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O.A. N. 18 of 2022

Gnr. (Chef Mess) Kumarul Hossian By Legal Practitioner for the Applicant`

Applicant

Respondents

Versus

Union of India & Others

Notes of	Orders of the Tribunal
the Registry	
	14.01.2022
	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,
	Advocate appears on behalf of the respondents and submits that he will file
	Memo of Appearance during the course of the day.
	Heard Ms. Madhulika Yadav, Ld. Counsel for the applicant and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	Matter needs 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 07.03.2022 for exchange of
	pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 19 of 2022 with M.A. No. 24 of 2022

Ex. Sep. Sudheer Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of	Orders of the Tribunal
the Registry	
	14.01.2022
	<u>14.01.2022</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on
	behalf of the respondents is taken on record.
	Heard Shri Pradeep Kumar Tiwari, Ld. Counsel for the applicant and
	Shri Bipin Kumar Singh, Ld. Counsel for the respondents.
	As per office note, there is no delay in filing Original Application,
	however, an application for condonation of delay has been moved which being
	not required is dismissed .
	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 07.03.2022 for exchange of
	pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 24 of 2022 with M.A. No. 32 of 2022

MWO Om Prakash (Retd.)

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Ram Sharan Awasthi, Advocate on behalf
	of the respondents is taken on record.
	Heard Shri Raj Kumar Mishra, Ms. Upasna Mishra and Shri Anand Kanwar,
	Ld. Counsel for the applicant and Shri Ram Sharan Awasthi, Ld. Counsel for the respondents.
	The Original Application has been filed for grant of disability pension with delay of 08 years, 09 months and 21 days.
	Submission of learned counsel for the applicant is that it is a pensionary
	matter in which bar of limitation is not applicable. His further submission is that delay
	in filing Original Application is not deliberate, but for the reasons stated in affidavit filed
	in support of application.
	Per contra, learned counsel for the respondents submits that explanation of
	delay offered by the applicant is not sufficient as he has failed to offer day to day
	explanation of delay.
	Considering that in pensionary matters bar of limitation is not applicable and
	grounds stated in affidavit filed in support of delay condonation application are
	genuine and sufficient, delay is liable to be condoned.
	Accordingly, delay in filing application is condoned. Delay condonation
	application stands decided accordingly.
	<u>O.A. No. 24 of 2022</u>
	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 07.03.2022 for exchange of pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) AKD/-

O.A. No. 25 of 2022 with M.A. No. 15 of 2022

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

Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	<u>14.01.2022</u> 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 Jay Narayan Mishra,
	Advocate appears on behalf of res and submits that he has filed Memo of
	Appearance in registry.
	Heard Shri Dharam Raj Singh and Dr. Ashish Asthana, Ld. Counsel
	for the applicant and Shri Jay Narayan Mishra, Ld. Counsel for the
	respondents.
	As per office note, there is no delay in filing Original Application,
	however, an application for condonation of delay has been moved which being
	not required is dismissed .
	Points raised in Original Application need adjudication, therefore,
	Original Application is admitted for hearing.
	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 07.03.2022 for exchange of
	pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A) Member (J)
	AKD/-

O.A. No. 26 of 2022

Maj. Anchita Srivastava

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

	Orders of the Tribunal
the Registry	
	<u>14.01.2022</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Shri Ramesh Chandra Shukla,
	Advocate on behalf of the respondents is taken on record.
	Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant
	and Shri Ramesh Chandra Shukla, 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 07.03.2022 for exchange of
	pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 27 of 2022 with M.A. No. 33 of 2022

Smt. Parvati Singh W/o Nb. Sub. Late Bishwa Nath Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

	Orders of the Tribunal
the Registry	
	14.01.2022
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of
	the respondents is taken on record.
	Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms.
	Appoli Srivastava, Ld. Counsel for the respondents.
	The Original Application has been filed for grant of family pension with delay
	of 17 years, 04 months and 05 days.
	Submission of learned counsel for the applicant is that it is a pensionary
	matter in which bar of limitation is not applicable. His further submission is that delay
	in filing Original Application is not deliberate, but for the reasons stated in affidavit filed
	in support of application.
	Per contra, learned counsel for the respondents submits that explanation of
	delay offered by the applicant is not sufficient as he has failed to offer day to day
	explanation of delay.
	Considering that in pensionary matters bar of limitation is not applicable and
	grounds stated in affidavit filed in support of delay condonation application are
	genuine and sufficient, delay is liable to be condoned.
	Accordingly, delay in filing application is condoned. Delay condonation
	application stands decided accordingly.
	O.A. No. 27 of 2022
	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 07.03.2022 for exchange of pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

O.A. No. 28 of 2022 with M.A. No. 34 of 2022

Sgt. Shailesh Kumar (Retd.) By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of	Orders of the Tribunal
the Registry	
	14.01.2022
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the
	respondents is taken on record.
	Heard Shri Raj Kumar Mishra, Ms. Upasna Mishra and Shri Anand Kanwar,
	Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.
	The Original Application has been filed with delay of 01 year, 01 month and
	25 days.
	Submission of learned counsel for the applicant is that it is a pensionary
	matter in which bar of limitation is not applicable. His further submission is that delay
	in filing Original Application is not deliberate, but for the reasons stated in affidavit filed
	in support of application.
	Per contra, learned counsel for the respondents submits that explanation of
	delay offered by the applicant is not sufficient as he has failed to offer day to day
	explanation of delay.
	Considering that in pensionary matters bar of limitation is not applicable and
	grounds stated in affidavit filed in support of delay condonation application are
	genuine and sufficient, delay is liable to be condoned.
	Accordingly, delay in filing application is condoned. Delay condonation
	application stands decided accordingly.
	O.A. No. 28 of 2022
	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 07.03.2022 for exchange of pleadings.
	List the matter before Tribunal on 01.04.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) AKD/-

Ex. A. No. 4 of 2022 Inre : O.A. No. 73 of 2020

Smt. Sunita Devi W/o Late Ex. Dfr. Kishor Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Memo of Appearance filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record.
	On the case being taken up for hearing Shri Shailendra Kumar Singh,
	Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the
	respondents are present.
	It is a fresh Execution Application.
	Ld. Counsel for the respondents seeks and is allowed three weeks
	time to seek instructions in the matter.
	List on 03.03.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

M.A. No. 16 of 2022 with M.A. No. 29 of 2022 Inre : M.A. No. 432 of 2021

Sep. Sunil Kumar Tiwari

By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Memo of Appearance filed by Shri Namit Sharma, Advocate on behalf of the respondents is taken on record. On the case being taken up for hearing Shri Namit Sharma, Ld. Counsel for the respondents is present and he submits to grant two weeks time to file objection against recall application which is allowed. List on 28.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

M.A. No. 30 of 2022 with M.A. No. 31 of 2022 Inre : O.A. No. 345 of 2021

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Respondent

Ex. Sub. (Hony. Lt.) Ati Raj Singh By Legal Practitioner for Respondent

Notes of the	Orders of the Tribunal
Registry	
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Heard Shri Pushpendra Mishra, Ld. Counsel for the
	applicants – Union of India & Others.
	As per office note, there is no delay in filing Leave to
	Appeal, however, an application for condonation of delay has been
	moved which being not required is dismissed .
	Ld. Counsel for the applicants – Union of India and Others
	submits that Leave to Appeal may be dismissed as withdrawn as
	order passed by this Tribunal is in the process of implementation.
	In view of above, Leave to Appeal is dismissed as
	withdrawn.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 69 of 2019 Inre : O.A. No. 583 of 2017

Ex. Sep. Ajay Kumar Singh By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	An affidavit of compliance has been filed today by the respondents which is taken on record.
	Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the
	applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. Shri Yogesh Kesarwani, Ld. Counsel appearing on behalf of
	respondents submits that order under execution has been fully complied with. He also submits that cost Rs.25,000/- has been deposited on 11.01.2022.
	In reply, Shri Bhanu Pratap Singh Chauhan, Ld. Counsel appearing on behalf of the applicant submits that order has not been complied with in
	letter and spirit. He seeks and is allowed two weeks time to file objection. List on 07.02.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 70 of 2019 Inre : O.A. No. 626 of 2017

Mradpama Devi W/o Late Ex. Naik Rajbir Singh Bhadouria & Others Applicant By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> 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 Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents.
	Shri R. Chandra, Ld. Counsel appearing on behalf of applicant
	submits that Execution Application may be dismissed being infructuous
	as order has been complied with.
	Accordingly, Execution Application is dismissed being
	infructuous.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 71 of 2019 Inre : O.A. No. 591 of 2018

Ex. Gnr. Ratan Maity

Applicant

By Legal Practitioner for the Applicant

By Legal Practitioner for Respondents

The Commanding Officer, 152 A.D. Regt. & Others

Versus

Respondents

	Orders of the Tribunal
the Registry	
	14.01.2022
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri
	Ashish Kumar Singh, Ld. Counsel for the respondents.
	On the last date Branch Manager, State Bank of India, West
	Midinapur, West Bengal was directed to remain physically present in Tribunal
	today, however, the said Branch Manger is not present in Tribunal rather it
	appears that he is not informed about the order as no notice in this regard has
	been served to him.
	Registry is, therefore, directed to serve notice to Branch Manager,
	State Bank of India, West Midinipur, West Bengal requiring him to appear
	before the Tribunal on the next date fixed.
	List on 03.03.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 25 of 2021 Inre : O.A. No. 536 of 2019

Ex. Sep. Kamlesh Chaudhary By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal
Registry	
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.
	Shri V.P. Pandey, Ld. Counsel appearing on behalf of applicant
	submits that R.S.M.B. has been done, however, the applicant has not been
	informed about outcome of the same.
	Respondents are directed to bring the report of R.S.M.B. on record by
	way of affidavit within four weeks.
	List on 07.03.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

Ex. A. No. 31 of 2021 Inre : O.A. No. 340 of 2019

Ex. HFO Sureshwari Prasad Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u>
	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 Sudhir Kumar Singh, Ld.
	Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the
	respondents are present.
	As prayed, a week further time is granted to file affidavit of
	compliance.
	List on 07.02.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	AKD/-

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

Manish Shukla

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri S.N. Singh Gaherwar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.
	Shri Ashish Kumar Singh, Ld. Counsel for the respondents submits that compliance of the order being under process, four weeks further time be granted to file affidavit of compliance which is allowed. List on 10.03.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

Ex. A. No. 69 of 2021 Inre : O.A. No. 334 of 2019

Ex. Hav. (Hony. Nb. Sub.) Ramapati Upadhya By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present. Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj (Allahabad) is also present to assist the Court. As prayed, list on 18.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 519 of 2021

Ex. Sub. Siriya Ram

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Counter Affidavit filed by the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. S.N. Pandey, 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)

O.A. No. 626 of 2020 with M.A. No. 774 of 2021

Hariom Singh S/o Late Ex. Sep Kedar Singh By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant a week further time is granted to make impleadment in O.A. and to take steps. List on 25.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 324 of 2021

Ex. Lance Nk Sunil Kumar Jha By Legal Practitioner for the Applicant

Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Counter affidavit filed by the respondent sis taken on record.
	Heard Shri Prabhat Kumar Tripathi, Ld. Counsel for the applicant and
	Shri Rajesh Shukla, Ld. Counsel for the respondents assisted by Shri Rajeev
	Kumar Tiwari, Account Officer, PCDA (P) Allahabad.
	In counter affidavit, respondents have stated that disability element of
	disability pension @ 75% has been granted to the applicant vide PPO No.
	153202002773 dated 26.02.2020. Shri Rajeev Tiwari, Account Officer, PCDA
	(P) Allahabad submits that apart from it, Rs. 22,58,578/- paid to the applicant in
	May 2020. He is regularly receiving service pension @ Rs. 19,475/- per month
	and disability element of disability pension @ Rs. 8,764/- per month since May 2020.
	In view of above, it seems that grievance raised in O.A. had already
	been redressed much before the filing of O.A. and this application has been
	filed in some misconception which deserves to be dismissed, as such.
	Accordingly, Original Application is dismissed .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 638 of 2021

Ex. Sgt Rajeev Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. As prayed, four weeks further time is granted to file counter affidavit. List on 10.03.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 663 of 2021

Ex. Sep Rajveer Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	Heard Shri R Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Learned counsel for the respondents submits that to being instructions received in the matter on record a week time to be granted which is allowed. List on 27.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 756 of 2021 with M.A. No. 898 of 2021

Ex. Hav Prem Shamsher Rana

Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

By Legal Practitioner for the Applicant

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri VP Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. As prayed by learned counsel for the applicant a week time is granted to
	bring Circular on record. List on 31.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 783 of 2021

Ex. Hony Nb Sub Ramesh Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

Notes of the	Orders of the Tribunal
Registry	
	<u>14.01.2022</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> 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 Shri Kaushik Chatterjee, Ld. Counsel for the
	respondent Nos. 1 to 4 are present.
	No one is present on behalf of respondent Nos. 5 & 6 despite notice
	being served upon them.
	Registry is directed to issue notice to respondent Nos. 5 & 6 to appear
	before this Tribunal on 22.03.2022 in person to explain why they are not
	complying with the directions issued by PCDA.
	List on 22.03.2022.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
	SB

R.A. 54 of 2021 Inre O.A. No. 16 of 2021

Union of India & Others

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Ex. Hav Satish Kumar By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	14.01.2022
	Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)
	Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Shri Namit Sharma, learned counsel for the applicants is present and
	files a copy of judgment which is taken on record.
	Maj Tejas on whose statement order dated 21.09.2021 has been
	passed is not available today as he is dealing with some Court Martial
	proceedings as told by Maj Tejas Pillai, Departmental Representative.
	List on 27.01.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (A)Member (J)SB

O.A. No. 307 of 2016

Jagirman Rai

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. The matter needs physical hearing. List on 25.03.2022 for physical hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

O.A. No. 312 of 2016

Suraj Singh Negi

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.
	The matter needs physical hearing. List on 28.03.2022 for physical hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A. No. 93 of 2020 with M.A. No. 953 of 2019

Ex. Sub Bharat Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u>
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> 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 Amit Jaiswal, Ld. Counsel for the respondents are
	present.
	As prayed by learned counsel for the applicant, list on 29.03.2022 for
	hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)
	Member (Å) Member (J)

O.A. No. 744 of 2020

Ex. Nb Sub (MACP) Kalpnath Singh By Legal Practitioner for the Applicant Applicant

Respondents

Versus

Director General of Military Operation, IHQ of (Army), MoD, New Delhi By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Learned counsel for the applicant submits that regarding posting in Bhutan for the period from 26.07.2012 to 10.11.2012, applicant had raised a claim of Rs. 3,48,845/- to which respondents have stated in para 7 of the counter affidavit that the said claim has been settled for Rs. 1,79,456/- and amount has been credited to applicant's account on 03.12.2020. He further submits that in counter affidavit respondents have not assigned any reason as to why claim amounting to Rs. 3,48,845/- has been settled for Rs. 1,79,456/- only. We have gone through para 7 of the counter affidavit filed by the respondents wherein they have stated that applicant's claim regarding his stay in Bhutan from 26.07.2012 to 10.11.2012 has been settled for Rs. 1,79.456/-, however, they have not given basis by which they have settled nor quoted any policy.
	affidavit indicating the policy by which the settlement in respect of Rs. 1,79,456/- has been done and also to file policy, if any, in this regard within two weeks. List on 17.02.2022 . Office is directed not to reflect name of Shri RKS Chauhan as learned counsel for the applicant as he is no more counsel in this case.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

O.A.(A) No. 29 of 2021

Ex Nk Shankar Ingali

Appellant

By Legal Practitioner for the Appellant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Vinay Pandey and Shri Prasoon Kumar Anjor, Ld. Counsel for the appellant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. The matter needs physical hearing.
	List on 22.03.2022 for physical hearing. (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)

T.A. No. 596 of 2010

Udai Veer Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> 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 petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.
	The matter needs physical hearing. List on 24.03.2022 for physical hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) SB

T.A. No. 1300 of 2010

Smt. Sunita Devi W/o (Late) Ex. Sep Arun Kumar By Legal Practitioner for the Petitioner

Petitioner

Versus

Respondents

Notes of	Orders of the Tribunal
the Registry	
Registry	
	14.01.2022
	<u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)
	Ton ble vice Admiral Abriay Ragnunath Raive, Member (A)
	Heard Col. AK Srivastava (Retd), Ld. Counsel for the petitioner and Dr.
	Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Capt
	Priyanka, Departmental representative for the respondents.
	During the course of hearing, it was brought to our notice that with
	regard to relief claimed in T.A., petitioner had earlier approached the Hon'ble
	Patna High Court vide Civil Writ JC No. 6764/1998 which was dismissed as
	withdrawn. Thereafter, he had filed another Writ CWJC No. 6394 of 1999 which
	was dismissed on merit on 16.05.2001.
	After coming this fact in the notice of Tribunal, a query was put to
	learned counsel for the petitioner as to when petition filed by the petitioner for
	the relief claimed in T.A. has already been dismissed by the Hon'ble Patna
	High Court, then how present T.A. is maintainable, he sought a week time to
	submit reply in this regard which is allowed.
	List on 17.02.2022 .
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)
L	SB

T.A. No. 6 of 2021

Ex. Sgt Somdatt Awasthi

Petitioner

By Legal Practitioner for the Petitioner

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>14.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u>
	On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present. As prayed by learned counsel for the respondents ten days further time is granted to produce medical board proceedings relating to the applicant. List on 27.01.2022 for hearing.
	(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)