

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

O.A. No. 94 of 2022

Ex. HFO Jay Kumar Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Counter Affidavit filed by the respondents is taken on record. Heard Shri Sudhir Kumar Singh and Shri S.K. Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents. Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 524 of 2022

Col. Jai Prakash Singh (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Counter Affidavit filed by the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents. Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

E-Court

Ex. A. No. 326 of 2022 Inre : Ex. A. No. 38 of 2016 & T.A. No. 1352 of 2010

Ex. Sub. Ashok Kumar Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Col. R.N. Tiwari (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This is the second round of litigation which has been initiated after the issuance of letter dated 07.09.2022 by Army Group Insurance Fund, Adjutant General's Branch, Integrated HQ of MoD (Army), New Delhi to the Directorate of Indian Army Veterans, Delhi Cantt. In the letter Directorate of Indian Army Veterans have been requested to suspend ECHS Card and CSD facilities extended to the applicant as despite several reminders issued to the applicant he failed to deposit interest amounting to Rs.1,87,172/- for the period 22.03.2003 to January, 2019 on Army Group Insurance Fund amount Rs.93,750/-</p> <p style="text-align: center;">In the Execution Application applicant has prayed that respondents be directed to issue PPO of disability pension to the applicant in the rank of Subedar, not to the give effect to letter dated 07.09.2022 issued by Army Group Insurance Fund, Adjutant General's Branch, Integrated HQ of MoD (Army), New Delhi and not to recover interest amount Rs.1,87,172/- from the applicant and to pay interest @10% per annum to the applicant on all delayed payment of all the dues to the applicant.</p>

It appears that applicant was discharged from service with effect from 01.12.2002 against which he had filed Writ Petition No. 22999 of 2003 before the Hon'ble Allahabad High Court against the respondents, which by operation of law, after constitution of Armed Forces Tribunal, was transferred to this Tribunal and registered as Transferred Application No. 1352 of 2010, which was allowed on 26.05.2015. While setting aside discharge order of the applicant, respondents were directed to treat the applicant notionally in service in the rank of Naib Subedar from the date of discharge till he completes his normal tenure in the said rank and to pay him salary for the aforesaid period. Respondents were further directed to consider the applicant for promotion in the next rank of Subedar, if found fit for the same and to adjust the amount of pension already paid to the applicant from the amount payable towards pay and allowances for the period he was notionally in service. When this order was not complied with by the respondents, Execution Application No. 38 of 2016 was filed, which was dismissed being rendered infructuous on 11.04.2016 after the issuance of PPO.

During the course of hearing, Ld. Counsel for the applicant admitted that in compliance of the order applicant was notionally reinstated in service with effect from 01.12.2002 and was notionally discharged from service with effect from 31.12.2005. He was also promoted to the rank of Subedar with effect from 01.01.2005 and also pay and allowances for the period from 01.12.2002 to 31.12.2005 has been paid to the applicant. He also admitted that applicant is in receipt of service pension in the rank of Subedar from the date of discharge. Thus, compliance of the order is completed.

Dispute has arisen when respondents continued writing letters to the applicant to pay interest on Army Group Insurance Fund money amounting to Rs.93,750/- which was paid to the applicant at the time of discharge in the year 2002 which after the order dated 26.05.2015 in the Transferred Application became refundable. Respondents contention is that since applicant retained this money for a period from 22.05.2003 to January, 2019, he is liable to pay interest on it, for which several reminders were issued to him and when he did not pay the interest letter dated 07.09.2022 has been issued requesting the Directorate of Indian Army Veterans to suspend the ECHS Card and CDS facilities extended to the applicant.

During course of hearing, a quarry was made to Ld. Counsel for the respondents as to whether interest was paid to the applicant on pay and allowances for the period from 01.12.2002 to 31.12.2005 and thereafter arrears of pension in view of order dated 26.05.2025 in the Transferred Application, Ld. Counsel could not give satisfactory reply. This indicates that it has not been paid. Further, no interest can be paid to the applicant unless so directed in the order. There is no such mention in the order dated 26.05.2015.

When no interest has been paid by the respondents to the applicant on the arrears of pay and allowances and pension from the date of discharge till the date of actual payment, it seems illogical for the respondents to charge interest from the applicant on the Army Group Insurance Fund amount which was paid to him at the time of discharge. Respondents are, therefore, directed not to charge interest on the Army Group Insurance Fund amount as stated in their letter dated 07.09.2022 and also not to suspend ECHS Card and CSD facilities as applicant is entitled to avail these facilities being ex-servicemen which cannot be taken away without any valid reason.

In view of the aforesaid, Execution Application stands disposed off.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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

O.A. No. 839 of 2022 with M.A. No. 1037 of 2022

JWO Indra Dev (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Dr. Shailendra Sharma Atal, Advocate has appeared on behalf of the respondents and filed Memo of Appearance, which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Chaturbhuj Dwivedi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p><u>O.A. No. 1037 of 2022</u></p> <p>This application has been filed for condoning the delay of 09 years, 11 months and 03 days in filing of Original Application.</p> <p>It is submitted by the Ld. Counsel for the applicant that plea of limitation is not applicable in pensionary matter. He further submits that delay in filing of Original Application is not deliberate.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained.</p> <p>Cause shown is sufficient. Delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 839 of 2022</u></p> <p>It is submitted by the Ld. Counsel for the applicant 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 14.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 01.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 840 of 2022

Sep/MT Om Ji Bajpai (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Memo of Appearance filed by Shri Rajesh Shukla, 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 Chaturbhuj Dwivedi, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>It is submitted by the Ld. Counsel for the applicant 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 14.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 01.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 846 of 2022 with M.A. No. 1050 of 2022

Ex., Sep. Bolarikh Singh Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>14.10.2022</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: justify;">Memo of Appearance filed by Shri Alok Kumar 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 style="text-align: justify;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">This Original Application has been filed for the grant of disability pension.</p> <p style="text-align: justify;">It is submitted by the Ld. Counsel for the applicant that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p style="text-align: justify;">There is a delay of 01 month and 08 days in filing of Original Application.</p> <p style="text-align: justify;">Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 846 of 2022</u></p> <p style="text-align: justify;">Case needs adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: justify;">List the matter before Registrar on 14.12.2022 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 01.02.2023.</p> <table style="width: 100%;"><tr><td style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p style="text-align: left;"><small>AKD/-</small></p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

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

O.A. No. 847 of 2022 with M.A. No. 1062 of 2022

Ris. Sheo 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><u>14.10.2022</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>Memo of Appearance filed by Shri Sunil Sharma, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>It is submitted by the Ld. Counsel for the applicant that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>There is a delay of 01 month and 01 day in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 847 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Respondents may file Counter Affidavit/Objection to the Original Application/ Interim relief within four weeks.</p> <p>List on 17.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 848 of 2022 with M.A. No. 1051 of 2022

Maj. J. Belwal (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Memo of Appearance filed by Shri Rajesh Shukla, 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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>It is submitted by the Ld. Counsel for the applicant that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>There is a delay of 15 years, 05 months and 03 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 848 of 2022</u></p> <p>Case needs adjudication. 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 14.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 01.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 849 of 2022 with M.A. No. 1052 of 2022

Sub. M.V. Karunagaran Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>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.K. Singh Bisht, 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>There being a of delay of 13 years, 07 months and 17 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 condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 849 of 2022</u></p> <p>Ld. Counsel for the applicant submits that respondents are under obligation under letter No. A/27153/VI-CPC/3/AG/PS-3(a) dated 15.10.2008 issued by the respondent No. 3 to fix the Basic Pay of the applicant with effect from 08.12.2006 giving benefit of the letter. It is further submitted that despite the same, respondents have not provided the benefit of the above letter.</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 14.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 01.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 850 of 2022 with M.A. No. 1055 of 2022

Ex. Hav. Chhotelal Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Memo of Appearance filed by Shri Rajesh Shukla, 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 Shailendra Kumar Singh and Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>It is submitted by the Ld. Counsel for the applicant that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>There is a delay of 19 years, 05 months and 18 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 850 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on 14.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 01.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 852 of 2022

WO Girish Chandra Tripathi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Memo of Appearance filed by Shri Rajiv Narayan Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajiv Narayan Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that applicant was due for promotion to the rank of MWO in the year 2022-23, however, the same was wrongly denied to the applicant on the ground of being placed in low medical category. Applicant has prayed that he be promoted to the rank of MWO and be granted Honorary Commission also besides being granted compensation to the tune of Rs.20 Lacs for illegal acts of the respondents.</p> <p style="text-align: center;">An interim relief has also been made by the applicant that since the respondents are going to discharge the applicant from service from 30.11.2022, a direction be issued to them not to retire the applicant from service till next date of listing of the Original Application.</p> <p style="text-align: center;">Case needs adjudication. Admit. Issue notice to the respondents.</p> <p style="text-align: center;">Shri Rajiv Narayan Pandey, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.</p> <p style="text-align: center;">Respondents may file Counter Affidavit/Objection to the Original Application/Interim Relief within four weeks from today.</p> <p style="text-align: center;">List on 16.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 854 of 2022 with M.A. No. 1060 of 2022

Ex. Sgt. Sanjay Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vijay Kumar Pandey and Shri Shri Vishnu Kant Awasthi, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>It is submitted by the Ld. Counsel for the applicant that claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>There is a delay of 29 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 854 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on 15.12.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 02.02.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 271 of 2022 Inre : O.A. No. 351 of 2021

Ex. Nk. (TS) Ranjan Lal Vishwakarma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 K.P. Datta, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>In compliance of the order an affidavit has been filed by the respondents, which is taken on record.</p> <p>Ld. Counsel for the applicant submits that the order dated 11.02.2022 in Original Application No. 351 of 2021 directing the respondents to grant disability pension to the applicant @20% for life which would be rounded off to @50% for life from the date of discharge has not been complied with as yet. The order was to be complied with within four months from the date of order.</p> <p>It is submitted by the Ld. Counsel for the respondents that respondents had filed Leave to Appeal against the decision dated 11.02.2022 of this Tribunal which has been rejected. It is further submitted that Army Medical Corps Records has processed the case for implementation of the order, four weeks further time be granted, which is allowed. It is clarified that if the order is not complied with within the given time, respondents will pay Rs.5,000/- as cost to the applicant.</p> <p style="text-align: center;">List on 02.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 329 of 2022 Inre : O.A. No. 652 of 2021

Hav. Navin Kumar (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 18.02.2022 of this Tribunal in Original Application No. 652 of 2021.</p> <p style="text-align: center;">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: center;">List on 04.01.2023.</p> <div style="display: flex; justify-content: space-around; align-items: center;"><div style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</div><div style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</div></div> <p style="text-align: left;">AKD/-</p>

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

Ex. A. No. 330 of 2022 Inre : O.A. No. 379 of 2019

Ex. Nb. Sub. Kailash Chandra Bhatt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Memo of Appearance filed by Shri Ashish 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>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 06.01.2022 of this Tribunal in Original Application No. 379 of 2019.</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 05.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 1046 of 2022 with M.A. No. 1047 of 2022 Inre : O.A. No. 384 of 2020

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Smt. Giraji Devi Wife of Late Sep. Shree Kishan

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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:justify">Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align:justify">This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 06.09.2021 of this Tribunal in Original Application No. 384 of 2020.</p> <p style="text-align:justify">It is submitted by the Ld. Counsel for the applicants – Union of India & Others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 04 months and 08 days in filing of application be condoned.</p> <p style="text-align:justify">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 condoned. Delay condonation application stands disposed off accordingly.</p> <p style="text-align:justify">Upon hearing submission of Ld. Counsel for the applicants – Union of India & 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:justify">Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 1048 of 2022 with M.A. No. 1049 of 2022 Inre : O.A. No. 47 of 2021

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

Versus

Ex. Sub. (Clk. SD) Gaikwad Sayaji Dadaso Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicants – Union of India & Others.</p> <p>This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 03.09.2021 of this Tribunal in Original Application No. 47 of 2021.</p> <p>It is submitted by the Ld. Counsel for the applicants – Union of India & Others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 04 months and 08 days in filing of application be condoned.</p> <p>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 condoned. Delay condonation application stands disposed off accordingly.</p> <p>Upon hearing submission of Ld. Counsel for the applicants – Union of India & 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 dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 1053 of 2022 Inre : O.A. No. 313 of 2021

Brig. Anand Kumar Tewari (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</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 13.09.2022 of this Tribunal in Original Application No. 313 of 2021.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that applicant wants to file Appeal against the decision of this Tribunal, leave be granted for the same.</p> <p style="text-align: center;">Upon hearing submissions of Ld. Counsel for the both sides, 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 dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 1058 of 2022 Inre : T.A. No. 5 of 2019

Ex. Gdsm. Rohitashwa Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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><u>M.A. No. 1058 of 2022</u></p> <p>Heard Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This application has been filed by the applicants – Union of India & Others (respondents in Original Application) for modification of order dated 22.09.2021 of this Tribunal in Transferred Application No. 5 of 2019.</p> <p>Ld. Counsel for the applicants – Union of India & others submitted that applicant was discharged from service on 30.12.1991. At the time of discharge, the Release Medical Board held at 167 Military Hospital, assessed the applicant's disability @30% for two years, whereas in the Order dated 22.09.2021 in paragraphs 2, 3, 4, 5, 8 and 10 this Tribunal has observed applicant's disability @30% for life which are error apparent. Thus he submits that the order dated 22.09.2021 may be modified so that its compliance may be done.</p> <p>We have gone through the records and find that at the time of discharge the Release Medical Board held at 167 Military Hospital, assessed the applicant's disability @30% for two years. Accordingly, order dated 22.09.2021 needs to be corrected.</p> <p>In view of the above, modification application is allowed.</p> <p>In paragraphs 2, 3, 4, 6 and 8 of the order dated 22.09.2021 applicant's disability "@30% for life" be amended as "@30% for two years".</p> <p>Further, paragraph 10 of the order dated 22.09.2021 be amended as under :-</p> <p>"10. In view of the above, the Transferred Application deserves to be, hence allowed. The impugned order passed by the respondents rejecting the claim of the petition for grant of disability pension is set aside. The disability of the applicant is</p>

held as aggravated by Army Service as has been opined by the RMB. The applicant is held entitled to get disability pension @30% for two years from the next date of his discharge. The respondents are directed to grant disability pension to the applicant @30% for two years from the next date of his discharge. As for as the benefit of Broad Banding is concerned, since benefit of broad banding has been extended w.e.f. 01.01.1996, hence, the applicant is not entitled to broad banding for period in question i.e. two years from the date of his discharge i.e. 30.12.1991. Since the applicant's RMB was valid for two years w.e.f. 30.12.1991, hence, the respondents will now have to conduct a fresh RSMB for him to decide his future eligibility to disability pension. The respondents are, therefore, directed to conduct a Re-Survey Medical Board for the applicant to assess his further entitlement of disability pension. Respondents are further directed to give effect to the order within four months from the date of receipt of a certified copy of this order failing which the respondents shall have to pay interest @ 8% per annum till the date of actual payment.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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

Diary No. 2226 of 2022 Inre : O.A. (A) No. 236 of 2020

Ex. Sigm. Demudu Babu Cheepurupalli
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">On the case being taken up for hearing no one is present on behalf on behalf of the applicant nor defects have been removed.</p> <p style="text-align: center;">Shri Amit Jaiswal, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Defects must be removed within two weeks failing which application shall stand dismissed for non-prosecution.</p> <p style="text-align: center;">List on 17.11.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 1 of 2018 with M.A. No. 147 of 2021 Inre : T.A. No. 1290 of 2010

Arvind Kumar Katiyar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that in regard to leave encashment and cost no PPO has been issued rather payment authority is to be issued by PAO (OR). It is further submitted that payment authority will be issued soon in the matter, four weeks time be granted to file affidavit of compliance.</p> <p style="text-align: center;">List on 12.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 6 of 2019 Inre : O.A. No. 290 of 2016

Ex. Sep. Harendra Vikram Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>In compliance of the order, an affidavit has been filed by the respondents, which is taken on record.</p> <p>It is stated in the affidavit that all necessary steps have been taken for according Government Sanction which is still awaited, four weeks further time be granted, which is allowed.</p> <p>List on 12.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 25 of 2019 Inre : O.A. No. 297 of 2011

Ex. Sub. Kedar Prasad Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Lt. Col. S. Manikandan, Officiating Wing Commander, APS Wing, Brigade of Guards Regimental Centre is also present through Video Conferencing and he states that respondents have filed a Special Leave Petition against the decision of this Tribunal in the Hon'ble Apex Court, which is listed on 25.11.2022. Thus, he states that hearing of the case be adjourned till the matter is heard by the Hon'ble Apex Court.</p> <p>A letter dated 10.10.2022 of Col. Pradeep Kumar Bahuguna, Colonel Army Postal Service (Staff), Addl. Dte. Gen. APS, Quartermaster General's Branch, Integrated Headquarters of MoD (Army) has been received by this Tribunal stating the above facts.</p> <p>The reason assigned by the officer for non-compliance of the order is not acceptable, the same is, therefore, rejected and respondents are directed to ensure compliance of the order within four weeks without fail failing which Col. Pradeep Kumar Bahuguna, Colonel, Army Postal Service (Staff), Addl. Dte. Gen. APS, Quartermaster General's Branch, Integrated Headquarters of MoD (Army) shall remain physically present in Tribunal on the next date fixed to explain the reasons why suitable action be not taken against him for noncompliance of the order.</p> <p>Registry is directed to serve notice to Col. Pradeep Kumar. Bahuguna, Colonel, Army Postal Service (Staff), Addl. Dte. Gen. APS, Quartermaster General's Branch, Integrated Headquarters of MoD (Army).</p> <p>List on 12.12.2022.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 13 of 2022 Inre : O.A. No. 70 of 2021

Ex. Nk. Amit Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present.</p> <p>An affidavit of compliance has been filed by the respondents in compliance of order, which is taken on record. Copy of PPO has been annexed along with affidavit of compliance.</p> <p>Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj submits that in compliance of the order arrears of disability element amounting to Rs.5,10,140/- and interest Rs.30,225/- have been credited in applicant’s account in August, 2022. Applicant is also being paid disability element @Rs.9,647/- per month regularly.</p> <p>In view of the above, order seems to have been complied with.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 34 of 2022 Inre : O.A. No. 666 of 2020

Smt. Susheela Devi W/o Sep. (Late) Ram Dulare

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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: justify;">Heard Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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;">An affidavit of compliance has been filed by the respondents, which is taken on record. Copy of PPO has been annexed along with affidavit of compliance.</p> <p style="text-align: justify;">Ld. Counsel for the applicant submits that copy of PPO has been received in the Office of Treasury, Mainpuri, however, the Treasury Officer is not releasing payment on the ground that there is a note “SEE NOTE” in the Enhanced/Special/ Liberalised Pension – column.</p> <p style="text-align: justify;">Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj states that hatch may be corrected by his office by issuing necessary instructions within two weeks.</p> <p style="text-align: justify;">With the above, order seems to have been complied with.</p> <p style="text-align: justify;">Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: justify;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: justify;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 43 of 2022 Inre : O.A. No. 658 of 2020

Ex. Dfr. Shiv Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Col. R.C. Dixit (Retd.), Ld. Counsel for the applicant, Shri R.C. Shukla, Ld. Counsel for the respondents and Lt. Col. M. Jibon Singha, Senior Record Officer, Armoured Corps Records are present through Video Conferencing.</p> <p>Vide order dated 13.09.2021 this Tribunal has allowed Original Application No. 658 of 2020 directing respondents to restore the service pension of the applicant with effect from the date he was released from Jail i.e. 26.11.2016 in pursuance of order of Bail granted by the Hon'ble Allahabd High Court.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance of order Government Sanction has been accorded on 15.06.2022, however, for restoration of pension some documents are required to be furnished which he has failed to do despite being intimated vide letter dated 20.06.2022. Vide this letter applicant has been asked to furnish following documents through concerned Zila Sainik Board for restoration of pension :-</p> <ul style="list-style-type: none">(a) A report in IAFA-410 (Copy attached).(b) A copy of judgment of the Court by which the pensioner was tried and convicted and if an appeal was made, a copy also of the judgment of the Appellate Court.(c) A list giving particulars of previous convictions, if any, against the pensioner to be obtained from the Deputy Commission or Collector of the District.(d) A memo showing the dates from and to which the pensioner was actually in prison, to be obtained from the Superintendent of the Jail from which the prisoner was released.

(e) A memo showing the date of arrest and the period the petitioner was under Police custody as an under trial prisoner prior to the date of conviction.

From the above, it appears that respondents have required so many documents which have no relevance in restoration of pension. Applicant already in receipt of pension which was later stopped after being involved in a Criminal case. In the said Criminal case he has been convicted. He has filed a Criminal Appeal against the order of conviction in which he has been enlarged on bail under order of Allahabad High Court. Copies of judgment in Criminal case and Appeal are available on the record of Original Application. Applicant is 82 years old who is being harassed by not restoring pension on frivolous ground.

Considering the above, respondents are directed to restore the pension of the applicant within four weeks from today failing which the officer responsible for implementation of the order shall remain physically present in Tribunal on the next date fixed to explain the reasons why necessary action be not taken against him for non-compliance of the order.

List on **04.01.2023**.

Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

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

Ex. A. No. 85 of 2022 Inre : O.A. No. 325 of 2020

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

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Affidavit of compliance filed by the respondents is taken on record.</p> <p>Heard Shri Yashpal Singh, 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>Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj submits that in compliance of the order PPO has been generated on 18.07.2022 and arrears amounting to Rs.1,76,548/- and interest Rs.11,125/- have been credited in applicant's account on 03.08.2022. Applicant is in regular receipt of service element @13,450/- and disability element @Rs.4,035/- per month.</p> <p style="text-align: center;">In view of the above, order seems to have been complied with.</p> <p style="text-align: center;">Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 97 of 2022 Inre : O.A. No. 307 of 2021

Sep/MT Mukesh Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri Kauchik Chatterjee, Ld. Counsel for the respondents is present and he submits that affidavit of compliance has been filed by the respondents which be taken on record.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>Ld. Counsel for the respondents submits that in compliance of the order, applicant case for the grant of permission to pursue ITI course has been considered by the Department and applicant being in a Unit posted in Field Area it was not possible to grant permission to him to pursue the ITI course. Therefore, it was rejected.</p> <p>No written objection to the compliance report has been filed by the applicant.</p> <p>Order seems to have been complied with.</p> <p>Accordingly, Execution Application is dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 111 of 2022 Inre : O.A. No. 38 of 2021

Swamy Nath S/o Late Ex. Nk. Bagedu Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 R. Chandra, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents assisted by Major Sini Thomas, Departmental Representative for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance of the order applicant's case has already been forwarded to PAO (OR) for payment of life time award of family pension from the period from 15.03.2013 to 15.04.2017 vide letter dated 25.08.2022.</p> <p>Respondents are directed to expedite the matter and file affidavit of compliance within four weeks.</p> <p style="text-align: center;">List on 16.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 545 of 2022

PO ELR Pankaj Kumar Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit as a last chance.</p> <p>List on 31.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 539 of 2022

Ex. Nb. Sub. Mahesh Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Counter Affidavit filed by the respondents is taken on record. Heard Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents. Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No 114 of 2022 Inre O.A. No 244 of 2021

Ex Hav Narendra Singh By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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: justify;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. Shri RK Tiwari, Account Officer, PCDA (P) Allahabad is also present.</p> <p style="text-align: justify;">It is submitted by learned counsel for the respondents that in regard to disability pension for the period of 5 years as directed by the Court, PPO has been generated. Govt sanction in regard to holding of RSMB has been obtained and necessary documents have been forwarded to Command Hospital, Lucknow for holding RSMB of the applicant.</p> <p style="text-align: justify;">Respondents are directed to expedite the matter and file affidavit of compliance within four weeks.</p> <p style="text-align: center;">List on 04.01.2023.</p> <p style="display: flex; justify-content: space-between;">(Vice Admiral Abhay Raghunath Karve) Member (A)(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

Ex. A. No 172 of 2022 Inre O.A. No 428 of 2017

Ex Sep Gaya Ram By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is submitted by learned counsel for the applicant that in compliance of the order of this Tribunal amount recovered has been refunded to the applicant. No interest has been paid on the amount recovered.</p> <p style="text-align: center;">Learned counsel for the respondents submits that necessary instructions regarding payment of recovered amount along with interest have been issued to the bank concerned and if the same is not complied with, directions be issued to bank concerned for necessary action.</p> <p style="text-align: center;">Bank is not party in this case. Issue notice to Bank concerned returnable within four weeks.</p> <p style="text-align: center;">List on 06.01.2023.</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;">UKT/-</p>

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

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

Ex JWO Ajit Kumar Shrivastawa Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>It is submitted by learned counsel for the applicant that pension account of the applicant has been transferred to SPARSH. Necessary directions be issued to respondents to issue corrigendum PPO.</p> <p>Respondents are directed to issue corrigendum PPO and ensure release of payment within four weeks from today.</p> <p>List on 30.11.2022.</p> <p>Copy of this order be provided to learned counsel for the respondents.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex. A. No. 229 of 2022 Inre O.A. No. 171 of 2020

Smt. Suman Devi W/o Late Ex. Lance Nk Ramesh Chandra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 K.K. Misra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents, two weeks further time is granted to file affidavit of compliance.</p> <p>List on 13.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex. A. No. 261 of 2022 Inre O.A. No. 100 of 2020

Ex. Nb Sub Shyam Kumar Applicant
By Legal Practitioner for the Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Yashpal Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present. Shri RK Tiwari, Account Officer, PCDA (P), Allahabad is also present.</p> <p>It is submitted by learned counsel for the respondents that in compliance of the order of this Tribunal PPO has been generated.</p> <p>Affidavit of compliance has been filed which is taken on record. Order has been complied with. Accordingly, Execution Application is dismissed being infructuous.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

Ex.A. No. 270 of 2022 Inre O.A. No. 526 of 2019

Ram Chander

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Anand Yadav, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>It is submitted by learned counsel for the respondents that after obtaining Govt sanction, certain documents are required from the applicant for issuance of PPO. Documents have been forwarded to applicant but the same have not been received back from the applicant.</p> <p>Applicant is directed to furnish required documents so that PPO may be generated.</p> <p>List on 06.01.2023.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 106 of 2013 with M.A. No. 464 of 2020

Mahabir Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>List on 02.01.2023 for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 121 of 2015

Smt. Priyanka Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Heard Shri Bhaskar Prasad Dubey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal for respondent No 1 to 4 and Shri Shilendra Kumar Singh, Ld. Counsel for the respondents No 5 and 6.</p> <p>None is present on behalf of Respondent No 7.</p> <p>Notice issued to Respondent No 7 have not been received back undelivered. Thus, notice seems to have been served. Accordingly, service is held sufficient on behalf of respondent No 7.</p> <p>Since no one is present on behalf of Respondent No 7 nor reply has been filed.</p> <p>O.A. shall proceed ex- party if counter affidavit is not filed by the date fixed, application shall proceed ex-party against it.</p> <p>Applicant intend to file reply/rejoinder affidavit of the counter affidavit filed by respondent No 6. It may be filed within two weeks.</p> <p>List on 03.01.2023 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 499 of 2018

Smt. Anita Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Anand Kumar, holding brief of Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Shri Anand Kumar, Advocate prays for adjournment of the case on the ground that his senior Shri Vinay Paney is not available.</p> <p>List on 30.11.2022 for final hearing.</p> <p>It is clarified that case shall not be adjourned on the next date fixed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 109 of 2021

Ex. CHM Lalit Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">Heard Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Rajiv Narayan Pandey, Ld. Counsel for the respondents No 1 to 4 are present.</p> <p style="text-align: center;">None is present for Respondent No 5, no counter affidavit has been filed. Application shall proceed ex-parte against him.</p> <p style="text-align: center;">List on 04.01.2023 for final hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 254 of 2021

Sigmn Yogesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Subham Gupta and Shri Ajit Verma, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>List on 05.01.2023 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

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

O.A. No. 398 of 2021 with M.A. No. 397 of 2021 and M.A. No. 398 of 2021

Gnr Birpal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Abhay Kant Upadhyay, Shri Karuna Kant Upadhyay and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</p> <p>List on 14.11.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

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

O.A. No. 582 of 2021

Cpl. Pawan Rai
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Raj Kumar Mishra, Shri Upasna Mishra and Shri Ankit Tiwari, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>List on 14.11.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 341 of 2022

Ex.JWO Santosh 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><u>14.10.2022</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;">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;">List on 16.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 419 of 2022

Smt. Rani Devi W/o Late Sep. Ramesh Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>A week's further time is granted to file counter affidavit.</p> <p>List on 12.12.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

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

O.A. No. 511 of 2022

Smt. Sarvishtha (Widowed Daughter)
Late Ex. Gnr Kiran Singh Tomar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p>14.10.2022 <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Counter affidavit is taken on record.</p> <p style="text-align: center;">List on 31.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 512 of 2022

Sub Tarak Prasad (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>List on 31.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 755 of 2022 with M.A. No. 925 of 2022

Smt. Dhanavati Widow Late Ex. Sigmn Vijay Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Sarvesh Kumar Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on 31.10.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

DY. No. 2662 of 2022

Hav. Satish Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Wg. Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>List on 31.10.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

DY. No. 2955 of 2022

Nb Sub Birender Singh Rawat
(Through Parokar Vinta Devi, Wife)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Wg. Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>List on 31.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

DY. No. 3030 of 2022

Ex. Cfn Deepak Chandra Pandey
(Through Parokar Smt Renu Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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;">On the case being taken up for hearing Wg. Cdr. Ajit Kakkar (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 31.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 265 of 2014

Abhishek Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 T.N. Tiwari and Wg. Cdr S.N. Dwivedi (Retd), Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 01.12.2022 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 262 of 2017

Sub Sanjay Kumar Kushwaha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>List on 06.01.2023 for physical hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 582 of 2020

Ex. Rfn Chandra Bahadur
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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>Vakalatnama filed by Wg Cdr SN Dwivedi (Retd), on behalf of applicant is taken on record. Office is directed to show his name as learned counsel for the applicant on the next date of listing.</p> <p>On the case being taken up for hearing Wg Cdr SN Dwivedi (Retd), Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 09.01.2023 for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A. No. 344 of 2021

Ex. JWO Anil Kumar Ojha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Amit Pandey, Ms. Nisha Pandey and Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>List on 09.01.2023 for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

O.A.(A) No. 420 of 2017

Mohd. Meraj Khan, (Through Wife Smt. Tarannum Nisha) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>List on 10.01.2023 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</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. 292 of 2021

Ex. Sigmn Rahul Sorout

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.10.2022</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 K.K. Misra and Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>List on 11.01.2023 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>UKT/-</p>

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

T.A. No. 2 of 2018

Mohd. Yasin By Legal Practitioner for the Petitioner	Versus	Petitioner
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>14.10.2022</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: justify;">On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the petitioner and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">List on 12.01.2023 for physical hearing.</p> <p style="text-align: justify;">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="width: 50%; text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p>UKT/-</p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

