

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

O.A. No. 573 of 2022

Hav. Baggu Mahesh
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>15.07.2022</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 Dr. Shailendra Sharma Atal, 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 Virat Anand Singh, learned counsel appearing for the applicant and Dr. Shailendra Sharma Atal, learned counsel appearing for the respondents.</p> <p>The order in challenge in this application is dated 07 February 2022 of the District Court Martial by which plea in bar that trial is barred by time under section 122 of the Indian Army Act has been dismissed.</p> <p>Learned counsel for the applicant submits that as per section 122 of the Indian Army Act, trial by court-martial of any person subject to Indian Army Act can be commenced within three years from the date of knowledge of the offence and, if commission of the offence is not known to the person aggrieved by the offence or the authority competent to initiate action, within three years from the date when offence comes to the knowledge of such person or the authority and where it is not known by whom the offence has been committed, within three years from the date when identity of the offender comes to the knowledge of the person or the authority competent to initiate action. In any eventuality, no trial can commence after three years unless offence which has been committed is of desertion or fraudulent enrolment or of any of the offences mentioned in section 37 of the Army Act. The offence in case in hand is none of these categories.</p> <p>Learned counsel submits that alleged irregularities in demand and supply of medical stores at Base Hospital, Lucknow are said to have been committed between 2012 to 2015 in respect of which one man inquiry was held based on an anonymous complaint dated 15 June 2016 and based on its report a court of inquiry was held which returned its findings vide report dated 17 November 2016 which was later quashed for want of compliance of Army Rule 180. Thereafter second court of inquiry was ordered followed by additional court of inquiry and based on the reports tentative charge sheet was served to the applicant and summary of evidence and additional summary of evidence was recorded. The charges were framed and trial began. During trial plea in bar was taken by the applicant that since vide first court of inquiry report</p>

dated 17 November 2016 it had come to the knowledge of the authority competent to initiate action that alleged offence had been committed by the applicant, limitation of three years to launch trial by court-martial would begin from this court of inquiry and not from 19 January 2019 when disciplinary proceedings are said to have been initiated. He submits that applicant had taken this plea before the court-martial but it was wrongly negated, hence this application.

He further submits that thirteen persons are said to be involved in the alleged offences for which different courts of trial have been put in place by the respondents. Lt. Col. Awadhesh Kumar Singh, a co accused has challenged the proceedings before this Tribunal in which he has stated that he had taken a plea in bar which was accepted, by the court-martial but being not approved by the competent authority, the trial proceeded against him which he has challenged and, in which reply has been invited and till then reassembly of the court has been deferred. Similarly, co accused Lt. Col. P. Vasudeva had also challenged the order rejecting her plea in bar which has been allowed by the Armed Forces Tribunal, Regional Bench, Chandigarh and court has been directed to revisit the plea. Another co accused Brig. S.K. Gupta (Retd.) has challenged the disciplinary proceedings initiated against him which have been stayed by the Hon'ble Supreme Court Of India vide its order dated 06.07.2022 in Criminal Appeal Diary No. (s) 17734 of 2022 and notice has been issued to the respondents to hear the plea.

Per contra, learned counsel for the respondents submits that order in challenge in the present application is an interlocutory order, and not a final order, therefore, appeal against the same under section 15 of the Armed Forces Tribunal Act is not maintainable in view this Tribunal's orders dated 6 January 2021 in Original Application No. 01 of 2021, Nk. Ali Anwarali Manwarwali versus Union of India & Others and dated 6 April 2022 in Original Application No. 168 of 2022, Beena Dubey versus Union of India & Others.

The moot question which needs consideration in this application and the case of Lt. Col. Awadhesh Kumar Singh is whether limitation of three years provided for trial in section 122 of the Indian Army Act will commence from the date when first court of inquiry concluded i.e. 17 November 2016 or from 19 January 2019 when disciplinary proceedings were ordered to be initiated. The issue regarding maintainability of application has been settled in the case of Lt. Col Awadhesh Kumar Singh.

Admit.

Issue notice.

Dr. Shailendra Sharma Atal has accepted notice on behalf of the respondents hence service of notice is waived.

Respondents May file counter affidavit within four weeks.

List along with Original Application No. 880 of 2021, Lt. Col. Awadhesh Kumar Singh versus Union of India & Ors on **30.08.2022**. Meanwhile proceedings before District Court Martial shall remain stayed.

(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
Court No.1

O.A. No. 536 of 2022 with M.A. No. 652 of 2022

Smt. Kanchan Rai W/o Ex. Cpl. (Late) Chandra Shekhar Rai 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>15.07.2022</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.</p> <p>Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>This Original Application has been for quashing the premature discharge of the late husband of the applicant effective from 15.11.1996.</p> <p>There is a delay of 23 years, 09 months and 07 days in filing of Original Application.</p> <p>Submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate. His further submission is that applicant's husband was prematurely discharged from service after 13 years and 355 days of service. The husband of the applicant had died on 07.10.2020 whereafter the applicant, being a helpless widow, initiated to agitate the issue and preferred Appeal dated 30.10.2021 which has been dismissed on 22.12.2021. Thereafter, applicant could not approach the Tribunal immediately on account of her illness and financial handicap. Thus, his submission is that delay is not deliberate, but for the reasons stated above.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 23 years has not been properly and satisfactorily explained.</p> <p>Having heard the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.</p> <p>In the result, we find that delay is not condonable. Accordingly, delay condonation application is rejected. Original Application being time barred is also rejected.</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
Court No.1

O.A. No. 271 of 2022

Ex. Sep. Amarjeet 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>15.07.2022</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 Rohit Kumar, Ld. Counsel for the applicant and Ms. Purna 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 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
Court No.1

O.A. No. 256 of 2022

Ex. Hav. Manoj Kumar 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>15.07.2022</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">Counter Affidavit filed by the respondents is taken on record. Heard Shri Alok Kumar Singh and Shri Dharam Veer Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents Original Application is allowed. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</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">AKD/-</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
Court No.1

O.A. No. 40 of 2022

PO RCI Executive Amanat Tullah
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>15.07.2022</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 V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents</p> <p style="text-align: center;">Original Application is allowed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">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) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 96 of 2022

Ex. Rect. B.R. Konar	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>15.07.2022</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;">Counter Affidavit filed by the respondents is taken on record. Heard Shri V.K. Chahar, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, 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.</p> <p style="display: flex; justify-content: space-around;">(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

Diary No. 2134 of 2022

Sep. Dushyant 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>15.07.2022</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>This is an application against the order dated 13.09.2021 of GCM. The applicant has been sentenced 20 years rigorous imprisonment and to be dismissed from service by the impugned order.</p> <p>Applicant has challenged the finding recorded by the GCM.</p> <p>The case needs adjudication.</p> <p>Admit.</p> <p>Issue notice to the respondents.</p> <p>Shri Amit Jaiswal, Advocate has accepted notice on behalf of respondents wherefore service is waived.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit.</p> <p>List on 09.09.2022.</p> <p>In the meantime applicant shall file English translation of the FIR and copy of statement of the applicant, contained in Annexure A-2 to the Original Application.</p> <p><u>Bail Application</u></p> <p>This is an application for the grant of Bail.</p> <p>Ld. Counsel for the respondents prays for and is granted time to file reply.</p> <p>List on 09.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Court No.1

M.A. No. 660 of 2022 Inre : O.A. No. 544 of 2022

Ex. Rect. Makvana Takha Bhai Rana Bhai
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>15.07.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align:justify">Memo of Appearance filed by Dr. Shailendra Sharma Atal, 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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align:justify">Ld. Counsel for the respondents has raised a preliminary objection regarding maintainability of Original Application on the premise that it is barred by time. His submission is that the order in challenge in the Original Application is not the order of the Chief of the Army Staff by which representation has been dismissed rather it is his dismissal order. He has also raised an objection that applicant who is a Recruit is not subject to Army Act, 1950 and in that situation the Original Application is not maintainable.</p> <p style="text-align:justify">Ld. Counsel for the applicant is not present to reply the aforesaid objections.</p> <p style="text-align:justify">List on 10.08.2022.</p> <p style="text-align:justify">Registry is directed to reflect the correct name of respondent No. 1 i.e. Chief of the Army Staff when the case is listed next.</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
Court No.1

O.A. No. 522 of 2022

Lt. Col. (MNS) Radhamonyamma KS (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>15.07.2022</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 Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is a fit case for adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">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: center;">List the matter before Registrar on 02.09.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 19.10.2022.</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
Court No.1

O.A. No. 523 of 2022 with M.A. No. 634 of 2022

Ex. Nk. Shiv Bahadur Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Pushendra 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>Heard Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Shri Pushendra Mishra, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 10 years, 06 months and 15 days.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 523 of 2022</u></p> <p>It is a fit case for 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 02.09.2022 for exchange of pleadings. List the matter before Tribunal on 19.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 526 of 2022 with M.A. No. 639 of 2022

Ex. L/Nk. Indra Kant Jha
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>15.07.2022</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 Shyam 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>Heard Shri Manoj Kumar Awasthi and Shri Anshuman Srivastava, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 03 months and 27 days.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 526 of 2022</u></p> <p>It is a fit case for 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 02.09.2022 for exchange of pleadings. List the matter before Tribunal on 19.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 527 of 2022 with M.A. No. 640 of 2022

Cfn. Deepak 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>15.07.2022</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>Heard Shri R.K. Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents has raised an objection regarding maintainability of Original Application to which Ld. Counsel for the applicant seeks time to argue.</p> <p>List on 10.08.2022 for hearing on maintainability of Original Application.</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
Court No.1

O.A. No. 528 of 2022 with M.A. No. 641 of 2022

Cfn. Tej Prakash 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>15.07.2022</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 ... , Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents has raised an objection regarding maintainability of Original Application to which Ld. Counsel for the applicant seeks time to argue.</p> <p>List on 10.08.2022 for hearing on maintainability of Original Application.</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
Court No.1

O.A. No. 529 of 2022 with M.A. No. 642 of 2022

Sep. Hemant 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>15.07.2022</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. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Heard Shri R.K. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents has raised an objection regarding maintainability of Original Application to which Ld. Counsel for the applicant seeks time to argue.</p> <p style="text-align: center;">List on 10.08.2022 for hearing on maintainability of Original Application.</p> <div style="display: flex; justify-content: space-between;"><div style="text-align: center;"><p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p></div><div style="text-align: center;"><p>(Justice Umesh Chandra Srivastava) Member (J)</p></div></div> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 530 of 2022 with M.A. No. 643 of 2022

Ec. Cfn. Surya Bhan Giri
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>15.07.2022</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 Shyam 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>Heard Shri Vijay Kumar Pandey and Shri Sandeep Tripathi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that applicant is in receipt of service element. He was also in receipt of disability element for two years which was illegally stopped by the respondents.</p> <p>There being a delay of 37 years, 05 months and 15 days in filing of Original Application an application for condonation of delay has been filed wherein it has been stated that delay is not intentional.</p> <p>Ld. Counsel for the respondents submits that a long delay of more than 37 years has not been properly and satisfactorily explained on day to day basis.</p> <p>Applicant is in receipt of service element and his claim is for the grant of disability element. Pension cannot be denied on the ground of delay. In view of this, delay is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 530 of 2022</u></p> <p>It is a fit case for 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 02.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 19.10.2022.</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
Court No.1

O.A. No. 531 of 2022 with M.A. No. 644 of 2022

Sarvesh Kumar S/o Late Ex. Sep. Fauzdar 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>15.07.2022</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 Anurag 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>Heard Shri Vijay Kumar Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 12 years, 09 months and 01 day.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 531 of 2022</u></p> <p>It is a fit case for 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 02.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 19.10.2022.</p> <p style="text-align:right">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align:right">(Justice Umesh Chandra Srivastava) Member (J)</p>

AKD/-

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

M.A. No. 532 of 2022 with M.A. No. 645 of 2022

Smt. Jal Devi W/o Late Ex. Nk. Ram Naresh 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>15.07.2022</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>Heard Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of Special Family Pension.</p> <p>Ld. Counsel for the applicant states that when husband of the applicant was died he was on duty, therefore, applicant is entitled to Special Family Pension and not Ordinary Pension.</p> <p>There is a delay of 15 years, 06 months and 18 days for which an application for condonation of delay has been filed.</p> <p>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.</p> <p>Ld. Counsel for the respondents has opposed the condonation of delay on the premise that delay has not been properly and satisfactorily explained.</p> <p>It is settled in law that pension cannot be denied on the ground of delay. Therefore, delay, if any, is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 532 of 2022</u></p> <p>Matter 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 02.09.2022 for exchange of pleadings. List the matter before Tribunal on 19.10.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>

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

O.A. No. 533 of 2022 with M.A. No. 646 of 2022

Ex. Hav. (Hony. Nb. Sub.) Ram Prakash Singh & Others	Applicants
By Legal Practitioner for the Applicants	
Versus	
Union of India & Others	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal		
	<p><u>15.07.2022</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 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 style="text-align: justify;">Heard Shri Vijay Kumar Pandey and Shri Girish Tiwari, Ld. Counsel for the applicants and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">There is a delay of 03 years, 04 months and 02 days in filing of Original Application.</p> <p style="text-align: justify;">Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application.</p> <p style="text-align: justify;">The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained.</p> <p style="text-align: justify;">Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 533 of 2022</u></p> <p style="text-align: justify;">Matter needs adjudication. 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 09.09.2022 for exchange of pleadings. List the matter before Tribunal on 20.10.2022.</p> <table style="width: 100%; border: none; margin-top: 20px;"><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 style="margin-top: 5px;">AKD/-</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
Court No.1

O.A. No. 534 of 2022 with M.A. No. 647 of 2022

Ex. Sub. Rajendra 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>15.07.2022</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 Yogesh Kesarwani, 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, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>There is a delay of 03 years, 11 months and 17 days in filing of Original Application.</p> <p>Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application.</p> <p>The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained.</p> <p>Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 534 of 2022</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on 09.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 20.10.2022.</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
Court No.1

O.A. No. 537 of 2022

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

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Devesh Kumar, Advocate on behalf of the respondents is taken on record..</p> <p style="text-align: center;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The innocuous prayer of the applicant is that to direct the respondents to decide the applicant's Statutory Complaint dated 30.12.2021, which is pending with the respondents.</p> <p style="text-align: center;">With the consent of Ld. Counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to decide the applicant's Statutory Complaint dated 30.12.2021, annexed at page Nos.17 to 24 of Original Application, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p style="text-align: center;">Let copy of this order be provided to the learned Counsel for the parties.</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
Court No.1

O.A. No. 538 of 2022

Maj. Gen. Brijesh Kumar 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>15.07.2022</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 Devesh 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: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is a fit case for adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">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: center;">List the matter before Registrar on 09.09.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 20.10.2022.</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
Court No.1

O.A. No. 543 of 2022 with A.A. No. 659 of 2022

Ex. Sub. Jai Narayan Rajput 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>15.07.2022</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 Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed against the order of discharge.</p> <p>There being a delay of 03 months and 20 days in filing of Original Application a delay condonation application has been filed.</p> <p>We have gone through the facts averred in affidavit filed in support of delay condonation application and we find that delay is liable to be condoned. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 543 of 2022</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on 09.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 20.10.2022.</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
Court No.1

O.A. No. 549 of 2022 with M.A. No. 666 of 2022

Ex. JWO Subhash Singh Chauhan
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>15.07.2022</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 Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>There is a delay of 01 month and 05 days in filing of Original Application.</p> <p>Ld. Counsel for the applicant submits that delay in filing of Original Application is not intentional, but for the reasons stated in affidavit filed in support of application.</p> <p>The Ld. Counsel for the respondents has vehemently opposed the prayer on the ground that delay has not been properly and satisfactorily explained.</p> <p>Considering the facts averred in affidavit we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 549 of 2022</u></p> <p>Heard Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>With the consent of Ld. Counsel for the parties, we hereby dispose of the Original Application finally with the direction to the respondents to decide the applicant's representation dated 08/09.10.2020, annexed at page 22 of Original Application, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p>Let copy of this order be provided to the learned Counsel for the parties.</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
Court No.1

O.A. No. 550 of 2022

Hav. Ramesh Kumar Dhaka
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>15.07.2022</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 Dr. Shailendra Sharma Atal, 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 Manoj Kumar Awasthi, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Applicant has filed this Original Application for issuing direction to respondents to discharge the applicant from service.</p> <p>Ld. Counsel for the applicant submits that applicant made several requests to the respondents to get him discharged from service, but his requests were turned down.</p> <p>The case needs adjudication.</p> <p>Admit.</p> <p>Issue notice to the respondents.</p> <p>Dr. Shailendra Sharma, Central Government Standing Counsel has accepted notice on behalf of the respondents, therefore, service of notice is waived.</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 09.09.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 20.10.2022.</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
Court No.1**

O.A. No. 572 of 2022

Lt. Col. K.V. Gopalakrishna Iyer (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>15.07.2022</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 Yogesh Kesarwani, Advocate on behalf of the respondent Nos. 1 to 3 is taken on record. His name be shown as Counsel for the respondent Nos. 1 to 3 when the case is listed next.</p> <p>Heard Shri Hari Prasad Gupta and Dr. Amit Asthana, Ld. Counsel appearing for the applicant and Shri Yogesh Kesarwani, Ld. Counsel appearing for the respondent Nos. 1 to 3.</p> <p>Applicant has filed this Original Application against incorrect fixation of his pension and recovery of Rs.4,21,964/- made from him.</p> <p>Ld. Counsel for the applicant submits that recovery made by the respondents from the applicant is bad due to incorrect fixation of pension. Applicant made several representations to the respondents to provide statement of due and drawn to him, but the same has not yet been provided to him.</p> <p>The matter needs adjudication.</p> <p>Issue notice to respondent Nos. 1 to 3.</p> <p>Shri Yogesh Kesarwani, Central Government Standing Counsel has accepted notice on behalf of respondent Nos. 1 to 3. He prays for and is granted four weeks time to file Counter Affidavit.</p> <p>Issue notice to respondent Nos. 4 to 6 returnable within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>List on 20.10.2022.</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

O.A. No. 574 of 2022 with M.A. No. 684 of 2022

Ex. Rifleman Yam Kumar Shrestha
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>15.07.2022</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 Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 26 years, 05 months and 24 days.</p> <p style="text-align: justify;">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.</p> <p style="text-align: justify;">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.</p> <p style="text-align: justify;">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.</p> <p style="text-align: justify;">Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 574 of 2022</u></p> <p style="text-align: justify;">It is a fit case for 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 09.09.2022 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 20.10.2022.</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
Court No.1

Ex. A. No. 216 of 2022 Inre : O.A. No. 501 of 2018

Smt. Geeta Pal W/o Late Ex. Cfn. Ramesh Chadnra
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>15.07.2022</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. 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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 13.08.2021 of this Tribunal in Original Application No. 501 of 2018.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p style="text-align: center;">List on 07.10.2022.</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
Court No.1

Ex. A. No. 218 of 2022 Inre : O.A. No. 349 of 2021

Ex. Sep. Ajay 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>15.07.2022</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 Ravi Kumar Yadav, 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 09.12.2021 of this Tribunal in Original Application No. 349 of 2021.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on 07.10.2022.</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
Court No.1

Ex. A. No. 220 of 2022 Inre : O.A. NO. 300 of 2021

Ex. HFO/MWO Girija Shanker 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>15.07.2022</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 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 style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 10.11.2021 of this Tribunal in Original Application No. 300 of 2021.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p style="text-align: center;">List on 11.10 .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
Court No.1

Ex. A. No. 221 of 2022 Inre : O.A. No. 688 of 2021

Ex. Nk. Neerpal 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>15.07.2022</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 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>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Narayan Pandey, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 21.01.2022 of this Tribunal in Original Application No. 688 of 2021.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on 11.10.2022.</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
Court No.1

Ex. A. No. 227 of 2022 Inre : O.A. No. 545 of 2021

Ex. Hav. Chandrama Ram
By Legal Practitioner for the Applicant

Applicant

Versus

**First Appellate Committee, Addl. DGPS-4 AG's Branch,
Army HQ, New Delhi & Others**
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Somesh Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 21.09.2021 of this Tribunal in Original Application No. 545 of 2021.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p style="text-align: center;">List on 12.10.2022.</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

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

Ex. Hav. (Amb. Asstt.) Mahendra Kumar Jena
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>15.07.2022</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 Shyam 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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 19.01.2022 of this Tribunal in Original Application No. 603 of 2021.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on 13.10.2022.</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
Court No.1

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>15.07.2022</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 K.K. Misra, 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 19.07.2021 of this Tribunal in Original Application No. 171 of 2020.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p>List on 14.10.2022.</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
Court No.1

Ex. A. No. 231 of 2022 Inre : T.A. No. 6 of 2021

Ex. Sgt. Somdatt Awasthi	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>15.07.2022</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 Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">This application has been filed for implementation of order dated 28.02.2022 of this Tribunal in Transferred Application No. 6 of 2021.</p> <p style="text-align: justify;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.</p> <p style="text-align: center;">List on 14.09.2022.</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; margin-left: 5px;">AKD/-</p>

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

Ex. A. No. 232 of 2022 Inre : O.A. No. 336 of 2021

Brig. Harish Chadnra Joshi, VSM (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>15.07.2022</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 Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>Shri Asheesh Agnihotri, Ld. Counsel appearing for the respondents submits that PPO has been issued.</p> <p>Affidavit of compliance be filed within four weeks.</p> <p>List on 13.09.2022.</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
Court No.1

M.A. No. 636 of 2022 with M.A. No. 637 of 2022 Inre : M.A. No. 477 of 2016

Ex. Sep. Pushkar 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>15.07.2022</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. Gyan Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p style="text-align: center;">Dr. Gyan Singh, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">There is a delay of 03 years, 03 months and 09 days in filing of recall application.</p> <p style="text-align: center;">List on 05.09.2022 at Circuit Bench, Nainital.</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
Court No.1

M.A. No. 654 of 2022 Inre : O.A. No. 844 of 2021

Ex. Sgt. Amarnath Yadav Applicant
By Legal Practitioner for the Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Dr. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Shailendra Kumar Singh, Advocate holding brief of Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>For the facts averred in affidavit filed in support of application, correction application is allowed.</p> <p>In para 7 of order dated 13.05.2022 of this Tribunal in Original Application No. 844 of 2021 after the words 'Circular No. 555' the words 'and Circular No. 568' be inserted.</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
Court No.1

M.A. No. 663 of 2022 Inre : O.A. No. 81 of 2021

Union of India & Others By Legal Practitioner for the Applicants	Versus	Applicants
Ex. Rect. Brijesh Kumar By Legal Practitioner for Respondent		Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Devesh Kumar, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">For the facts averred in affidavit filed in support of application, correction application is allowed.</p> <p style="text-align: center;">In the order dated 25.11.2021 of this Tribunal in Original Application No.81 of 2021 the name of the applicant be corrected as “Ex. Rect. Brijesh Kumar Yadav” in place of ‘Ex. Rect. Brijesh Kumar’.</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
Court No.1**

Ex. A. No. 80 of 2018 Inre : R.A. No. 17 of 2011 Inre : T.A. No. 288 of 2010

Smt. Darko Devi W/o Late Ex. Hav. Chhote Lal
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>15.07.2022</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 R.C. Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P), Prayagraj 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 appearing for the respondents submits that order has been fully complied with.</p> <p>Ld. Counsel for the applicant prays for and is granted a week time to file objection, if any.</p> <p>List on 11.08.2022.</p> <p>In the meantime respondents are directed to deposit the cost due against them which on being deposited shall be paid to the AFT Bar Association, Lucknow.</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
Court No.1

Ex. A. No. 18 of 2022 Inre : O.A. No. 382 of 2019

Ex. Sub. Bhagirath 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>15.07.2022</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 Asheesh Agnihotri, Ld. Counsel for the respondents is present and he submits that PPO has been issued.</p> <p>Affidavit of compliance be filed within four weeks.</p> <p>List on 13.09.2022.</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
Court No.1

O.A. No. 479 of 2021

Ex. Hav. Uday 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>15.07.2022</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 17.10.2022.</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
Court No.1

O.A. No. 490 of 2021

Ex. L/Nk Mukesh Kumar Ravi 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>15.07.2022</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 Himanshu and Shri Hemant Gutpa , Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 13.10.2022.</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
Court No.1

O.A. No. 44 of 2022

Ex. MWO (HFL) Lakshmi Narain 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>15.07.2022</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 Ramakant and Shri Pushpendra Kumar Dhaka, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 09.09.2022.</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
Court No.1

C.A. No. 1 of 2019 Inre : O.A. No. 381 of 2018
Along with
O.A. No. 381 of 2018

Dilip Kumar Yadav	Applicant
By Legal Practitioner for the Applicant	
Versus	
Maj. Gen. JV Prasad, The MD Central Org., ECHS (L&D)	
AG's Branch, IHQ of MOD (Army), New Delhi	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Parijaat Belaura, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 07.10.2022.</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
Court No.1

O.A. No. 381 of 2018
Along with
C.A. No. 1 of 2019 Inre : O.A. No. 381 of 2018

Dilip Kumar 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>15.07.2022</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 Parijaat Belaura, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>As prayed, list on 07.10.2022.</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
Court No.1

O.A. No. 182 of 2016

Lt. Col. Manish 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>15.07.2022</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 Yogesh Kesarwani, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">As prayed, list on 05.08.2022.</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
Court No.1**

Ex.A. No. 63 of 2019 Inre T.A. No. 185 of 2009

Ex. Nk Vijay Kumar Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Virat Anand Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents assisted by Shri Rajiv Kumar Tiwari, Account Officer, PCDA (P), Allahabad.</p> <p style="text-align: justify;">Learned counsel for the respondents submits that in compliance of the order of this Tribunal Rs. 40,63254/- has been paid to applicant as arrear and Rs. 1,31,487/- has been credited as gratuity in applicant's account. Applicant is also being paid pension @ Rs 18,427/- per month regularly since May 2022. Order has been fully complied with.</p> <p style="text-align: justify;">Since order of this Tribunal has been complied with, the Execution Application deserves to be dismissed being infructuous.</p> <p style="text-align: justify;">Accordingly, Execution Application is dismissed as 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

Ex. A. No. 21 of 2021 Inre O.A. No. 601 of 2018

Ex. Nk Dhruvajit 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>15.07.2022</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents No 1 to 4 and Shri Suraj Bhan Yadav, learned counsel for the respondent No 5 and 6.</p> <p style="text-align: center;">Affidavit alongwith statement of account has been filed by Respondent NO 5 and 6 which is taken on record. Statement of account shows that order has been fully 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) (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

Ex. A. No. 10 of 2022 Inre 259 of 2015

Ex. Sep Jaivir 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>15.07.2022</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that case has already been processed for grant of Govt sanction which is likely to be received soon.</p> <p>Affidavit of compliance annexing therewith PPO be filed within four weeks.</p> <p>List on 15.09.2022.</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

Ex. A. No. 83 of 2022 Inre O.A. No. 495 of 2017

Ex. Hav Ram Naresh 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>15.07.2022</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 01.09.2022.</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

Ex.A. No. 132 of 2022 Inre O.A. No. 234 of 2020

Ex Sgt Pradyumn Pathak 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>15.07.2022</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Vishesh Sahu, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 01.08.2022.</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

O.A. No. 121 of 2020

Ex Rect Sukhwant Singh
 By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Shri Rajiv Kumar Tiwari, Account Officer, PCDA (P), Allahabad are present.</p> <p>On the last date it was stated by Shri Rajiv Kumar Tiwari, Account Officer, PCDA (P) Allahabad that in regard to sanction for payment of arrears from 01.01.2006 to 22.04.2012 a letter has been issued by the bank which has been received in the office of PCDA (P), Allahabad and that sanction may be issued within a day or two. Sanction has not been filed.</p> <p>Shri Rajiv Kumar Tiwari, Account Officer is directed to seek instructions in regard to sanction and apprise the GTribunal.</p> <p style="text-align: center;">List on 12.10.2022.</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

O.A. No. 603 of 2020

Sudhir 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>15.07.2022</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Shri Shiv and Shri Avdhesh Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 08.08.2022.</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

O.A. No. 724 of 2020

Ex AC (U/T) Brij Kishore 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>15.07.2022</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 Satendra Kumar Singh and Shri Shailendra Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Sqn Ldr Ashotosh Pandey, Departmental Representative Air Force are present.</p> <p>Learned counsel for the applicant submits that copy of medical documents which have been provided to him are not legible.</p> <p>Today, during the course of hearing respondents stated that original documents have not been destroyed and they are available.</p> <p>Respondent shall produce original documents for perusal of the Bench on the next date of listing.</p> <p>List on 09.09.2022.</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

O.A. No. 227 of 2021 with M.A. No. 950 of 2021

Ex Sep Ravendra 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>15.07.2022</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 Dwijendra Mishra, Ld. Counsel for the applicant and Maj Sini Thomas, Departmental Representative, Legal Cell are present.</p> <p>No objection has been filed by the respondents against amendment application.</p> <p>Amendments have been sought in regard to Court of Inquiry conducted against the applicant and also the order of dismissal which has been passed based on Court of Inquiry report.</p> <p>Submission of learned counsel for the applicant is that when O.A. was filed, applicant was not aware that he has been dismissed from service being deserter. He came to know about dismissal when counter affidavit was filed. Respondents have no objection in allowing the application.</p> <p>Amendment application is allowed.</p> <p>Let amendments be incorporated within a week and serve a copy of amended O.A. to respondents. Supplementary counter affidavit may be filed by the respondents within two weeks, thereafter.</p> <p>List on 17.10.2022 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

O.A. No. 70 of 2022

Ex MWO Dinesh Kumar Dwivedi
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>15.07.2022</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 Dr. Abhay Kant Upadhyay, and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Learned counsel for the respondents submits that counter affidavit is under preparation. He prays for and is granted two weeks further time to file counter affidavit.</p> <p style="text-align: center;">List on 11.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

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

**O.A. No. 748 of 2020 alongwith O.A. No. 276 of 2017
alongwith O.A. No. 276 of 2017 alongwith O.A. No. 748 of 2020**

Smt. Sushila Chauhan W/C Late Lt. Col. Ranjit Singh Chauhan (Retd) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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 Shailendra Kumar Singh and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. Argument concluded. Order reserved.</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

O.A. No. 193 of 2021

Sub (NT) Suresh Shirahatti
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>15.07.2022</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 Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>List on 20.10.2022.</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

O.A. No. 530 of 2021

Ex Sol Rect Rohit 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>15.07.2022</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 Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks time to file supplementary rejoinder affidavit.</p> <p>List on 18.08.2022.</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

T.A. No. 10 of 2022

Smt. Rajeshwari Devi, W/o Late Hav Ram Vir Singh Chouhan Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.07.2022</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>Vakalatname filed by Shri Dharamraj Singh, 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 Shri Dharamraj Singh, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>List on 12.10.2022.</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

O.A. 569 of 2022

Ex Cfn Kamal Kant
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>15.07.2022</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 Col AK Srivastava (Retd) Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This application has been filed against the order of Summary Court Martial (SCM) by which applicant was dismissed from service. Submission of learned counsel for the application is that findings recorded in the SCM is illegal and the case needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Issue notice to respondents.</p> <p style="text-align: center;">Notice has been accepted by Shri Sunil Sharma on behalf of respondents. Service of notice is therefore waived. Respondents to file counter affidavit within four weeks.</p> <p style="text-align: center;">Applicant to furnish copy of legible O.A. to learned counsel for the respondents and one copy to AFT, Legal Cell by today itself.</p> <p style="text-align: center;">On request, applicant is permitted to amend paragraph 1 of the O.A. by substituting Section 15 in place of Section 14.</p> <p style="text-align: center;">List before Registrar Court on 12.09.2022 for exchange of pleadings.</p> <p style="text-align: center;">List before this Court on 21.10.2022.</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

O.A. 570 of 2022

Ex Hony Sub Sanjay Pandit
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>15.07.2022</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 Col AK Srivastava, Ld. Counsel for the applicant and Ms. Appolis Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">In affidavit filed in support of the application, complete details have not been given. Applicant is therefore directed to file fresh affidavit giving complete details Within a week.</p> <p style="text-align: center;">Applicant is further directed to supply copy of the legible documents to learned counsel for the respondents by the date fixed.</p> <p style="text-align: center;">List on 04.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>UKT/-</p>

