

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

By Circulation

R.A. No. 61 of 2022 with M.A. No. 768 of 2022 Inre : O.A. No. 93 of 2021

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Ex. Nk. Birija Bhar Ram
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p><u>M.A. No. 768 of 2022</u></p> <p>For the facts averred in affidavit filed in support of delay condonation application, delay of 04 months days in filing of Review Application is condoned. Delay condonation application stands disposed off.</p> <p><u>R.A. No. 61 of 2022</u></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 & Others have prayed for review and setting aside the judgement and order dated 11.10.2021 of this Tribunal passed in Original Application No. 93 of 2021. The order reads as under:-</p> <p><i>“In view of the above, the Original Application No. 93 of 2021 deserves to be allowed, hence allowed. The impugned orders dated 05.01.2000 and 31.01.2000, rejecting the applicant’s claim for grant of disability element of disability pension, are set aside. The disability of the applicant is held as aggravated by Military Service as has been opined by RMB. The applicant is entitled to get disability element @20% for five years which would be rounded off to 50% for five years from the next date of his discharge. The respondents are directed to grant disability element to the applicant @20% for five years which would stand rounded off to 50% for five 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 element of disability pension. The respondents are 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 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>

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

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

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

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

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

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

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

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. 642 of 2022 with M.A. No. 792 of 2022

Smt. Ran Maya gurung W/o Rfn. Am Bahadur Gurung Applicant
 By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
 By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: justify;">Memo of Appearance filed by Shri Namit 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: justify;">Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">Applicant, who is the widow of Late Ex. Rfn./Sepoy Am Bahadur Gurung and in receipt of family pension, has filed this Original Application for the grant of special family pension.</p> <p style="text-align: justify;">It is submitted by the Ld. Counsel for the applicant that death caused to applicant's husband was attributable to military service, therefore, she is entitled to special family pension.</p> <p style="text-align: justify;">There is a delay of 19 years, 06 months and 19 days in filing of Original Application.</p> <p style="text-align: justify;">Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 642 of 2022</u></p> <p style="text-align: justify;">Case 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 28.09.2022 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 11.11.2022.</p> <p style="text-align: justify;">Name of Shri D.K. Shukla, Advocate be also shown as Counsel for the applicant when the case is listed next.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Court No.1

O.A. No. 644 of 2022 with M.A. No. 794 of 2022

Ex. Hav. Awadhesh 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><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>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>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>There is a delay of 10 years, 01 month and 02 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 644 of 2022</u></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 28.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 11.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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O.A. No. 645 of 2022 with M.A. No. 795 of 2022

Ex. Sub. Shankar Thapa
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of Appearance filed by Shri J.N. 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>There is a delay of 02 months and 06 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 645 of 2022</u></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 28.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 11.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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O.A. No. 646 of 2022 with M.A. No. 796 of 2022

Lt. Col. Krishna Murari (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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>There is a delay of 12 years, 10 months and 03 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. ... of 2022</u></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 28.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 11.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
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O.A. No. 647 of 2022 with M.A. No. 797 of 2022

Ex. Sgt. Somdatt Awasthi
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of Appearance filed by Dr. S.N. Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Raj Kumar Mishra, Shri Kapil Sharma and Shri Bipin Kumar Sharma, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents.</p> <p>Applicant has filed this Original Application against order dated 29.06.2022 of respondents by which the respondents have denied giving notional increment to the applicant and other consequential benefits with effect from 30.06.2018.</p> <p>There is a delay of 01 year, 07 months and 18 days in filing of Original Application.</p> <p>Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application.</p> <p>The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained.</p> <p>Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 647 of 2022</u></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 29.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 10.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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O.A. No. 648 of 2022 with M.A. No. 798 of 2022

JWO Jones M.J. (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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri A.K. Chaudhary and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Dr. Shailendra Sharma Atal, Ld. Counsel appearing on behalf of respondents submits that the order by which applicant's claim for the grant of notional increment has been denied has not been impugned in the present Original Application.</p> <p>In view of the above, applicant is directed to seek necessary amendments within two weeks.</p> <p>List on 20.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 80 of 2018 Inre : R.A. No. 17 of 2011 Inre : T.A. No. 288 of 2010

Smt. Darko Devi W/o Late Ex. Hav. Chhote Lal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel appearing for the applicant and Shri R.C. Shukla, Ld. Counsel appearing for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj are present.</p> <p>An affidavit annexing therewith copy of PPO has been filed today in Court by the respondents, which is taken on record.</p> <p>Ld. Counsel for the applicant submits that neither copy of PPO has been received to the applicant nor to the Pension Disbursing Authority, therefore, direction be issued to the respondents to provide the same.</p> <p>The PPO is dated 11.07.2022.</p> <p>Respondents to ensure receipt of PPO by the applicant as well as Pension Disbursing Authority within two weeks from today.</p> <p>List on 21.09.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 193 of 2018 Inre : O.A. No. 145 of 2013

Satendra Singh Pal
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p><u>Impleadment Application</u></p> <p>Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>This application has been filed seeking impleadment of Pension Disbursing Authority i.e. Branch Manager, State Bank of India, Fatehgarh, Farrukhabad and CPPC, State Bank of India, Kutchery Road, Prayagraj in the array of respondents.</p> <p>Amendments being necessary for effective disposal of the application, the same is allowed.</p> <p>Let amendments be incorporated within a week and notice be issued to the newly made respondents returnable within four weeks next thereafter.</p> <p>Steps for notice be taken within a week.</p> <p>List on 21.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 215 of 2018 Inre : T.A. No. 75 of 2011

Ex. Swr. Ashok Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Advocate holding brief of Shri Bachchan Singh, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj are present.</p> <p>Ld. Counsel for the respondents seeks a day time to bring PPO on record.</p> <p>Ld. Counsel appearing for the applicant submits that copy of PPO has been received to the applicant and amount has been credited in his account.</p> <p>In view of the above, order seems to have been complied with.</p> <p>Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 19 of 2019 Inre : T.A. No. 34 of 2010

Ex. Sep. Vinay Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Shri Asheesh Agnihotri, Ld. Counsel appearing on behalf of the respondents submits that a week time be granted to file Supplementary Affidavit in reply to the affidavit filed by the applicant.</p> <p>Supplementary Affidavit may be filed within a week.</p> <p>List on 21.09.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 42 of 2021 Inre : O.A. No. 151 of 2017

Manish Shukla
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj is present and he submits that order in execution has been fully complied with.</p> <p>Copy of PPO has been filed along with affidavit of compliance filed by the respondents.</p> <p>On perusal of the PPO it appears that it is as per order dated 05.03.2021 of this Tribunal in Original Application No. 151 of 2017. The order thus seems to have been complied with.</p> <p>Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 44 of 2022 Inre : O.A. No. 387 of 2019

Ex. Hav. (DS) Ram Prakash Shukla
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Anurag Mishra, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj is present.</p> <p>An affidavit of compliance has been filed by the respondents today in the Court, which is taken on record.</p> <p>In affidavit it has been stated by the respondents that in compliance of the order PPO has been issued. Copy of PPO has been filed as Annexure No. 1 to the affidavit and on its perusal it appears that it is in terms of the order. The Execution Application thus has rendered infructuous and is liable to be dismissed as such.</p> <p>Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 119 of 2022 Inre : O.A. No. 622 of 2020

Smt. Dulari Devi Mother of (Late) Gnr. Virendra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant, Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 5 and Shri Saket Srivastava, Ld. Counsel for the respondent Nos. 6 and 7 are present.</p> <p>Ld. Counsel for the applicant submits that although in compliance of the order dated 16.09.2021 of this Tribunal in Original Application No. 622 of 2020 pension has been divided between the applicant and her daughter-in-law equal share and pension is being credited in applicant's account with effect from 09.03.2021, however, copy of investigation report as well as decision taken thereon has not been filed by the respondents. He submits that respondents be directed to bring the investigation report as well as decision thereon on record.</p> <p>Let investigation report along with decision be brought on record within three weeks.</p> <p>List on 28.09.2022.</p> <p>Name of Shri Saket Srivastava, Advocate be shown as Counsel for the respondent Nos. 6 and 7 when the case is listed next.</p> <p>Copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 184 of 2022 Inre : O.A. No. 733 of 2020

Ex. Rect./NA Hari Om

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Advocate holding brief of Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>In reference to order dated 30.07.2021 in Original Application No. 733 of 2020 Ld. Counsel appearing for the respondents submits that Statutory Complaint dated 13.10.2015 has been decided on 05.07.2016 that is much before the date than the order was passed by this Tribunal.</p> <p>Copy of decision has not been filed by the respondents.</p> <p>Let copy of decision be brought on record by way of affidavit within two weeks.</p> <p>List on 27.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 226 of 2020 with M.A. No. 107 of 2020

Ex. Sep. Dharmendra Singh Bhadoria
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align:center">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">As prayed by the Ld. Counsel for the applicant, the case is adjourned.</p> <p style="text-align:center">List on 02.12.2022 for hearing.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align:center">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 593 of 2021

Ex. Hav. Harendra Kumar Mehra
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 26.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 14 of 2022

Ex. Nk. Sheonayak Singh Applicant
By Legal Practitioner for the Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi , Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>List on 04.11.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 94 of 2022

Ex. HFO Jay Kumar Prasad
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Rajiv Pandey, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 22.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 188 of 2022

Ex. Sgt. Dharam Nath Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Sqn. Ldr. Ashutosh Pandey, Departmental Representative are present.</p> <p>No Counter Affidavit has been filed.</p> <p>Let it be filed within three weeks failing which opportunity will be closed.</p> <p>List on 27.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 191 of 2022

Ex. Nk. Tarkeshwar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant, Shri Sunil Sharma, Ld. Counsel for the respondent Nos. 1 to 4 and Mohd. Zafar Khan, Ld. Counsel for the respondent Nos. 5 and 6 are present.</p> <p>Mohd. Zafar Khan, Ld. Counsel appearing on behalf of respondent Nos. 5 and 6 prays for and is granted two weeks time to file Counter Affidavit.</p> <p>List on 13.09.2022.</p> <p>Registry is directed to reflect the name of Mohd. Zafar Khan, Advocate as Counsel for the respondent Nos. 5 and 6 when the case is listed next.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 245 of 2022

Nb. Sub. Ram Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit filed by the respondents and Rejoinder Affidavit filed by the applicant are taken on record.</p> <p>Ld. Counsel for the respondents submits that the case was earlier listed for hearing on 18.07.2022, however, one member of the Bench being not available on that day, the case was adjourned to 29.08.2022. He further submits that the date has been preponed by the registry in order to provide early hearing to the applicant without being any application in this regard. He further submits that since the already fixed date is 29.08.2022, therefore, matter be listed on that date only for hearing.</p> <p>In view of the above, let this case be listed on 29.08.2022 for hearing.</p> <p style="display:flex; justify-content:space-between;">(Vice Admiral Abhay Raghunath Karve) Member (A)(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 343 of 2022

Ex. Nk. Rajendra Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Counter Affidavit is ready and will be filed in the registry within two days.</p> <p>List on 28.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 344 of 2022

Ex. Nk. Shyam Datt 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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that Counter Affidavit is ready and will be filed in the registry within two days.</p> <p style="text-align: center;">List on 27.09.2022.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="width: 50%; text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">AKD/-</p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

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

O.A. No. 354 of 2022

Hav. Shiv Singh (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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R.C. Shukla, Ld. Counsel for the respondents is present.</p> <p>As prayed by the Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p>List on 11.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 356 of 2022

Ris. Ramvir Singh Jurel (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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 26.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 361 of 2022

Ex. HFO Ashok Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>List on 21.09.2022 .</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 365 of 2022

Ex. Nk. (GD/TA) Narayan Datt Punetha
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p>List on 26.09.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

T.A. No. 700 of 2010
along with
T.A. No. 699 of 2010 & T.A. No. 701 of 2010 (Decided)

Smt. Poonam Srivastava W/o Anand Kumar Srivastava (Deceased) & Others Applicants
By Legal Practitioner for the Applicants

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri D.K. Pandey, Ld. Counsel for the respondents is present.</p> <p>On the request made on behalf of the Ld. Counsel for the applicant, the case is adjourned.</p> <p>List on 29.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 68 of 2019

Ex. Sub. Nand Lal Gupta
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>It is informed by the Ld. Counsel for the respondents that original record is not available today.</p> <p>List on 30.09.2022.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 262 of 2021

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

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align:center">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">As prayed by the Ld. Counsel for the applicant, the case is adjourned.</p> <p style="text-align:center">List on 03.11.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

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

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

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant, the case is adjourned.</p> <p style="text-align: center;">List on 03.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 649 of 2022

Ex. Sub. Maj/Clk. Manoj Kumar Pandey

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Memo of Appearance filed by Dr. Chet Narayan 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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>Applicant has filed this Original Application for setting aside his order of discharge.</p> <p>There is no delay in filing of Original Application.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue notice to the respondents.</p> <p>Dr. Chet Narayan Singh, Advocate has accepted notice on behalf of all the respondents, therefore, service of notice is waived.</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 26.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 11.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Diary No. 2018 of 2022

Ex. Hav. (ACP-I) Hiralal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Ms. Kavita Mishra, 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 style="text-align: center;">On the case being taken up for hearing Shri D.N. Pandey, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As per office note, there is a delay of 02 months and 22 days in filing of Original Application for which no application for condonation of delay has been filed.</p> <p style="text-align: center;">Delay condonation application be filed within two weeks failing which Original Application will be dismissed being not maintainable.</p> <p style="text-align: center;">List on 15.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No 209 of 2022 Inre O.A. No 279 of 2020

Ex JWO Ajit Kumar Shrivastava
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awanthi, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>An affidavit of compliance has been filed today by the respondents stating therein that order has been complied with. Copy of PPO has been annexed alongwith affidavit.</p> <p>Learned counsel for the applicant submits that nothing has been credited in the applicant's account despite PPO being dated 21.01.2022. Shri RK Tiwari, Account Officer, PCDA (P), Allahabad submits that since applicant's account has been transferred to SPARSH, Corrigendum PPO need to be issued in the matter.</p> <p>Let Corrigendum PPO be issued to JCDA (Air Force) Subroto Park, Delhi Cantt within four weeks from today.</p> <p>List on 14.10.2022.</p> <p>Copy of this order be provided to learned counsel for the respondents for compliance of the order.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 357 of 2022

Ex. Sep (ACP II) Dharmendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</p> <p>List tomorrow i.e. 12.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 362 of 2022

NC (E) Ramji Prasad (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>11.08.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>List on 26.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No.364 of 2022

Ex. Nk (GD/TA) Genesh Singh By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: justify;">On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd), Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">As prayed by learned counsel for the respondents, two weeks further time is granted to file counter affidavit.</p> <p style="text-align: justify;">List on 30.09.2022.</p> <p style="text-align: justify;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 509 of 2022

Nb Sub Ventaka Rangaiah Gunthav
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Applicant has filed this application for issuing direction to decide his statutory complain dated 28.01.2020 regarding grant of promotion to the rank of Nb Sub.</p> <p style="text-align: center;">On the last date i.e. 13.07.2022, during course of hearing, learned counsel for the respondents was directed to seek instructions regarding status of statutory complaint dated 28.01.2020 presented by the applicant. Today the submission of learned counsel for the respondents is that statutory complaint is still pending consideration.</p> <p style="text-align: center;">Since applicant has confined his prayer to the statutory complaint which the respondents have not yet decided even after the expiry of more than 2 years, we direct the respondents to decide the statutory complaint dated 28.01.2020 of the applicant by a speaking and reasoned order under intimation to the applicant within a period of two months from today.</p> <p style="text-align: center;">Let copies of order be provided to learned counsel of the parties and AFT Legal Cell to ensure compliance.</p> <p style="text-align: center;">O.A. stands finally disposed of accordingly.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

T.A. No. 4 of 2021

Sub Maj (Hony Lt) Santosh Kumar Pandey (Retd)
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R.Chandra, Ld. Counsel for the petitioner and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that copy of the counter affidavit provided to learned counsel for the applicant is not legible.</p> <p>Let legible copy of counter affidavit be provided to learned counsel for the applicant within a week.</p> <p>List on 28.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

Court No.1

M.A. No. 800 of 2022 Inre O.A. No. 880 of 2021

Lt. Col. Awadhesh Kumar Singh
By Legal Practitioner for the Appellant

Appellant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Puru Mudgal, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This M.A. has been filed for early hearing of M.A. No 429 of 2022 in O.A. No 880 of 2021.</p> <p>M.A. No 429 of 2022 was taken up for hearing on 11.07.2022 and while keeping GCM Proceedings against the applicant in abeyance till the next date, the applicant was directed to amend the O.A. in respect of charge sheet dated 02.01.2022 and order dated 08.04.2022 of the GOC- in-C.</p> <p>Learned counsel for the applicant submits that despite applicant being granted bail he has not been allowed to join the Base Hospital, Lucknow where he was posted before being attached to Dogra Regimental Centre (DRC), Faizabad. The O.A. is listed for hearing on 30.08.2022.</p> <p>Keeping in view that order dated 11.07.2022 has not been complied with by the applicant, we do not see any reason to allow the early hearing application as hearing in the M.A. NO 429 of 2022 can be made after the O.A. is amended.</p> <p>In view of the above, early hearing application is dismissed.</p> <p>The applicant is directed to take necessary steps to amend the O.A. by the date fixed i.e. 30.08.2022.</p> <p>Application stands disposed of accordingly.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

T.A. No. 37 of 2016

K.N. Dwivedi

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents No 1 to 3 is present.</p> <p>No one is present on behalf of the applicant.</p> <p>Pleadings have been exchanged and case is ripe for hearing.</p> <p>List on 27.09.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

T.A. No.6 of 2019

Ex. Nk Bishram Singh Rajput
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Amit Jaiswal, Ld. Counsel for the respondents is present. No one is present on behalf of the applicant. List on 28.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 200 of 2020 with M.A. No. 39 of 2020

Mrs. Arti Singh & another D/o Late Ex. Sep Bijendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Navneet Awasthi and Shri Gaurav Chand Kaushik, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that original documents pertaining to case are not available today.</p> <p>List on 30.09.2022.</p> <p>Learned counsel for the respondents shall produced original documents on the next date fixed for perusal of the Court.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 276 of 2020

Ex. Sigmn Pramesh
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>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Dr. Shailendra Shrama Atal, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">No one is present on behalf of the applicant.</p> <p style="text-align: center;">List on 04.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 250 of 2021 with M.A. No. 417 of 2022

Nisi Kumari W/o Ex. Hav. Raghubansh Chandra Verma Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Dharmesh Sinha and Shri K.K. Seth, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p>List on 30.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

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

M.A. No 806 of 2022 with M.A. No 807 of 2022 Inre O.A. No 259 of 2020

EA (P) SS/APP Rameshwar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.08.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Puru Mudgal, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal filed in O.A. No. 259 of 2020. The application is delayed by 01 month and 9 days. Admittedly, the application is time barred and has been moved beyond statutory period.</p> <p>As per order of larger Bench, AFT, Principal Bench, New Delhi, dated 16.11.2021 passed in M.A. No 31 of 2019, Diary No 11 of 2019 in O.A. No 133 of 2016, in the case of <i>Union of India & Ors Versus Ex Sep P Titus</i>, the delay in filing Leave to Appeal is condonable. Hon'ble Principle Bench has held that:-</p> <p><i>“The Tribunal is conferred with power under the Act and the Rules framed thereunder to condone delay under Section 5 of the Limitation Act in filing the application for grant of leave to appeal despite there being no specific provision in Section 31 of the Act”.</i></p> <p>Accordingly application for condonation of delay in moving application for grant of leave to appeal is allowed and delay in filing the application for leave to appeal is condoned.</p> <p>Application for leave to appeal has been filed 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>In consequence thereof application for leave to appeal is also rejected.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

