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

O.A. No. 332 of 2021

Ex. Swr/RDR Ram Swaroop 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Rejoinder Affidavit filed by the applicant is taken on record. Heard Shri Lal Chandra Sahu, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents. Original Application is **dismissed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 562 of 2021 with M.A. No. 603 of 2021

Ex. Sep. Riyaz Ahmed 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Objection against delay condontion application filed by the respondents is taken on record. Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 to set aside the orders dated 24.01.2010, 29.01.2019 and 07.08.2021 and to direct the respondents to organize Release Medical Board to assess the applicant's disability, if any. There is a delay of 22 years, 09 months and 01 day in filing Original Application. Submission of Ld. Counsel for the applicant is that the applicant was enrolled in the Indian Army on 22.05.1986. He was admitted in 178 Military Hospital due to FITs (INV) for re-categorization and on 13.12.1996 he was transferred to Command Hospital (Eastern Command) for further management of his disease but the applicant did not report to Command Hospital (Eastern Command) on the same date. The applicant was declared deserted by 617 EME Battalion with effect from 13.12.1996 and was dismissed from service on 10.04.2000 under Section 20(3) of the Army Act, 1950. The applicant preferred several representations for organizing Release Medical Board for grant of disability pension. On 07.08.2021 the respondents have intimated that as per para 113 (a) of Pension Regulations for the Army, 1961 personnel who were dismissed from service being deserter under Section 20(3) of the Army Act, 1950 are not entitled for any kind of pensionary benefits. His further submission is that pension being a continuing right, denial of pension is a recurring cause of action. Thus, his submission is that delay is not intentional, but for the reasons stated above. Ld. Counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 22 years has not been properly and satisfactorily explained as the applicant has challenged the dismissal order dated 10.10.2000.

	Having heard the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case. We also find that applicant has not been invalided out from service being in low medical category. He has been dismissed from service being deserter. An individual being dismissed from service being deserter is not entitled to pensionary benefits which includes disability pension and, in view of this, even after condonation of delay applicant will not be entitled to relief claimed as it is for conduct of Release Medical Board. In the result, we find that delay is not condonable. Accordingly, delay condonation application is **rejected**. Original Application being time barred and being not maintainable on merit is also **rejected**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 20 of 2022

Hav. (PA) Babban Chauhan 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Ms. Preeti Mala, Advocate on behalf of the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents. It is a fit case for adjudication. Admit. 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. List the matter before Registrar on **04.03.2022** for exchange of pleadings. List the matter before Tribunal on **31.03.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 21 of 2022 with M.A. No. 26 of 2022

Sub. (PA) ASH Mohammad Khan 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Namit Sharma, Advocate on behalf of the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents. There is a delay of 13 years, 08 months and 17 days in filing of Original Application regarding an application for condonation of delay has been filed. Ld. Counsel for the respondents seeks and is allowed two weeks time to file objection against delay condonation application. List on **04.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 22 of 2022 with M.A. No. 27 of 2022

Sub. (PA) Digar Singh Bisht 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. Heard Shri Manoj Kumar Awsthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. There is a delay of 13 years, 08 months and 17 days in filing of Original Application regarding an application for condonation of delay has been filed. Ld. Counsel for the respondents seeks and is allowed two weeks time to file objection against delay condonation application. List on **04.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 23 of 2022 with M.A. No. 28 of 2022

Sub. (PA) Sachin Kumar Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of Appearance filed by Shri Devesh Kumar, Advocate on behalf of the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents. There is a delay of 13 years, 07 months and 10 days in filing of Original Application regarding an application for condonation of delay has been filed. Ld. Counsel for the respondents seeks and is allowed two weeks time to file objection against delay condonation application. List on **04.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 116 of 2017 Inre : O.A. No. 21 of 2013

Pramod Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Major Tarun Waghchoure, Departmental Representative for the respondents. Ld. Counsel for the respondents submits that in regard to leave encashment Rs.2,98,771/- has been paid to the applicant. He also submits that cost Rs.25,000/- will be paid very shortly. Let affidavit regarding payment of leave encashment be filed within two weeks, as prayed. Respondents are directed to pay cost Rs.25,000/- by the next date fixed. List on **10.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 192 of 2018 Inre : T.A. No. 388 of 2010

Brijesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. On the request of Ld. Counsel for the respondents, four weeks further time is granted to make compliance of the order with the condition that if the order is not complied within the time given respondents shall pay Rs.10,000/- as cost to the applicant. List on **09.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 100 of 2019 Inre : O.A. No. 144 of 2016

Sgt. Rajendra Prasad Pal (Retd.) 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. On the request of Ld. Counsel for the respondents four weeks further time is granted to make compliance of the order by issuing Corrigendum PPO. Respondents are also directed to pay cost due against them by the next date fixed. List on **14.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 26 of 2020 Inre : O.A. No. 19 of 2019

Ex. Sep. Munna 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. Ld. Counsel for the respondents submits that in R.S.M.B. held under order of this Tribunal applicant has been found suffering with disability @30% regarding which generation of PPO is under process, therefore, four weeks further time be granted to file affidavit of compliance which is allowed. Let affidavit of compliance be filed within four weeks, as prayed. List on **14.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 13 of 2021 Inre : O.A. No. 88 of 2021

Ex. Sep. Sant Ram 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents assisted by Capt. Priyanka Rathore, Departmental Representative for the respondents. Ld. Counsel for the respondents submits that in compliance of order under execution Government Sanction regarding payment of two years disability pension has been accorded on 04.10.2021. The R.S.M.B. has also been held on 25.12.2021. Thus he submits that still four weeks further time is required to file affidavit of compliance which is allowed. List on **14.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 46 of 2021 Inre : O.A. No. 264 of 2019

Ex. Nk. Raghuraj 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. On the request of the respondents, four weeks further time is granted to make compliance of the order. List on **15.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 48 of 2021 Inre : O.A. No. 14 of 2019

Krishna 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents assisted by Major Tarun Waghchoure, Departmental Representative for the respondents. Ld. Counsel for the respondents submits that in compliance of the order under execution PPO has been generated on 03.12.2021 arrears has been credited in applicant's account. No affidavit of compliance has been filed. Respondents are, therefore, directed to file affidavit of compliance within two weeks annexing therewith calculation sheet of the payment. List on **17.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 810 of 2021 with M.A. No. 811 of 2021 Inre : O.A. No. 212 of 2016

Smt. Vinod W/o Late Sub. Yogendra 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **M.A. No. 810 of 2021 with M.A. No. 811 of 2021** Objection against recall application filed by the respondents is taken on record. Heard Shri K.K. Misra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. This application has been filed to recall the order dated 02.07.2019 in Original Application by which the Original Application has been dismissed in default. There is a delay of 07 months and 12 days (222 days) in filing of recall application regarding which an application for condonation of delay, supported with affidavit, has also been filed. Considering that matter pertains to family pension and pleadings between the parties had already been exchanged when the Original Application was dismissed in default, we think it proper to recall the order so that Original Application may be decided on merit. Accordingly, delay in filing recall application is **condoned** and recall application is allowed on payment of Rs.2,000/- as cost payable to AFT Bar Association. Let Original Application be restored to its number on payment of cost only payable within a week. List on **02.03.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 305 of 2019

Vijay Pal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Anurag Misra, Ld. Counsel for the respondents. Amendments regarding substitution have not yet been incorporated. Applicant is directed to incorporate the amendment within a week failing which application shall stand dismissed for non-prosecution without any reference. The respondents have also not filed Counter Affidavit. Let Counter Affidavit be filed within two weeks failing opportunity of filing shall also stand closed without any reference. List on **08.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 121 of 2020

Ex. Rect. Sukhwant Singh Applicant
By Legal Practitioner for the Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Shailendra Kumar Singh, Advocate appearing for the applicant and Shri Asheesh Agnihotri, Ld. Counsel appearing for the respondents. In view of facts averred in affidavit filed in support of application, Shri Shailendra Kumar Singh, Advocate is permitted to file Vakalatnama on behalf of the applicant. Vakalatnama filed by Shri Shailendra Kumar Singh, Advocate on behalf of applicant is taken on record. List on **03.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 452 of 2021

Ex. Sep. Shrawan Kumar Tripathi 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present. As prayed by the Ld. Counsel for the respondents and, as a last chance, three weeks further time is granted to file Counter Affidavit. List on **18.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 531 of 2021

Ex. Gnr. (ACP II) Mukesh 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 595 of 2021

Ex. Hav. Prakash Babu 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 317 of 2021

Ex. Rect. Prashant Kumar Prikshit 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. Shri Amit Jaiswal, Ld. Counsel appearing on behalf of the respondents submits that applicant has been dismissed from service on 20.04.2020 and information in this regard has been sent to him vide letter dated 22.05.2020. He further submits that in order to bring the aforesaid fact on record a Supplementary Affidavit is required to be filed, therefore, time be given for the same. Let Supplementary Affidavit be filed within two weeks. List on **08.02.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 596 of 2021

Ex. Rect Mohd Dilwan Ali 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents, four weeks further time is granted to file counter affidavit. List on **07.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 749 of 2021

Ex. Nk Shyamal 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Vijay Kumar Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents assisted by Maj Tarun Pillai, Departmental Representative for the respondents and Shri RK Tiwari, Account Officer, PCDA, (P), Allahabad. The applicant has filed this application to direct the respondents to grant additional service pension @ 20% to him wef 01.06.2020. Learned counsel for the applicant submits that applicant was enrolled in the Indian army in the Grenadiers Regiment on 25.06.1960 and discharged on 05.07.1978 after rendering about 18 years of service under Army Rule 13 (3) Item 2 (A). He further submits that applicant completed 79 years of age on 31.05.2020 and in view of Govt policy regarding release of additional service pension @ 20% being due from first date of 80th years is entitled to this from 01.06.2020 and not from 01.06.2021. Thus, he submits that respondents be directed to pay arrears of additional pension @ 20% wef 01.06.2020 to 31.05.2021 along with interest @ 18% per annum. In support, learned counsel for the applicant has placed reliance on judgments of Hon'ble Guwahati High Court and Madhya Pradesh High Court in the matter of salary and pension of the High Court and Supreme court judges and also the order of Hon'ble Supreme Court wherein it is held that High Court and Supreme Court judges are entitled to additional pension from the 1st day of the 80th year and not on completion of 80th years of age. In reply, learned counsel for the respondents submits that in view of Govt policy regarding release of additional pension @ 20%, the applicant is entitled to benefit from the 1st day of the month in which he completed 80th years of age and not from 1st day of 80th years of age. In regard to salaries and conditions of service of High Court judges 1954 Act and Supreme Court judges 1958 Act, an Act "The High Court and Supreme

Court judges (Salaries and Conditions of Service) Amendment Act, 2021" has been passed wherein it has been said that judges of the High Court and Supreme Court are entitled to additional quantum of pension or family pension from the 1st day of the month in which they complete the age specified in the first column of the scale i.e. 80, 85, 90 and 95 as the case may be. This amendment Act has been passed after coming into existence of the judgments of Hon'ble Guwahati and Madhya radish High Court in the matter of additional quantum of pension or family pension in case of High Court and Supreme Court judges.

From the above, it is clear that the judgment on which basis applicant is claiming additional pension @ 20% on completion of 79 years of age have been done away by the High Court and Supreme Court judges (salaries and Conditions of service) Amendment Act, 2021, therefore, the applicant is not entitled to benefit as he has claimed.

During the course of hearing we are told that applicant completed 80 years of age on 01.06.2021 and became entitled to additional quantum of pension which is being paid to him from this date.

In view of above, applicant is not entitled to relief claimed in the application.

In the result, O.A. is **dismissed**.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

UKT/-

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

O.A. No. 795 of 2021 with M.A. No. 944 of 2021

Ms. Pushpa Rani D/o Late Roshan Lal 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 1. Heard Shri Dharmendra Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. 2. Brief facts of the case are that, father of the applicant Late Roshan Lal was enrolled in the Army in Royal Indian Engineers on 27.06.1942 and discharged from service on 20.08.1846 after rendering four years, 01 month and 23 days service. After discharge, late Roshan Lal was appointed in Central Ordinance Depot (COD), Agra in the year 1951 and retired from service on attaining the age of superannuation in the year 1984. He was granted service pension from COD. Roshan Lal died on 28.02.1988 and thereafter, his wife namely Ramwati was granted family pension from COD who also died on 26.01.1999. After death of Ramwati (mother of the applicant) Ms. Pushpa Rani (applicant) was granted family pension being unmarried daughter. After death of her mother, the applicant prayed from respondents for grant of service pension for the services rendered by her father in Royal Indian Engineers for about four years which was rejected. Being aggrieved, applicant has filed instant O.A. for grant of pension for the services rendered by her father in Royal Indian Engineers. 3. The applicant has approached this Tribunal for grant of pension after about 71 years of retirement of her father. During life time father of the applicant never approached the respondents for grant

of pension from Army. Of course a liberal view should be taken, but the applicant has miserably failed to show any solid ground for approaching the Tribunal with inordinate delay of about 71 years.

4. In a case reported in ***Balwant Singh (Dead) vs. Jagdish Singh & others*** (2010) 8 Supreme Court Cases 685), the Hon'ble Supreme Court while considering the grant of condonation of delay held in paragraphs 26 and 37 as under :

> *"26. The law of limitation is a substantive law and has definite consequences on the right and obligation of a party to arise. These principles should be adhered to and applied appropriately depending on the facts and circumstances of a given case. Once a valuation right has accrued in favour of one party as a result of the failure of the other party to explain the delay by showing sufficient cause and its own conduct, it will be unreasonable to take away that right on the mere asking of the applicant, particularly when the delay is directly a result of negligence, default or inaction of that party. Justice must be done to both parties equally. Then alone the ends of justice can be achieved. If a party has been thoroughly negligent in implementing its rights and remedies, it will be equally unfair to deprive the other party of a valuable right that has accrued to it in law as a result of his acting vigilantly.*
>
> *37. We feel that it would be useful to make a reference to the judgment of this Court in Perumon Bhagvathy Devaswom. In this case, the Court, after discussing a number of judgments of this Court as well as that of the High Courts, enunciated the principles which need to be kept in mind while dealing with applications filed under the provisions of Order 22 CPC along with an application under Section 5 of the Limitation Act for condonation of delay in filing the application for bringing the legal representatives on record. In SSC para 13 of the judgment, the Court held as under (SCC pp. 329-30).*
>
> *"(i) The words 'sufficient cause for not making the application within the period of limitation' should be understood and applied in a reasonable, pragmatic, practical and liberal manner, depending upon the facts and circumstances of the case, and the type of case. The words 'sufficient cause' in Section 5 of the Limitation Act should receive a liberal construction so as to advance substantial justice, when the delay is not on account of any dilatory tactics, want of bona fides, deliberate inaction or negligence on the part of the appellant.*
>
> *(ii) In considering the reasons for condonation of delay, the courts are more liberal with reference to applications for setting aside abatement, than other cases. While the court will have to keep in view that a valuable right accrues to the legal representatives of the deceased*

respondent when the appeal abates, it will not punish an appellant with foreclosure of the appeal, for unintended lapses. The courts tend to set aside abatement and decide the matter on merits, rather than terminate the appeal on the ground of abatement.

(iii) The decisive factor in condonation of delay, is not the length of delay, but sufficiency of a satisfactory explanation.

(iv) The extent or degree of leniency to be shown by a court depends on the nature of application and facts and circumstances of the case. For example, courts view delays in making applications in a pending appeal more leniently than delays in the institution of an appeal. The courts view applications relating to lawyer's lapses more leniently than applications relating to litigant's lapses. The classic example is the difference in approach of courts to applications for condonation of delay in filing an appeal and applications for condonation of delay in refiling the appeal after rectification of defects.

(v) Want of 'diligence' or 'inaction' can be attributed to an appellant only when something required to be done by him, is not done. When nothing is required to be done, courts do not expect the appellant to be diligent. Where an appeal is admitted by the High Court and is not expected to be listed for final hearing for a few years, an appellant is not expected to visit the court or his lawyer every few weeks to ascertain the position nor keep checking whether the contesting respondent is alive. He merely awaits the call or information from his counsel about the listing of the appeal." (emphasis in original).

We may also notice here that this judgment had been followed with approval by an equi-Bench of this Court in Katari Suryanarayana."

5. In view of the law settled by the Hon'ble Supreme Court and keeping in view the factual position of the present case, the applicant has miserably failed to show the sufficient cause for condonation of delay in filing the Original Application. Respondents have claimed that as per rule entire service documents of the father of applicant have been destroyed after 25 years of its retention period being non-pensioner and there is nothing available to vouch for the assertions of the applicant. Case of the applicant cannot be considered at this belated stage in the absence of service documents. Long roll is not conclusive to return a finding that applicant is entitled for pension. It is an entry made from another document though in regular course of working but the same is not

primary evidence. It could not be treated to be secondary evidence as well because it was only an abstract and could not lead to conclusive opinion for the reason for grant of pension. Therefore, the long silence for not lodging a claim of pension in the past 71 years can be said to bar the remedy. Late Roshan Lal (father of the applicant) was discharged from Army service in the year 1946 and neither he nor his wife during their life time approached the respondents for grant of pension. Applicant first time wake up to claim family pension in the year 2017 in which she made first representation. Applicant has not brought on record any document which may vouch for the fact that her father was entitled for pension.

6. In view of the above, we find that except the statement of the applicant that she is entitled for family pension for the service rendered by her father in the army, there is no material to show that applicant is entitled for grant of family pension for the service rendered by her father in the army. The Apex Court in the case of State of **Tripura and others vs. Arabinda Chakraborty and others** (2014) 6 SCC 460 has held that where the termination order was challenged after 13 years, in the meantime the record was destroyed, no harm should be caused to the employer because the employer should not keep the record pertaining to termination of the employee forever. The above principle will be fully applicable to the facts of the present case.

7. In view of the matter, we are of the opinion that the applicant has failed to prove her case that she is entitled for family pension for the service rendered by her father in the army.

8. Accordingly, the O.A. is liable to be dismissed.

9. It is accordingly, **dismissed**.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

UKT/-

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

O.A. No. 116 of 2013

Karamati Iqbal Khan 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant, list on **02.03.2022** for physical hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 31 of 2014

Jeetendra Bahadur 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KK Misra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant, list on **04.03.2022** for physical hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 30 of 2017

PK Mahapatra 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. In this case original applicant has been died and substitution application has been allowed. Shri Yashpal Singh submits that hearing of the case be adjourned today. Amendment regarding substitution has not been carried out by the applicant. Applicant is directed to carryout amend within a week, failing which application for substitution has be dismissed. List on **21.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 260 of 2018

Satendra 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant, list on **22.03.2022** for final hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 137 of 2019

Mukesh 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents are present. As prayed, 10 days time is granted to learned counsel for the applicant to file supplementary rejoinder affidavit. List on **23.03.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 346 of 2019

Prem Sagar Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present. List on **23.03.3022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 500 of 2019

Ex. Sep Baljinder 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Ashish Asthana and Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present. Learned counsel for the applicant submits that applicant wants to bring certain documents on record by way of affidavit, therefore, four weeks time be granted which is allowed. List on **24.03.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 246 of 2020

Lt. Col Devender Singh Rohilla 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Himanshu Bora, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. List on **25.03.2022** for final hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 423 of 2020

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

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Col. BP Singh (Retd), Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant, list on **24.03.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No. 99 of 2021

Ex. Lady Cadet Nira Chaudhary 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present. Col YR Sharma (Retd) is reported to be ill. As prayed by learned counsel for the respondents, a weeks' further time is granted to file counter affidavit. List on **27.01.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

T.A. No. 284 of 2010

Umesh Kumar Chourasia 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri GS Sikarwar, Ld. Counsel for the respondents is present. Col YR Sharma (Retd) is reported to be ill. List on **08.03.2022** for physical hearing. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 281 of 2021

Ex Rect Prashant Kumar Prikshit 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
	13.01.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Pankaj Kumar Shukla and Shri Rahul Chaurasiya, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. List on **08.02.2022**. On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-