

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

O.A. No. 377 of 2022 with M.A. No. 426 of 2022

Ex. Gnr. Brij Kishore Pandey
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>12.05.2022</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 Dr. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The applicant has filed this Original Application for the grant of disability pension with delay of 28 years, 08 months and 24 days regarding which an application for condonation of delay has been filed.</p> <p style="text-align: justify;">During the course of hearing, the Ld. Counsel for the applicant submitted that Original Application may be dismissed as withdrawn with liberty to file afresh, which is allowed.</p> <p style="text-align: justify;">Original Application is dismissed as withdrawn with liberty to file afresh.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

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O.A. No. 378 of 2022 with M.A. No. 427 of 2022

Ex. Cfn. Aryavir Tomar
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>12.05.2022</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 Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Chaudhary Narendra Singh and Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Applicant has filed this Original Application against the order dated 05.05.2010 of the respondents by which the applicant has been discharged from service.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that against the order of discharge the applicant has filed Original Application No. 203 of 2010 which he later withdrew with liberty to approach the appropriate forum for redressal of his grievance. He further submitted that thereafter applicant preferred Statutory Appeal against the order of discharge, but the same has not been disposed off as yet.</p> <p style="text-align: center;">There being a delay of 09 years, 06 months and 15 days in filing of Original Application the applicant has filed delay condonation application to which the submission of Ld. Counsel for the respondents is that liberty to be given the respondents to file objection.</p> <p style="text-align: center;">Let objection against delay condonation application be filed within two weeks.</p> <p style="text-align: center;">List on 18.07.2022.</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/SB/-</p>

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O.A. No. 379 of 2022

Sub. Kailash Chandra Bhatt
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>12.05.2022</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 Shri Rajesh Shukla, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 with prayer of seeking premature discharge from service.</p> <p style="text-align: center;">As per office note, there is no delay in filing of Original Application.</p> <p style="text-align: center;">The points raised in Original Application need consideration, therefore, Original Application is admitted for hearing.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List the matter before Registrar on 15.07.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 01.08.2022.</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/SB/-</p>

