

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

O.A. No. 394 of 2022

Ex. JWO Sita Ram
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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed for the grant of disability pension.</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 08.07.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 02.08.2022.</p> <p style="text-align: center;">Registry is directed to reflect the name of Shri D.K. Dixit, Advocate along with Shri V.P. Pandey, Advocate as Counsel for the applicant 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. 395 of 2022

Ex. L Nk. Kulwinder 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>17.05.2022</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. Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Ms. Anju Singh, 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 08.07.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 02.08.2022.</p> <p style="text-align: center;">Registry is directed to reflect the name of Shri Ashok Singh, Advocate along with Shri Vikas Singh Chauhan, Advocate as Counsel for the applicant 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. 396 of 2022 with M.A. No. 448 of 2022

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

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: justify;">Heard Shri Rahul Pal, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 22 years, 06 months and 16 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. 396 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 08.07.2022 for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on 02.08.2022.</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
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ORDER SHEET
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Court No.1**

Ex. A. No. 141 of 2022 Inre : O.A. No. 544 of 2021

Ex. Sep./Chef (C) Lokesh Malik
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>17.05.2022</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 Kaushik Chatterjee, Advocate on behalf of the respondents is taken on record.</p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 21.09.2021 in Original Application No. 544 of 2021.</p> <p>Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</p> <p>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>AKD/-</p>

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Ex. A. No. 142 of 2022 Inre : O.A. No. 364 of 2021

E#x. MWO Hari Narayan Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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.</p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Advocate holding brief of Shri Sudhir Kumar Singh, 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 17.01.2021 in Original Application No. 364 of 2021.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</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>AKD/-</p>

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Court No.1

Ex. A. No. 143 of 2022 Inre : O.A. No. 391 of 2021

Ex. MWO Ram Lakhan 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>17.05.2022</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 Ramesh Chandra Shukla, Advocate on behalf of the respondents is taken on record.</p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 21.12.2021 in Original Application No. 391 of 2021.</p> <p>Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</p> <p>List on 02.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 144 of 2022 Inre : O.A. No. 593 of 2018

Ex. Ni. Sanjay Joshi
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>17.05.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">On the case being taken up for hearing Shri V.P. Pandey, Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">This application has been filed for implementation of order dated 20.12.2021 in Original Application No. 593 of 2018.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</p> <p style="text-align: center;">List on 02.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 146 of 2022 Inre : O.A. No. 348 of 2021

Ex. Hav. Padmalochan 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>17.05.2022</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 Jay Narayan Mishra, Advocate on behalf of the respondents is taken on record.</p> <p>On the case being taken up for hearing Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Jay Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for implementation of order dated 21.12.2021 in Original Application No. 348 of 2021.</p> <p>Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</p> <p>List on 02.08.2022.</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>AKD/-</p>

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M.A. No. 443 of 2022 with M.A. No. 445 of 2022 Inre : O.A. No. 202 of 2020

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Smt. Mina Singh
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 D.K. Pandey, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">The applicants – Union of India & Others have filed this application seeking leave to appeal against decision of this Tribunal dated 26.07.2021 in Original Application No. 202 of 2020.</p> <p style="text-align: center;">In view of order dated 10.01.2022 of the Hon'ble Apex Court in Miscellaneous Application No. 21/2022 in MA 665/2021 in Suo Motu Writ Petition (C) No.3/2020, there is no delay in filing of Leave to Appeal, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p style="text-align: center;">Upon hearing submission of Ld. Counsel for the applicants – Union of India & Others, we find that no point of law of general public importance is involved in the decision so that leave may be granted to the applicants to file Appeal.</p> <p style="text-align: center;">In the result, Leave to Appeal is also dismissed.</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 style="text-align: left;">AKD/-</p>

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Diary No. 376 of 2022 Inre : O.A. No. 306 of 2021

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Ex. Sep. Birender Rai

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 Shyam Singh, Ld. Counsel for the applicants – Union of India & Others and Shri R. Chandra, Ld. Counsel for the respondent.</p> <p style="text-align: center;">The defect has been removed.</p> <p style="text-align: center;">Copy of Review Application has not been furnished to the Ld. Counsel for the respondent.</p> <p style="text-align: center;">Let it be given to the Ld. Counsel for the respondent by today itself.</p> <p style="text-align: center;">Thereafter, respondent may file objection, if any, within two weeks.</p> <p style="text-align: center;">List on 26.07.2022.</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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Diary No. 1261 of 2022

Rect. Vivek Kumar By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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, AdWg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that defects will be removed by today itself.</p> <p style="text-align: center;">List on 24.05.2022.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;">(Vice Admiral Abhay Raghunath Karve) Member (A)(Justice Umesh Chandra Srivastava) Member (J)</div> <p style="margin-top: 20px;">AKD/-</p>

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Ex. A. No. 155 of 2017 Inre : T.A. No. 1288 of 2010

Chandra Bhushan 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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri R. Chandra, Advocate holding brief of Shri K.K. Singh Bisht a, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>An affidavit of compliance dated 10.05.2002 which has been filed by the respondents is taken on record.</p> <p>Copy of Government letter dated 21.03.2022 granting Government Sanction for the payment of 50% salary for the period from 25.10.2001 to 23.01.2002 has been filed along with affidavit.</p> <p>It is submitted during the course of hearing that 50% salary from 25.10.2001 to 23.01.2002 has been credited in applicant's account through RTGS. This shows that compliance has been done by the respondents and in view of this application deserves to be dismissed.</p> <p>Accordingly, Execution Application is dismissed in full and final satisfaction.</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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Ex. A. No. 25 of 2019 Inre : O.A. No. 297 of 2011

Ex. Sub. Kedar Prasad Mishra 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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submitted that Civil Appeal, which has been preferred in the Hon'ble Apex Court against the decision of this Tribunal dated 09.08.2018 in Original Application No. 297 of 2011 has been admitted for hearing. He further that notice has been issued to the applicant in the said Civil Appeal and Counter Affidavit has been invited. Thus, he submitted that four weeks further time be granted to bring the stay order.</p> <p>Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the respondents, who is present in the Court during the course of hearing, did not deny that Civil Appeal has been admitted for hearing. He only submitted that proceedings of Execution Application have not been stayed by the Hon'ble Apex Court.</p> <p>In view of the above, respondents are granted four weeks further time to bring the stay order.</p> <p>List on 04.08.2022.</p> <p>In the meantime let remaining cost, if any, be deposited.</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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Ex. A. No. 63 f 2019 Inre : T.A. No. 185 of 2009

Ex. Nk. Vijay 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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Ex. Nk. Vijay Kumar Yadav, the applicant in person and Dr. Chet Narayan Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (Pensions), Prayagraj.</p> <p>It is submitted by the applicant that despite PPO being issued in the matter in January, 2022 nothing has been credited in his account. He also produced copy of letter dated 30.04.2022 of State Bank of India, Centralized Pension Processing Centre, IIIrd Floor, Chandani Chowk, Delhi-110006 wherein it is stated that no descriptive role has been received by the Bank along with PPO and for this reason the PPO has not been complied with.</p> <p>Respondents are directed to ensure that descriptive role is received to the concerned Bank within two weeks from today failing which they shall be liable to pay Rs.20,000/- as cost to the applicant.</p> <p>List on 15.07.2022.</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>

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Court No.1

Ex. A. No. 93 of 2019 Inre : O.A. No. 481 of 2018

Dushyant 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>17.05.2022</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 Santosh Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Applicant has filed this application for implementation of order dated 11.10.2018 of this Tribunal in Original Application No. 481 of 2018 by which the respondents have been directed to decide the pending representation of the applicant dated 05.05.2014 by speaking and reasoned order in accordance with law within a period of three months from the date of receipt of copy of the order.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that in regard to name and further details of the applicant's wife report has been sought from the District Magistrate, Kanpur Dehat, however, the same has not been received as yet, with the result the representation preferred by the applicant could not be decided. It was requested by the Ld. Counsel for the respondents that since the respondents have written so many letters to District Magistrate, Kanpur Dehat for submission of his report but nothing has been done in the matter a direction may be issued to District Magistrate, Kanpur Dehat to submit his report at earliest so that applicant's representation may be decided.</p> <p style="text-align: center;">In the circumstances, we direct District Magistrate, Kanpur Dehat to submit the required report within four weeks from today on receipt of copy of the order.</p> <p style="text-align: center;">List on 04.08.2022.</p> <p style="text-align: center;">Let copy of this order be given to the Ld. Counsel for the respondents to ensure its service upon the District Magistrate, Kanpur Dehat in addition to service by registry.</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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Ex. A. No. 124 of 2019 Inre : O.A. No. 250 of 2018

Ex. Hav./DMT Devender 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>17.05.2022</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 Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents to grant four weeks further time to file affidavit of compliance, which is allowed.</p> <p>List on 12.08.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 32 of 2020 Inre : O.A. No. 161 of 2017

Ex. Gdsm. Biresh 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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Applicant has filed this application seeking implementation of the order dated 09.04.2019 of this Tribunal in Original Application No. 161 of 2017 by which the applicant has been held entitled to disability pension for the disability "AIDS (HIV INFECTION + PULMONARY T.B.) B-20" @100% for two years being attributable to military service with effect from date of discharge i.e. 02.02.2003, however, in view of law of limitation the applicant will not be entitled to any arrears on his disability element for a period of two years for which Invaliding Medical Board was valid. The respondents have been further directed to conduct the Re-Survey Medical Board to assess further disability of the applicant, if any.</p> <p>It is submitted by Ld. Counsel for the respondents that aggrieved with the judgment and order dated 09.04.2019 of the Tribunal the respondents have filed a Special Leave Petition in the Hon'ble Apex Court in which notice has been issued to the respondent (applicant in this case) on both, delay condonation application and Civil Appeal. He further submitted that since the matter is pending in the Hon'ble Apex Court, four weeks further time be granted to bring the stay order/implementation of the order.</p> <p>In reply, Ld. Counsel for the applicant submitted that in the Special Leave Petition preferred against the decision of this Tribunal the proceedings of this Execution Application have not been stayed.</p> <p>On 07.01.2022 time was sought by the Ld. Counsel for the respondents on the same reason which was allowed as a last chance and respondents were directed to either make compliance of the order or to bring the stay order within four weeks and it was directed that in the event of compliance of the order/filing of stay order being not done, the officer</p>

responsible for the implementation of the order shall remain physically present in Tribunal on the next date fixed to explain the reason why coercive measure be not taken against him for non-compliance of the order. However, we are extremely sorry to note that neither the stay order has been filed nor the order has been complied with. The officer responsible for the implementation of the order is also not present today in the Tribunal to explain the reason.

We are told that Col. S.B. Sinha, AAG (Legal), Mechanized Infantry, Integrated Headquarters of Ministry of Defence (Army), New Delhi is responsible for the implementation of the order. Registry is directed to issue notice to him to remain physically present in the Tribunal on the next date fixed and to file his personal affidavit explaining the reasons why coercive measure be not taken against him for non-compliance of the order.

List on **12.08.2022**.

Let copy of this order be given to the Ld. Counsel for the respondents/AFT Legal cell to serve the same to the concerned officer.

(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

Ex. A. No. 10 of 2021 with M.A. No. 413 of 2022 Inre : T.A. No. 39 of 2016

Ex. Naik Shiv Sewak
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>17.05.2022</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>The case was called out today for hearing.</p> <p>Shri Yashpal Singh, Ld. Counsel for the applicant, Shri Bipin Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 3 and Shri Anil Kumar Mishra, Ld. Counsel for the respondent No. 4 (Bank) are present.</p> <p>Shri Raj Kumar Anand, Branch Manager, Bank of Baroda, Kakwan Branch, Kanpur Nagar is also present in person and he has filed an application supported with affidavit for recall of the order dated 04.04.2022 by which Bailable Warrant was issued against him.</p> <p>It is submitted by the Ld. Counsel for the respondent No. 4 that respondent No. 4 being busy in surgery of his father, he could not remain physically present on the date fixed i.e. 04.04.2022. It is further submitted that in compliance of the order interest amount Rs.2,29,537/- has been credited in applicant's account on 07.05.2022. An affidavit has also been filed by him in regard to payment made to applicant along with which a copy of letter dated 13.05.2022 and account statement including calculation sheet have been filed.</p> <p>We have gone through the account statement as well as calculation sheet filed by the respondents and find that in compliance of the order passed by this Tribunal the entire interest amount has been credited in applicant's account. With the result, Execution Application has rendered infructuous.</p> <p>Accordingly, Execution Application is dismissed being infructuous.</p> <p>The order dated 04.04.2022 is recalled.</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. 68 of 2021 Inre : O.A. No. 541 of 2018

Ex. Gnr. (Opr) Satya Prakash 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>17.05.2022</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, four weeks further time is granted to file affidavit of compliance.</p> <p>List on 12.08.2022.</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

Ex. A. No. 28 of 2022 Inre : O.A. No. 459 of 2018

Sub. Madho Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 Wg. Cder. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align:center">On the request of Ld. Counsel for the respondents, four weeks further time is granted to file affidavit of compliance.</p> <p style="text-align:center">List on 12.08.2022.</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>AKD/-</p>

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

Ex. A. No. 32 of 2022 Inre : O.A. No. 571 of 2020

Ex. Hav. Yogesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, four weeks further time is granted to file affidavit of compliance.</p> <p style="text-align: center;">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. 120 of 2022 Inre : O.A. No. 306 of 2021

Ex. Sep. Birender 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>17.05.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 26.07.2022 along with Review Application filed in the case.</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. 220 of 2016

Radhey Shyam

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>17.05.2022</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 Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, three weeks further time is granted to file affidavit of compliance.</p> <p>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

O.A. No. 449 of 2021

Sep. Deepak Kumar Gupta

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>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the applicant, two weeks further time is granted to file Rejoinder Affidavit.</p> <p>List on 02.08.2022.</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

O.A. No. 397 of 2022

Ex. WO Mahendra Singh Kushwaha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</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 D.K. Pandey, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed for the grant of disability pension.</p> <p style="text-align: center;">Matter needs 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 08.07.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 02.08.2022.</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>AKD/-</p>

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

O.A. No. 398 of 2022

Ex. Sub. Ashwani Kumar Mishra
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>17.05.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Matter needs 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 08.07.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 02.08.2022.</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. 432 of 2018

Ex. Hav. (Hony. Nb. Sub.) Bharat 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>17.05.2022</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 Gyanendra Kumar Sharma, Advocate holding brief of Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents are present.</p> <p>Steps not taken.</p> <p>Steps must be taken within a week failing which application may be dismissed for non-prosecution.</p> <p>On steps being taken, issue notice to respondent No. 5 returnable within four weeks.</p> <p>List on 01.08.2022.</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>AKD/-</p>