

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

**O.A. No. 841 of 2022**

**Ex. Sep. (MACP Hav.) Bhadauriya Jayram Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri R.K.S. Chauhan, 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 Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>Ld. Counsel for the applicant submits that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>13.12.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>01.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p style="text-align: left;">AKD/-</p>

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

**O.A. No. 842 of 2022 with M.A. No. 1041 of 2022**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for fixation of pay.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant has filed application for fixation of his pay in Pay Matrix Rs.46,200/- as per 7th CPC.</p> <p>There being a of delay of 01 month and 05 days in filing of Original Application, an application for condonation has been filed.</p> <p>It is submitted by the Ld. Counsel for the applicant that delay in filing of Original Application is not deliberate.</p> <p>Cause shown is sufficient. Delay is <b>condoned</b>. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 842 of 2022</u></b></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>13.12.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>01.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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**{See rule 11(1)}**  
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**E-Court**

**O.A. No. 843 of 2022 with M.A. No. 1042 of 2022**

**Ex. Hav. Sanjeev Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Asheesh Agnihotri, 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 Dharam Raj Singh, Shri Ashish Asthana and Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>There is a delay of 01 month and 05 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is <b>condoned</b>. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 843 of 2022</u></b></p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>Ld. Counsel for the applicant submits that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>13.12.2022</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>01.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>



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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
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**Ex. A. No. 321 of 2022 Inre : O.A. No. 421 of 2020**

**Ex. Gnr. Ram Sharan @ Ram Sharan**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 25.11.2021 of this Tribunal in Original Application No. 421 of 2020 by which respondents have been directed to revise the pension of the applicant to Rs.4,443/- with effect from 01.07.2014.</p> <p>Ld. Counsel for the applicant submits that the order was to be implemented within four months from the date of order, but the same has not been done till date.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file affidavit of compliance after seeing instruction.</p> <p>List on <b>02.01.2023</b>.</p> <p style="display: flex; justify-content: space-around; margin-top: 20px;"> <span><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span> <span><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span> </p> <p>AKD/-</p>

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**Ex. A. No. 322 of 2022 Inre : O.A. No. 827 of 2021**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>13.10.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">On the case being taken up for hearing Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">This application has been filed for implementation of order dated 21.05.2022 of this Tribunal in Original Application No. 827 of 2021.</p> <p style="text-align: justify;">It is fresh Execution Application.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file affidavit of compliance after seeking instruction.</p> <p style="text-align: justify;">List on <b>02.01.2023</b>.</p> <table style="width: 100%; margin-top: 20px;"> <tr> <td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td> <td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td> </tr> </table> <p style="margin-top: 10px;">AKD/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)		

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**Ex. A. No. 323 of 2022 Inre : O.A. No. 25 of 2022**

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

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri 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>On the case being taken up for hearing Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 20.05.2022 of this Tribunal in Original Application No. 25 of 2022.</p> <p>It is fresh Execution Application.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file affidavit of compliance after seeking instruction.</p> <p>List on <b>02.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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E-Court**

**Ex. A. No. 324 of 2022 Inre : O.A. No. 793 of 2021**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b>  <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Memo of Appearance filed by Ms. Anju Singh, 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: justify;">On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">This application has been filed for implementation of order dated 23.03.2022 of this Tribunal in Original Application No. 793 of 2021.</p> <p style="text-align: justify;">It is fresh Execution Application.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file affidavit of compliance after seeking instruction.</p> <p style="text-align: justify;">List on <b>03.01.2023</b>.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A) </div> <div style="text-align: center;"> <b>(Justice Umesh Chandra Srivastava)</b> Member (J) </div> </div> <p style="font-size: small;">AKD/-</p>





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**M.A. No. 1030 of 2022 with M.A. No. 1031 of 2022 Inre : O.A. No. 235 of 2020**

**Union of India & Others**

By Legal Practitioner for the Applicants

Applicants

**Versus**

**Pradeep Kumar S/o Late Ex. Hav. Gopal Das**

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Anurag Mishra, Ld. Counsel for the applicants – Union of India &amp; Others.</p> <p style="text-align: center;">This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 28.10.2021 of this Tribunal by which Original Application has been allowed.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicants – Union of India &amp; Others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 05 months and 04 days in filing of application be condoned.</p> <p style="text-align: center;">In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is <b>condoned</b>. Delay condonation application stands disposed off accordingly.</p> <p style="text-align: center;">Upon hearing submission of Ld. Counsel for the applicants – Union of India &amp; Others, we find that no point of law of general public importance is involved so that leave may be granted.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)                      (Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">AKD/-</p>

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**E-Court**

**Ex. A. No. 203 of 2016 Inre : T.A. No. 39 of 2013**

**Selina John**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that stay order granted by the Hon'ble Apex Court still holds good.</p> <p>List on <b>15.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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**Ex. A. No. 73 of 2017 Inre : T.A. No. 96 of 2016**

**Maj. Gen. D.V.S. Rana**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:justify">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align:justify">Ld. Counsel for the respondents submits that stay order granted by the Hon'ble Apex Court still holds good.</p> <p style="text-align:center">List on <b>15.02.2023</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**E-Court**

**Ex.A. No. 02 of 2020 Inre : O.A. No. 269 of 2015**

**Ex. Nb. Sub. Radhey Shyam Sharma**  
 By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: justify;">It is submitted by the Ld. Counsel for the applicant that at present a sum of Rs.3,62,916/- towards commutation amount @Rs.5,337/- from June, 2015 to January, 2021 and Rs.27,000/- towards ECHS Contribution paid in old PPO in 2015 is due against the respondents to which submission of Ld. Counsel for the respondents is that nothing is due.</p> <p style="text-align: justify;">Ld. Counsel for the respondents submits that respondents will file Supplementary Affidavit of Compliance annexing therewith calculation sheet stating the compliance of the order.</p> <p style="text-align: justify;">Let Supplementary Affidavit of Compliance be filed within two weeks.            List on <b>12.12.2022</b>.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b>  <b>Member (A)</b>                  <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (J)</b></p> <p>AKD/-</p>



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**Ex. A. No. 86 of 2021 Inre : O.A. No. 65 of 2020**

**Smt. Chandrawati W/o Late Ex. Sep. Sita Ram**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that in Government Sanction there was no mention of interest, therefore, case of the applicant has again been processed for the Sanction of interest. Thus, he submitted that four weeks further time be granted to file affidavit of compliance, which is allowed.</p> <p style="text-align: center;">List on <b>09.12.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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**Ex. A. No. 121 of 2022 Inre : O.A. No. 461 of 2021**

**Ex. Nk. Santosh Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that order has been complied with, Execution Application should be dismissed being infructuous to which Ld. Counsel for the applicant has no objection.</p> <p style="text-align: center;">Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



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**O.A. No. 145 of 2022 Inre : O.A. No. 328 of 2020**

**Ex. Hav. (Hony. Nb. Sub.) Kashi Ram**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present.</p> <p>Ld. Counsel for the respondents submits that Execution Application filed by the applicant is misconceived as applicant's pension has already been revised in July, 2020 in terms of terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi and arrears Rs.2,33,220/- has been credited in applicant's account on 02.07.2020. Applicant is now in receipt of revised pension @Rs.31,653/-, which is being regularly paid to him.</p> <p>An affidavit of compliance has been filed by the respondents, which is taken on record.</p> <p>Considering that applicant's pension had already been revised and arrears paid prior to filing of the Execution Application, applicant had no occasion to file application for implementation of the order.</p> <p>Execution Application is, therefore, <b>dismissed</b>.</p> <p style="text-align:right"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align:right"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p style="text-align:left">AKD/-</p>



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**Ex. A. No. 149 of 2022 Inre : O.A. No. 126 of 2021**

**Ex. Hav. Sur Sari Charan 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><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 5 assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: justify;">No PPO has been issued, therefore, no need to issue notice to the respondent Nos. 6 and 7.</p> <p style="text-align: justify;">More so, PPO is to be issued by the SPARSH in which pension disbursing authorities have no role to pay, therefore, order issuing notice to respondent Nos. 6 and 7 is withdrawn.</p> <p style="text-align: justify;">On the request of Ld. Counsel for the respondent Nos. 1 to 5, four weeks further time is granted to file affidavit of compliance.</p> <p style="text-align: justify;">List on <b>03.01.2023</b>.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 210 of 2022 Inre : O.A. No. 149 of 2020**

**Hav. (MP) Akhila Nand Mishra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that compliance of the order is under process, four weeks further time be granted to file affidavit of compliance, which is allowed.</p> <p>List on <b>04.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 223 of 2022 Inre : O.A. No. 200 of 2021**

**Ex. WO Dinesh Chand Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Ms. Chavi Yadav, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>It is submitted by the Ld. Counsel for the respondents that PPO has been issued.</p> <p>Ld. Counsel for the applicant admits receipt of the PPO and she submits that Execution Application may be disposed off.</p> <p>In view of the fact that in compliance of the order, PPO has been issued, thus the order has been complied with.</p> <p>Execution Application is, therefore, <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 226 of 2022 Inre : O.A. No. 387 of 2020**

**Ex. Hav. Bir Bahadur Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that since order has been complied with, Execution Application should be dismissed.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that no calculation sheet has been filed along with affidavit of compliance, a direction be issued to file the calculation sheet.</p> <p style="text-align: center;">Considering that in compliance of the order, PPO has been issued and arrears have already been credited in applicant's account, order seems to have been complied with.</p> <p style="text-align: center;">Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 228 of 2022 Inre : O.A. No. 603 of 2021**

**Ex. Hav. (Amb. Asst.) Mahendra Kumar Jena**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, four weeks further time is granted to file affidavit of compliance.</p> <p>List on <b>04.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 234 of 2022 Inre : O.A. No. 579 of 2020**

**Smt. Nafiro Nisa Widow of Late Sep. Rasul**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Dr. Shailendra Sharma Atal, Ld. Counsel appearing for the respondents submits that in compliance of the order PPO has been generated on 30.06.2022.</p> <p>Let PPO be brought on record by way of affidavit within two weeks.</p> <p>List on <b>09.12.2022</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align:center"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



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

**Ex. A. No. 236 of 2022 Inre : O.A. No. 590 of 2021**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, three weeks further time is granted to file affidavit of compliance.</p> <p style="text-align: center;">List on <b>05.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 247 of 2021 with M.A. No. 247 of 2021**

**Cpl. Amit Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Shri Karuna Kant Upadhyay and Shri Abhay Kant Upadhyay, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Matter is pending before the Larger Bench, Armed Forces Tribunal, Principal Bench, New Delhi.</p> <p>List on <b>14.11.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 311 of 2021**

**Smt. Chandrakanta W/o Hav. Krishan Pal** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Satendra Kumar Singh and Shri Shailendra Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Matter is pending before the Larger Bench, Armed Forces Tribunal, Principal Bench, New Delhi.</p> <p>List on <b>14.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 392 of 2021**

**L/Nk. Ravindra Nath Bind**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Matter is pending before the Larger Bench, Armed Forces Tribunal, Principal Bench, New Delhi.</p> <p>List on <b>14.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 415 of 2021 with M.A. No. 1054 of 2022**

**Smt. Poonam Singh Wife of Sep. (Late) Ajay Kumar Singh** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal are present.</p> <p><b><u>M.A. No. 1054 of 2022</u></b></p> <p>Pursuant to order dated 07.07.2022, impleadment application has been filed to implead the New India Assurance Company Limited as party in the Original Application, which is allowed.</p> <p>Amendment be incorporated by today and thereafter notice be issued to the newly impleaded party within a week returnable within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>List on <b>05.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 260 of 2018**

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

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Tribunal vide its order dated 13.01.2022 had directed the respondents to produce original documents pertaining to case of the applicant for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that complete original documents including Master Sheet, Recommendation Form and Data-Sheet in respect of Ex. Sub. Satendra Singh had been destroyed by the Board of Officers after retention till prescribed time frame vide IAFD-931 dated 27.06.2020.</p> <p style="text-align: center;">Ld. Counsel for the respondents further submits that, however, extract of Recommendation Form and Data-Sheet in respect of Ex. Sub. Satendra Singh was prepared and forwarded to IHQ of MoD (Army), Ceremonial &amp; Welfare Directorate/CW-2 vide Signals Records letter No. 3454/CA-4/T-12/RD-13/RF/Obsn dated 14.05.2022. He also submits that photocopies of documents are available with him and it may be brought on record, if required.</p> <p style="text-align: center;">In view of the above, respondents are directed to bring the aforesaid facts on record by way of affidavit annexing therewith extract of Recommendation Form and Data-Sheet in respect of the applicant within two weeks.</p> <p style="text-align: center;">List on <b>16.12.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

O.A. No 670 of 2021

**Ex Hav Santosh Kumar Dubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Heard Dr. Gyan Singh, learned counsel for the respondents and perused the documents available on record.</p> <p style="text-align: justify;">O.A. No. 490 of 2021, Ex L/Nk Mukesh Kumar Ravi, vs. Union of India and others is <b>dismissed</b>.</p> <p style="text-align: justify;">For order, see our judgment passed on separate sheets.</p> <p style="text-align: justify;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>UKT/-</p>

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

**O.A. No 396 of 2022**

**Ex Nk Jai Prakash**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Rahul Pal, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents and perused the documents available on record.</p> <p>O.A. No. 396 of 2022, Ex Nk Jai Prakash, vs. Union of India and others is <b>allowed</b>.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>UKT/-</p>



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

**O.A. No 670 of 2021**

**Ex Hav Santosh Kumar Dubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Dr. Gyan Singh, learned counsel for the respondents and perused the documents available on record.</p> <p>O.A. No. 490 of 2021, Ex L/Nk Mukesh Kumar Ravi, vs. Union of India and others is <b>dismissed</b>.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>UKT/-</p>

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

O.A. No 396 of 2022

**Ex Nk Jai Prakash**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Heard Shri Rahul Pal, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents and perused the documents available on record.</p> <p style="text-align: justify;">O.A. No. 396 of 2022, Ex Nk Jai Prakash, vs. Union of India and others is <b>allowed</b>.</p> <p style="text-align: justify;">For order, see our judgment passed on separate sheets.</p> <p style="text-align: justify;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>UKT/-</p>

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

**O.A. No. 421 of 2021**

**Ex. Gnr (DMT) Bajrang Singh Parihar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard arguments of Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents. Hearing concluded. Judgment reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>SB</small></p>

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

O.A. No. 477 of 2021

**Ex. EA (P) 3 Sarvesh Kumar Verma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing applicant in person and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>The matter needs physical hearing.</p> <p>List on <b>10.01.2023</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 456 of 2022 with M.A. No. 517 of 2022**

**Ex. Nb Sub Rajendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Shiv SE Chitambar, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>This application has been filed under Section 14 of the AFT Act, 2007 for issuing directions to the respondents to grant service pension to the applicant with retiral benefits with interest @ 12% per annum from the date of dismissal. It is also prayed that applicant has preferred a representation dated 01.10.2015 to the respondents under para 113 (a) of the Pension Regulations for the Army, 1961 to grant service pension to him which the respondents have not yet decided, directions be issued to decide the same.</p> <p>It is submitted by learned counsel for the respondents that in regard to grant of service pension to the applicant, an application bearing O.A. No. 53 of 2013 was filed in this Tribunal which was heard and dismissed on 01.10.2015 with directions to the respondents that if applicant applies under Para 113 (a) of the Pension Regulations for the Army, 1961, the respondents will consider the same sympathetically.</p> <p>Pursuant to above, applicant had preferred a Mercy Petition dated 05.10.2015 which was considered and rejected on 21.03.2018. Thus, it is submitted that applicant's request for grant of disability pension has been denied and Mercy Petition preferred under para 113 (a) of Pension Regulations for the Army, 1961 has also been rejected.</p> <p>Learned counsel for the applicant submits that no copy of order dated 21.03.2018 rejecting Mercy Petition has been supplied to the applicant, directions be issued to supply it's copy so that the same could be challenged.</p> <p>Considering that applicant's prayer for grant of service pension after setting aside the order of dismissal of the applicant from service has already been declined by this Tribunal in O.A. No. 53 of 2013 and Mercy Petition preferred under para 113 (a) of Pension Regulations for the Army, 1961 has also been rejected much before, O.A. deserves to be dismissed. It is</p>

accordingly dismissed.

Respondents are directed to supply copy of order dated 21.03.2018 to the applicant within two weeks. With this, Original Application stands finally **disposed off.**

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

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

SB

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

**O.A. No. 490 of 2022**

**JWO Anand Chaudhary**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav and Shri Yashpal Singh, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>On request of learned counsel for the respondents ten days further time is granted to file counter affidavit.</p> <p>It is clarified that if counter affidavit is not filed within the given time, opportunity shall stand closed without any reference.</p> <p>List on <b>31.10.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>SB</p>

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

**O.A. No. 505 of 2022**

**Col (TS) Dharendra Kumar Thapliyal (Retd)**

Applicant

By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>As prayed, two weeks further time is granted to file counter affidavit.</p> <p>List on <b>09.12.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>SB</p>



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

**O.A. No. 506 of 2022**

**Ex. Sgt. Suraj Prakash Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Col. Ravindra Nath Tiwari (Retd), Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>On request of learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p>List on <b>17.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 507 of 2022**

<b>Mukesh</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that respondents have sent a letter to the applicant requiring certain documents for consideration of his request and as soon as documents are received, the same shall be considered and appropriate order will be passed.</p> <p>Learned counsel for the applicant submits that letter has been received by the applicant and has been replied also.</p> <p>In view of the aforesaid, three weeks time is granted to the respondents to take decision in the matter and inform the Tribunal.</p> <p>List on <b>09.01.2023</b>.</p> <p style="text-align:right"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    Member (J)</b></p> <p>SB</p>

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

**O.A. No. 508 of 2022**

**Ex. L/NK Ram Prabesh Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>As prayed, two weeks further time is granted to file counter affidavit.</p> <p>List on 17.11.2022.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)      Member (J)</b></p>
	SB

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

**O.A (A) No. 251 of 2021**

**Hav. Abdul Wasim Khan**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><u>13.10.2022</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 Virat Anand Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents, list the matter on <b>02.11.2022</b> for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)      Member (J)</p> <p>SB</p>



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

**Dy. No. 2665 of 2022**

**HFO Biswas Kumar Gupta**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Amit Jaiswal on behalf of the respondents is taken on record.</p> <p>On the case being taken up for hearing Ms. Chhavi Yadav, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Defects have not been removed.</p> <p>On request of learned counsel for the applicant two weeks further time is granted to remove defects and it is clarified that in case defects are not removed, application will be dismissed for non prosecution.</p> <p>List on <b>11.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>SB</p>

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

DY. No. 2667 of 2022

Ex. CPO LOG (F&A) Dheeraj 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><b>13.10.2022</b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record.</p> <p>An affidavit has been filed today in the court for condonation of delay which is taken on record.</p> <p>Heard Shri Ved Prakash, Shri Devendra Kumar and Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>In view of facts averred in the affidavit, delay of seven days in filing of application is condoned.</p> <p>This application has been filed for grant of disability pension to the applicant.</p> <p>The case needs adjudication.</p> <p>Admit.</p> <p>Issue notice.</p> <p>Shri Rajiv Pandey, Advocate has accepted notice on behalf of the respondents, hence, service of notice is waived.</p> <p>Respondents may file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed within two weeks, thereafter.</p> <p>List on <b>13.12.2022</b> before Registrar for exchange of pleadings and on <b>01.02.2023</b> before the Bench.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>     <b>(Justice Umesh Chandra Srivastava)</b> Member (A)     Member (J)</p> <p style="text-align:left">SB</p>

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

**DY. No. 2787 of 2022**

**Ex. Rect. Ram Moorat Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On request of learned counsel for the applicant, a week further time is granted to remove the defects.</p> <p style="text-align: center;">List on <b>14.11.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>SB</p>



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

**O.A. No. 232 of 2010**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>The case needs physical hearing.</p> <p>List on <b>29.11.2022</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    Member (J)</b></p> <p>SB</p>



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

**O.A. No. 217 of 2017**

<b>Brijesh Kumar Pandey</b> By Legal Practitioner for the Applicant	Applicant
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><u><b>13.10.2022</b></u> <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u> <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p style="text-align:center">On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">The case needs physical hearing.</p> <p style="text-align:center">List on <b>13.12.2022</b> for physical hearing.</p> <table style="width:100%;"><tr><td style="width:50%; text-align:center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width:50%; text-align:center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p style="text-align:left; margin-left: 5px;">SB</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)		

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

O.A. No. 176 of 2020

**Gnr (DMT) Manpreet Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Learned counsel for the applicant submits that applicant had submitted a statutory appeal for the redressal of his grievances which has been rejected by the respondents during the pendency of this application.</p> <p>Applicant wishes to challenge order of rejection, therefore, he does not want to press present application, the same may be dismissed being not pressed with liberty to file afresh.</p> <p>In view of the aforesaid, application is <b>dismissed</b> being not pressed with liberty to file afresh.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>SB</p>

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

O.A. No. 608 of 2020

**Yogendra Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on <b>30.11.2022</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>



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

**O.A. No. 768 of 2020**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents No. 1 to 5. No one is present on behalf of respondents No. 6 &amp; 7. Original Application is <b>allowed</b>. For order, see our judgment passed on separate sheets. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed off.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>SB</p>

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

**O.A. No. 229 of 2021**

**Ex. Lance Nk Ram Soorat Mishra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on <b>10.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>



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

O.A. No. 554 of 2021

**Ex. Sgt. Rajendra 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><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Wg. Cdr AK Singh (Retd), Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</p> <p style="text-align: center;">For order, see our judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed off.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)      Member (J)</p> <p>SB</p>

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

O.A. (A) No. 3 of 2013

**Shyambir 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><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri D.S. Kauntae, Ld Counsel for the applicant and appellant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on <b>01.12.2022</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)      Member (J)</b></p> <p>SB</p>



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

**T.A No. 1065 of 2010**

**R.N. Mishra**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Ms. Nisha Pandey, Advocate holding brief of Shri Shiv Kant Pandey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Written Submission has been filed today in the court by the applicant which is taken on record.</p> <p>List on <b>14.12.2022</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>SB</p>



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

T.A. No. 20 of 2017

**Dhananjay Kumar**  
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>13.10.2022</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;">Vakalatnama filed today by Shri Raj Kumar Mishra on behalf of the applicant is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the petitioner and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on <b>16.12.2022</b> for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)      Member (J)</p> <p style="text-align: left;">SB</p>

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

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

**R.A. No. 90 of 2022 with M.A. No. 1063 of 2022 Inre O.A. No. 691 of 2020**

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

Applicants

**Versus**

**Ex Gnr Ramesh Chander**  
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;"><b><u>M.A. No. 1063 of 2022</u></b></p> <p>Heard Shri Anurag Mishra, Ld. Counsel for the applicants-Union of India and Shri Dharam Raj Singh, Ld. Counsel for the respondent.</p> <p>As per office report, there is delay of 06 months &amp; 10 days in filing the Review Application.</p> <p>We have gone through the affidavit filed in support of delay condonation application and find that the grounds and reasons shown in the accompanying affidavit for condonation of delay seem sufficient and therefore, delay in filing Review Application is condoned. Delay condonation application stands disposed of.</p> <p style="text-align: center;"><b><u>R.A. No. 90 of 2022</u></b></p> <p>The applicant has filed this Review Application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 with prayer to review this Tribunal order dated 19.07.2021 passed in O.A. No. 691 of 2020.</p> <p>We have gone through the grounds and reasons indicated in the review application and have also gone through the judgment and order sought to be reviewed. The judgment and order sought to be reviewed was passed in proper prospective after considering all the facts and circumstances and also in view of the several pronouncement of the Hon'ble Apex Court. No illegality or irregularity or error apparent on the face of record has been shown to us so as to review the aforesaid judgment of this Court.</p> <p>That apart, 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 order sought to be reviewed, the same cannot be reviewed vide Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure.</p> <p>Law is settled on the point that the scope of review is very limited. It is only when there is an error apparent on the face of record or any fresh fact/</p>

material brought to notice which was not available with the applicant inspite of his due diligence during hearing. Review is not an appeal in disguise. It is nowhere within the scope of review to recall any order passed earlier and to decide the case afresh.

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 as held by 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 and in the case of ***S. Madhusudhan Reddy Versus V. Narayana Reddy and Others***, Civil Appeal Nos. 5503-04 of 2022, decided on 18.08.2022.

In the light of the legal position crystalized above, we are of the considered view that there is no illegality or irregularity or error apparent on the face of record being found in the impugned order dated 19.07.2021, passed in O.A No. 691 of 2020, which may be corrected in exercise of review jurisdiction.

Accordingly, Review Application No. 90 of 2022 is hereby **rejected**.

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

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

SB



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

**Ex.A. No. 106 of 2021 Inre O.A. No. 691 of 2020**

**Ex Gnr Ramesh Chander**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.10.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>It is submitted by learned counsel for the respondents that since Review Application preferred by the respondents has been dismissed today, four weeks time be granted for compliance of the order which is allowed with direction that if order is not complied within the given time, officer responsible for implementation of the order shall remain physically present in the court to explain the reasons as to why necessary action be not taken against him.</p> <p>List on <b>12.12.2022</b>.</p> <p>Copy of order be provided to learned counsel for the respondents/AFT Legal Cell to ensure compliance.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>SB</p>