.</p> <p style="text-align: center;">Ld. Counsel appearing for the respondents submits that in compliance of order Government Sanction has been issued on 05.08.2022, however, the Original Application number being wrongly mentioned in the Sanction letter amendments has been sought. Thus, he submits that four weeks further time be granted to file affidavit of compliance, which is allowed.</p> <p style="text-align: center;">List on <b>27.09.2022</b>.</p> <p style="text-align: center;">Till then physical presence of the officer concerned shall remain dispensed with.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 87 of 2022 Inre : O.A. No. 210 of 2021**

**Ex. MWO (HFO) Chitranjan 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>Shri Pankaj Kumar Shukla, Ld. Counsel appearing on behalf of applicant submits that order under execution has been complied with.</p> <p>In view of the aforesaid, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**Ex. A. No. 96 of 2022 Inre : O.A. No. 94 of 2018**

**Smt. Sundari Devi**  
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>08.08.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that he has filed a Review Application against the decision under execution. He is also going to file Leave to Appeal today. Thus, his prayer is that abovementioned applications may be disposed off first before passing of any order in the Execution Application.</p> <p style="text-align: center;">List on <b>12.08.2022</b> along with Review Application as well as Leave to Appeal.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 30 of 2020 with M.A. No. 30 of 2020**

**Ex. Nk. Pawan 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Amrendra Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>We are informed that original documents are not available today.</p> <p>List on <b>22.09.2022</b> on which date respondents shall produce original documents in the Tribunal for perusal without fail.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**O.A. No. 120 of 2020**

**Smt. Anita Singh W/o Late Ex. Nk. Indrajeet Singh & Others**      Applicants  
By Legal Practitioner for the Applicants

**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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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.K. Singh, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicants and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the applicant, list on <b>19.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**O.A. No. 307 of 2020**

**Smt. Rupa Kumari Thapa**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 and Shri Ganga Singh, Ld. Counsel for the applicant, Shri Anurag Mishra, Ld. Counsel for the respondent Nos. 1 to 4 and Shri Vinay Pandey, Ld. Counsel for the respondent No. 5 are present.</p> <p>Ld. Counsel for the respondent No. 5 submits that four weeks further time be granted to file Counter Affidavit.</p> <p>On 18.02.2022 also the same prayer was made and allowed. Looting to this two weeks further time is granted to file Counter Affidavit, as a last chance.</p> <p>Thereafter, applicant will have a week time to file Rejoinder Affidavit.</p> <p>List on <b>27.09.2022</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align:center"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 603 of 2020**

**Sudhir 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Shri Ashish Kumar Singh, Ld. Counsel for teh respondent Nos. 1 to 3 are present.</p> <p>It is submitted by Shri Ashish Kumar Singh, Ld. Counsel appearing on behalf of respondent Nos. 1t o 3 that in regard to arrears for the period 01.01.2006 to 22.04.2012 necessary sanction has been accorded vide letter dated 09.02.2022.</p> <p>No one is present on behalf of the Bank to explain regarding payment.</p> <p>Let affidavit of compliance regarding be filed by the Bank within four weeks from today.</p> <p>List on <b>28.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

O.A. No. 568 of 2021

**Ex. Sub. (Hony. Lt.) Jawahar Lal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present and he submits that Counter Affidavit will be filed in the registry during the course of the day.</p> <p style="text-align: center;">List on <b>28.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p style="text-align: left;">AKD/-</p>

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

**O.A. No. 653 of 2021**

**Smt. Muniyan Dwivedi & Others**  
By Legal Practitioner for the Applicants

Applicants

**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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>A fresh Vakalatnama has been filed by Shri Shatrughan Singh Chauhan, Advocate and Shri Santosh Kumar Singh, Advocate on behalf of applicant Nos. 2 and 3 is taken on record. Their names be shown as Counsel for the applicant Nos. 2 and 3 when the case is listed next.</p> <p>On the case being taken up for hearing Shri Shatrughan Singh Chauhan, Advocate and Shri Santosh Kumar Singh, Ld. Counsel for the applicants Nos. 2 and 3 and Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p>Objection filed by the respondents regarding maintainability of Original Application is taken on record.</p> <p>A request has been made by the Ld. Counsel for the applicant Nos. 2 and 3 to adjourn the case so that newly engaged Counsel could prepare the case.</p> <p>List on <b>19.09.2022</b> for hearing on maintainability of Original Application.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <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**

**O.A. No. 820 of 2021 with M.A. No. 315 of 2022**

**Hav. Krishna Kant Pandey**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p><b><u>M.A. No. 315 of 2022</u></b></p> <p>Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>This application has been filed seeking amendments in the pleadings as well as in the relief clause of the Original Application.</p> <p>It is submitted that applicant has filed the Original Application against inaction of the respondents to grant seniority and promotion to the applicant to the rank of Naib Subedar similar to his batch mates/Juniors. During the pendency of Original Application applicant has been discharged from service without providing him the seniority and promotion, hence, the present application has been filed. By means of amendments applicant wants to add reliefs regarding his order of discharge as well as reinstatement in service.</p> <p>Amendments need to be allowed to resolve the controversy involved in the Original Application. Accordingly, amendment application is <b>allowed</b>.</p> <p>Let amendments be incorporated within three days after serving amended copy of Original Application to the Ld. Counsel for the respondents who will have two weeks time to file Supplementary Counter Affidavit, if any, regarding amended pleadings.</p> <p>List on 21.09.2022.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>





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

**O.A. No. 111 of 2022**

**Lt. Col. Balram Tiwari (Retd.)**  
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>08.08.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Yogendra Mishra and Shri Ajai Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**O.A. No. 334 of 2022**

**Ex. Nb. Sub. (TA) Shyam Ram**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Rajeev Narayan Pandey, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">As prayed, two weeks further time is granted to file Counter Affidavit. List on <b>16.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    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**

**O.A. No. 296 of 2015 with M.A. No. 464 of 2019**

**Prakash Rai** 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the applicant, the case is adjourned.</p> <p>List on <b>16.09.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**O.A. No. 849 of 2021**

<b>Ex. Sub. Amlesh Kumar</b>	Applicant
By Legal Practitioner for the Applicant	
<b>Versus</b>	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <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 V.P. Pandey, Advocate holding brief of Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Shri V.P. Pandey, Advocate holding brief of Shri K.K. Singh Bisht, Ld. Counsel for the applicant the case is adjourned.</p> <p style="text-align: center;">List on <b>21.10.2022</b>.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> </div> <div style="text-align: center;"> <p><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> </div> </div> <p style="margin-top: 10px;">AKD/-</p>

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

**O.A. No. 214 of 2022**

**Ex. Hav Kedar Nath Shukla**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri V.K. Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>In view of facts stated in counter affidavit, the applicant is getting disability element of the pension @ 20% duly rounded off to 50% for life w.e.f. 01.12.2002 vide PPO dated 01.09.2003.</p> <p>Since the applicant is already in receipt of 50% disability element for life which has been agreed to by the learned counsel for the applicant today during the course of hearing, the Original Application has rendered infructuous.</p> <p>Accordingly, Original Application is <b>dismissed</b> being infructuous.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>SB</p>

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

O.A. No. 218 of 2022

**Ex. Sep Akhilesh Kumar Dixit**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p>List on <b>16.09.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    Member (J)</b></p> <p>SB</p>



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

**O.A. No. 226 of 2022**

**Ex. ERA-3 Shatrughan Narayan Mishra**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p>List on <b>16.09.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 253 of 2022**

**MWO (HFO) Rakash Kumar (Retd)**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that counter affidavit in the matter will be filed in the Registry during the course of day.</p> <p>List on <b>09.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 254 of 2022**

**JWO Sushil Kumar Dwevedi (Retd)**  
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>08.08.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Raj Kumar Mishra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents three weeks further time is granted to file counter affidavit.</p> <p style="text-align: center;">List on <b>09.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>SB</p>

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

**O.A. No. 335 of 2022**

**Lt. Col. Nidhikant Dhyani (Retd)**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that parawise comments have not been received yet.</p> <p>Counter affidavit be filed within four weeks.</p> <p>List on <b>19.09.2022</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 337 of 2022**

**Ex. JWO Santosh Sharma** 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that counter affidavit will be filed today in the registry during the course of day.</p> <p>List on <b>19.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 339 of 2022**

**Ex. Sgt Akhilesh 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>
<div data-bbox="344 844 516 884" data-label="Text"> <p><b><u>08.08.2022</u></b></p> </div> <div data-bbox="344 878 1256 924" data-label="Text"> <p><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b></p> </div> <div data-bbox="344 916 1248 959" data-label="Text"> <p><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> </div> <div data-bbox="344 1008 1477 1161" data-label="Text"> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> </div> <div data-bbox="344 1174 1477 1271" data-label="Text"> <p>Learned counsel for the respondents states that parawise comments have not been received yet.</p> </div> <div data-bbox="441 1284 1058 1325" data-label="Text"> <p>Counter affidavit be filed within four weeks.</p> </div> <div data-bbox="441 1344 724 1378" data-label="Text"> <p>List on <b>22.09.2022</b>.</p> </div> <div data-bbox="360 1505 922 1575" data-label="Text"> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>  <b>Member (A)</b></p> </div> <div data-bbox="951 1505 1474 1575" data-label="Text"> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (J)</b></p> </div> <div data-bbox="344 1607 384 1634" data-label="Text"> <p>SB</p> </div>	<div data-bbox="344 844 516 884" data-label="Text"> <p><b><u>08.08.2022</u></b></p> </div> <div data-bbox="344 878 1256 924" data-label="Text"> <p><b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b></p> </div> <div data-bbox="344 916 1248 959" data-label="Text"> <p><b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> </div> <div data-bbox="344 1008 1477 1161" data-label="Text"> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> </div> <div data-bbox="344 1174 1477 1271" data-label="Text"> <p>Learned counsel for the respondents states that parawise comments have not been received yet.</p> </div> <div data-bbox="441 1284 1058 1325" data-label="Text"> <p>Counter affidavit be filed within four weeks.</p> </div> <div data-bbox="441 1344 724 1378" data-label="Text"> <p>List on <b>22.09.2022</b>.</p> </div> <div data-bbox="360 1505 922 1575" data-label="Text"> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>  <b>Member (A)</b></p> </div> <div data-bbox="951 1505 1474 1575" data-label="Text"> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (J)</b></p> </div> <div data-bbox="344 1607 384 1634" data-label="Text"> <p>SB</p> </div>



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

O.A. No. 342 of 2022

**Hav. Dinesh Chand Tyagi (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><b>08.08.2022</b></u> <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u> <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has already been filed by the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks time to file rejoinder affidavit.</p> <p>List on <b>12.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>SB</p>



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

**O.A. No.585 of 2022 with M.A. No. 693 of 2022**

**Capt. (IN) Kamlesh Kumar Varma (Retd)**  
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>08.08.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Abhishek R Shukla, Dr. Ashish Asthana and Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>No counter affidavit has been filed.</p> <p>Let it be filed within three weeks.</p> <p>List on <b>27.09.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**T.A. No. 8 of 2022**

**Ex. Rect. Surendra Kumar**  
By Legal Practitioner for the Petitioner

Petitioner

**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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 petitioner and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>It is submitted by learned counsel for the applicant that in PPO No. D002452019 dated 18.12.2019, respondents had been directed to pay arrears by 20.08.2019 and it was also directed that if the arrear is not paid by the said time, the same will carry interest @ 20% per annum. The arrear has been credited in applicant's account on 29.02.2020 without interest, therefore, respondents be directed to pay interest also.</p> <p>The respondents' learned counsel submits that if the Bank has not paid interest to the applicant, direction may be issued in this regard.</p> <p>The pension Disbursing Agency (PDA) is not a party in the petition. Applicant is directed to implead PDA as party in the petition for which necessary steps be taken within two weeks.</p> <p>List on <b>16.09.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>SB</p>

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

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><u><b>08.08.2022</b></u> <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u> <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></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;">As prayed, list on <b>10.08.2022</b>.</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**

**O.A.(A) No.500 of 2017**

**Vijai Misra**

By Legal Practitioner for the Appellant

Appellant

**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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Col. A.K. Srivastava (Retd), Shri Dharam Raj Singh and Shri Shyam Sunder Bajpai, Ld. Counsel for the Appellant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit has been filed today in the court by the applicant which is taken on record.</p> <p>List on <b>20.09.2022</b> for hearing to which date, the respondents will produce original documents in court for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**O.A. No. 54 of 2018**

**Hari Murat 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Hari Murat Singh, applicant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>The applicant is present in court and he submits that three weeks time be given to engage some other counsel as his earlier counsel, Col. Y.R. Sharma (Retd), has expired.</p> <p>As prayed, list on <b>28.09.2022</b>.</p> <p>Registry is directed to delete name of Col Y.R. Sharma (Retd), as counsel for the applicant.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>SB</p>

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

**M.A. No. 356 of 2019 Inre O.A. No. 152 of 2016**

**Arbind Kumar Dubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

Lt. Col. Anirban Deka  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>As prayed, list on <b>27.09.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 456 of 2020**

<b>Ex. Sep Anil Kumar Sharma &amp; Another</b> By Legal Practitioner for the Applicants	Applicants
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Anand Yadav, Advocate holding brief of Shri S.G. Singh, Ld. Counsel for the applicants and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Original documents are not available today.</p> <p>List on <b>29.09.2022</b> for hearing to which date respondents shall produce original documents in the court without fail for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 255 of 2021 with M.A. No. 772 of 2022**

**Pradeep 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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri R.K. Singh, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Maj Sini Thomas, Departmental representative for the respondents on amendment application.</p> <p>In amendment application, the applicant has pleaded that he came to know about his discharge order during pendency of application when the counter affidavit was filed.</p> <p>By means of amendment application, he wants to bring the facts on record regarding his discharge from service. He also wants to seek relief regarding discharge.</p> <p>We have gone through the amendment application and we find that nature of O.A. will not change, if proposed amendment is allowed. Accordingly, amendment application is allowed.</p> <p>Let amendment be incorporated within a week after serving its amended copy of O.A. to learned counsel for the respondents.</p> <p>Respondents may file supplementary counter affidavit in regard to amended pleadings within three weeks next thereafter.</p> <p>List on <b>30.09.2022</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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**

**T.A. No. 9 of 2021 Dy.No. 5030 of 2021 AFT (PB) New Delhi**

<b>Sub Ram Prawesh Mani</b> By Legal Practitioner for the Petitioner	<b>Versus</b>	Petitioner
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Mahendra Kumar Singh, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed, list the matter on <b>12.08.2022</b> for hearing.</p> <p>Legal Cell is directed to retain original documents and to produce in the court for perusal of the Bench on the next date fixed.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>SB</p>

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

**M.A. No. 784 of 2022 with M.A. No. 785 of 2022 Inre O.A. No. 258 of 2020**

**UT (AA) Akash Singh Chahar**  
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>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Vinay Pandey, learned counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">For the facts averred in affidavit filed in support of delay condonation application, delay of 01 month and 02 days in filing of Leave to Appeal is <b>condoned</b>. Delay condonation application stands disposed off.</p> <p style="text-align: center;">This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>SB</p>

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

**M.A. No. 787 of 2022 Inre O.A. No. 195 of 2019**

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

Applicants

**Versus**

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

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;"><b><u>M.A. No. 787 of 2022</u></b></p> <p>Heard Shri Amit Jaiswal, Ld. Counsel for the respondents – Union of India &amp; Others on modification application.</p> <p>This application has been filed by the applicants – Union of India &amp; Others seeking modification in order dated 18.12.2020 passed by this Tribunal in O.A. No. 195 of 2019 by which applicant was granted 20% disability pension for two years with further direction to the respondents to hold RSMB of the applicant.</p> <p>Learned counsel for the applicants submitted that sentence in paragraph 10 of the order “<i>The respondents are further directed to conduct a Re-Survey Medical Board for the applicant to assess his further entitlement of disability pension</i>” is causing difficulty in complying the order, hence, it is to be modified as “<i>further entitlement after RSMB shall be only from three years preceding of the date of filing of the original application</i>”.</p> <p>We have perused para 10 of our order and find that order is passed in accordance with rules/regulations and there is nothing wrong so that to modify our order dated 18.12.2020, therefore, modification application is <b>dismissed</b>.</p> <p>We find that no much or less point of law of general public importance involved for grant leave to appeal, hence, oral prayer made by learned counsel for the applicants – Union of India &amp; Others for leave to appeal is also <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) Member (A)</b>      <b>(Justice Umesh Chandra Srivastava) Member (J)</b></p> <p style="text-align: left;">SB</p>

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

**M.A. No. 788 of 2022 Inre O.A. No. 282 of 2022**

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

Applicants

**Versus**

**Ex Gnr Amarjeet**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>08.08.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:center"><b><u>M.A. No. 788 of 2022</u></b></p> <p>Heard Shri Amit Jaiswal, Ld. Counsel for the respondents – Union of India &amp; Others on modification application.</p> <p>This application has been filed by the applicants – Union of India &amp; Others seeking modification in order dated 15.09.2021 passed by this Tribunal in O.A. No. 282 of 2022 by which Original Application was partly allowed and the applicant was granted 50% disability pension for life from his date of discharge, i.e. 01.01.2017.</p> <p>Learned counsel for the applicants – Union of India &amp; Others submitted that applicant is entitled to disability element of disability pension and not disability pension, hence, order dated 15.09.2021 is to be modified accordingly.</p> <p>During the course of hearing, learned counsel for the applicants also submitted that service No. of the applicant has wrongly been mentioned in the order as 15770920H which should be corrected to 15770929H.</p> <p>We have perused the order and find that order with regard to grant of disability pension has been passed in accordance with rules and there is nothing wrong so that to modify our order dated 15.09.2021, therefore, modification application with regard to grant of disability element and not disability pension is <b>dismissed</b>.</p> <p>However, applicants prayer with regard to correction of Army No. is allowed and Army No. of the applicant is corrected as 15770929H in the order dated 15.09.2021.</p> <p>With aforesaid direction, modification application is <b>partly allowed</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align:center"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p>

