

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

O.A. No. 32 of 2022 with M.A. No. 42 of 2022

Ex. Nk. Prabhu Nath Tiwari
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri K.P. Datta, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Matter pertains to grant of disability pension.</p> <p style="text-align: center;">As per office note, there is no delay in filing of Original Application, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p style="text-align: center;">Matter needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Respondents to file Counter Affidavit within four weeks. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List the matter before Registrar on 10.03.2022 for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on 05.04.2022.</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 (E. Court)

O.A. No. 33 of 2022 with M.A. No. 41 of 2022

Ex. Sub. Asha Ram By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and submits that he will file Memo of Appearance in registry during the course of the day.</p> <p>Heard Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Matter pertains to grant of pay and allowances.</p> <p>As per office note, there is no delay in filing Original Application, however, an application for condonation of delay has been moved which being not required is dismissed.</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 10.03.2022 for exchange of pleadings.</p> <p>List the matter before Tribunal on 05.04.2022.</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
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

Ex. A. No. 8 of 2022 Inre : O.A. No. 129 of 2021

Ex. Nk. Pragat 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Ms. Amrita Chakraborty, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Ashish Kumar Verma, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Applicant has filed this application for execution of order dated 30.07.2021 passed in Original Application No. 129 of 2021.</p> <p style="text-align: center;">In regard to compliance the submission of Ld. Counsel for the respondents is that Government Sanction has already been accorded on 22.12.2021. She submits to grant four weeks time to file affidavit of compliance which is allowed.</p> <p style="text-align: center;">List on 28.02.2022.</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
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Court No.1 (E. Court)

M.A. No. 37 of 2022 with M.A. No. 38 of 2022 Inre : O.A. No. 214 of 2021

Union of India & Others By Legal Practitioner for the Applicants	Versus	Applicants
Ex. HMT Satyavir Singh By Legal Practitioner for Respondent		Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Dr. S.N. Pandey, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">As per office note, there is no delay in filing Leave to Appeal, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p style="text-align: center;">Applicant has filed this application seeking leave to appeal against judgment and order dated 25.10.2021 in Original Application No. 214 of 2021 by which respondents have been directed to grant disability element of disability pension to the applicant @20% for two years to be rounded off to 50% for two years from the next date of his discharge i.e. 31.03.1999 with further direction to conduct Re-Survey Medical Board to assess his further entitlement of disability pension, if any.</p> <p style="text-align: center;">Upon hearing submission of Ld. Counsel for the applicants – Union of India & Others we do not find any point of law of general public importance being involved in the matter so that leave may be granted.</p> <p style="text-align: center;">In the result, Leave to Appeal is dismissed.</p> <p style="text-align: center;">At this juncture, Ld. Counsel for the applicants – Union of India & Others drew our attention to name and army number as mentioned in the order and submits that there being discrepancies therein, the same need to be corrected. He submits that the name of respondent (applicant in Original Application) is Satyavir and his army number is 14676561W.</p> <p style="text-align: center;">In view of the above, let the name and army number of the applicant be corrected in the order.</p> <p style="text-align: center;">Prayer stands disposed off accordingly.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J) </p> <p>AKD/-</p>

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M.A. No. 39 of 2022 with M.A. No. 140 of 2022 Inre : O.A. No. 72 of 2021

Ex. Sep. Shivbir 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R.C. Shukla, Advocate appears on behalf of respondents and files Memo of Appearance which is taken on record.</p> <p>Heard Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>As per office note, there is no delay in filing Leave to Appeal, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p>Applicant has filed this application seeking leave to appeal against Judgment and order dated 27.10.2021 in Original Application No.72 of 2021. By means of this order Original Application has been dismissed being devoid of merit.</p> <p>Upon going through the contents of application, we do not find any point of law of general public importance being involved in the matter, therefore, prayer for leave to appeal cannot be granted.</p> <p>In the result, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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Ex. A. No. 202 of 2017 Inre : T.A. N. 15 of 2014 & Inre : T.A. No. 1368 of 2010

Maj. Kunwar Ambreshwar 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that two weeks further time be granted to file impleadment application which is allowed.</p> <p style="text-align: center;">List on 11.02.2022.</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. 52 of 2018 Inre : O.A. No. 189 of 2010

Shiv Kumar Joshi 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Objection to affidavit of compliance filed by the applicant is taken on record.</p> <p style="text-align: center;">Respondents to file reply, if any, within two weeks.</p> <p style="text-align: center;">List on 16.02.2022.</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;">AKD/-</p>

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Ex. A. No. 33 of 2019 Inre : T.A. No. 92 of 2011

Ex. Sigm. Jayant Bagchi	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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri R.C. Shukla, Ld. Counsel appearing on behalf of the respondents submits that in compliance of the order Corrigendum PPO has been issued with copy to the applicant.</p> <p style="text-align: center;">Shri R. Chandra, Ld. Counsel appearing on behalf of applicant admits receipt of PPO. However, he submits that there are errors in the PPO as it has no suffix letter of army number and also does not mention correct group of the applicant. He also submits that IFSC Code of the applicant's Bank has also been wrongly mentioned.</p> <p style="text-align: center;">During the course of hearing Capt. Priyanka Rathore, Departmental Representative of the respondents admits that applicant's Group has been wrongly mentioned in the PPO. However, regarding suffix letter of army number and IFSC Code of the applicant's Bank, she submits that she needs to seek instruction from the concerned Records.</p> <p style="text-align: center;">In view of the fact that PPO issued by the respondents does not depict correct suffix letter of Army number, IFC Code and the Group to which applicant belongs, respondents are directed to issue Corrigendum PPO within three weeks from today, failing which a responsible officer of the concerned Records shall remain physically present in the Tribunal on the next date fixed to explain why and under what circumstances a wrong PPO has been generated.</p> <p style="text-align: center;">List on 04.03.2022.</p> <p style="text-align: center;">Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">AKD/-</p>

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Ex. A. No. 59 of 2019 Inre : O.A. No. 182 of 2017

Ex. Sep. Neeraj Bhatt By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that in regard to letter dated 20.12.2021 applicant appeared in the Unit on 10.01.2022 and signed necessary documents which have been processed for compliance of the order. He further submitted to grant four weeks time to file affidavit of compliance which is allowed.</p> <p style="text-align: center;">List on 07.03.2022.</p> <table style="width: 100%; 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: 10px;">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)		

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Court No.1 (E. Court)

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

Ex. Hav. (Hony. Nb. Sub.) Ramapati Upadhya By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 4 are present.</p> <p>On 16.12.2021 applicant was directed to take steps to issue notice to respondent Nos. 5 and 6. However, steps have not been taken till date. Applicant is, therefore, directed to take steps within a week failing which application may be dismissed for non-prosecution.</p> <p>List on 28.01.2022.</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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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

M.A. No. 3 of 2022 with M.A. No. 4 of 2022 Inre : Ex. A. No. 134 of 2018 &
Inre : O.A. No. 123 of 2010

Smt. Durgawati 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p><u>M.A. No. 3 of 2022 with M.A. No. 4 of 2022</u></p> <p style="text-align: center;">Supplementary Affidavit filed by the applicant is taken on record. Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">As per office note, there is no delay in filing of Recall Application, however, an application for condonation of delay has been moved which being not required is dismissed.</p> <p style="text-align: center;">This is an application to recall the order dated 22.02.2021 by which Execution Application has been dismissed in default.</p> <p style="text-align: center;">In view of facts averred in affidavit filed in support of application, the order dated 22.02.2021 is recalled.</p> <p style="text-align: center;">Let Execution Application be restored to its number.</p> <p><u>Ex. A. No. 134 of 2018</u></p> <p style="text-align: center;">List on 03.02.2022.</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
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

O.A. No. 712 of 2020

Ex. Sub. Maj. (Hony. Lt.) Sant 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the last date on the basis of information received, a direction was issued for taking steps for substitution. The said steps have not been taken so far.</p> <p>Let steps for substitution be taken within two weeks.</p> <p>List on 09.02.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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Court No.1 (E. Court)

O.A. No. 386 of 2021

Cpl. Chandan 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ram Bachan Yadav, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents seeks and is allowed two days time to file Counter Affidavit.</p> <p>List on 21.01.2022.</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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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

O.A. No. 421 of 2021

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

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 21.01.2022.</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
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

O.A. No. 523 of 2021

Ex. Nb. Sub/SKT Ramanand 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel for the applicant is present.</p> <p style="text-align: center;">We are informed by Shri Amit Jaiswal, Advocate that Ms. Preeti Mala, Ld. Counsel for the respondents being in hospital due to some emergency, she could not file Counter Affidavit. We are also informed that Counter Affidavit will be filed within 48 hours.</p> <p style="text-align: center;">Let Counter Affidavit be filed within two days, as said.</p> <p style="text-align: center;">List on 31.01.2022.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)

O.A. No. 524 of 2021

Smt. Hem Lata W/o Rfn. Puran Bahadur 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Prakhar Kankan and Shri K.K. Singh Bisht , Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List on 03.03.2022.</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 (E. Court)

O.A. No. 553 of 2021 with M.A. No. 588 of 2021

Ex. Hav. Jai Prakash 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Applicant has filed this application to notionally reinstate him in service with effect from 01.01.2008 and discharge him on 31.05.2008 after completion of 24 years of service in view of Judgment dated 28.11.2008 in the case of Sub. Puttan Lal Versus Union of India and Others.</p> <p style="text-align: center;">There being delay of 11 years, 08 months and 13 days in filing of Original Application, an application for condonation of delay has been filed and in support, an affidavit has also been filed stating therein that delay in filing Original Application is not intentional, but for the reasons given in affidavit.</p> <p style="text-align: center;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: center;">We have gone through the reasons given in the affidavit filed in support of delay condonation application and we find that they are sufficient. Accordingly, delay is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 553 of 2021</u></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.</p> <p style="text-align: center;">List on 10.03.2022.</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
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Court No.1 (E. Court)

O.A. No. 564 of 2021

Ex. Sep./Chef (C) Manoj Kumar Prajapati	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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant is present.</p> <p style="text-align: center;">We are informed by Shri Amit Jaiswal, Advocate that Ms. Preeti Mala, Ld. Counsel for the respondents being in hospital due to some emergency, she could not file Counter Affidavit. We are also informed that Counter Affidavit will be filed within three weeks.</p> <p style="text-align: center;">Let Counter Affidavit be filed within three weeks, as said.</p> <p style="text-align: center;">List on 16.02.2022.</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 (E. Court)

O.A. No. 647 of 2021

Ex. Nk. Surwase Sambha Bajirao
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Bipin Kumar 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 (E. Court)

O.A. No. 658 of 2021

Rect. Sonveer

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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Yashpal Singh and Shri Sachindra Pratap Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on 25.02.2022.</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 (E-Court)

O.A. No. 659 of 2021

Hav Sudhir Kumar Rai
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Col Ashok Kumar (Retd) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p>List on 25.02.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A.(A) No. 760 of 2020

Chandan Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that direction be issued to learned counsel for the respondents to furnish copy of counter affidavit so that rejoinder affidavit may be filed.</p> <p>Respondents to furnish copy of counter affidavit to learned counsel for the applicant by today itself.</p> <p>Applicant may file rejoinder affidavit within two weeks.</p> <p>List on 17.02.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

T.A. No. 2 of 2020

Maj Abhishek Tyagi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the petitioner and Ms. Amrita Chakraborty, Shri AK Chaudhary and Shri RK Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 08.03.2022 alongwith matters of maintenance allowances.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

EX.A. No. 73 of 2019 with M.A. No. 110 of 2021, MA No. 588 of 2019 Inre O.A. No. 612 of 2017

Ex. Gnr CK Shrivastava
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Thakur Balram Ji Srivastava, Ld. Counsel for the applicant and Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents, on the basis of instructions received from Directorate General of Artillery, submits that a direction has been granted to Artillery Records to process claim of the applicant, therefore, four weeks time be granted to file affidavit of compliance which is allowed.</p> <p>List on 03.03.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>

SB

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

O.A. No. 218 of 2016

Shitla Prasad 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Shri Manoj Kumar Awasthi appeared on behalf of the applicant and filed rejoinder affidavit which is taken on record. He submits to grant two weeks time to file supplementary affidavit and to prepare the case which is allowed.</p> <p>Registry is directed to reflect name of Shri Manoj Kumar Awasthi as learned counsel for the applicant when the case is next listed.</p> <p>List on 16.02.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 305 of 2017

Rajbeer 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed, list on 04.04.2022 for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p>

SB

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

O.A. No. 65 of 2018 with M.A. No. 285 of 2018

Rahat Ali Khan
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Rohit Kumar, Shri Vishwesh Kumar and Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents a week further time is granted to file supplementary counter affidavit.</p> <p style="text-align: center;">List on 16.02.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 403 of 2019

Ex Hony Sub Maj Krishna Pada Datta
Applicant in Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard applicant in person and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>Original Application is dismissed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed off.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 209 of 2021

Ex Nk Vinod 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>As prayed, list on 04.04.2022 for physical hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 246 of 2021

Ex Hav Uma Shankar 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Manish Misra and Shri Gaurav Upadhyay, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, list tomorrow (19.01.2022) for hearing.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>SB</p>

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

O.A. No. 368 of 2021

Ex Rect 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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the applicant, list on 24.01.2022 for hearing.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A.(A) No 292 of 2016

Shaik Shabber
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>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri GK Gaur, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>The matter needs physical hearing.</p> <p>List on 05.04.2022 for physical hearing.</p> <p>On the date fixed learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 231 of 2021

Ex Ris/Clk Manoj Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.01.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that when discharged from service applicant was suffering from diabetes @ 20% for life which was attributable to service. He further submits that despite applicant's disability being attributable to military service, the same has been wrongly denied by the respondents stating the same was not attributable to military service, therefore, claim for grant of disability element be allowed.</p> <p>Per contra, submission of learned counsel for the respondents is that the instant O.A. has been filed without availing the opportunities of departmental appeal as provided in Rules. He, therefore, submits that since instant O.A. has been filed without availing the remedies, as provided in rules and wherefore is barred under Section 21 of the AFT Act, 2007, it should be dismissed as such.</p> <p>During the course of hearing, learned counsel for the applicant conceded that applicant has filed application without exhausting remedies of appeal provided under the rules. He, however, submitted that applicant should be permitted to withdraw the application with liberty to avail the remedy provided under rules.</p> <p>Considering that this O.A. has been filed without exhausting remedy available under rules and for which it may be dismissed, we think it proper to allow applicant to withdraw the O.A. with liberty to exhaust the remedy available under rules.</p> <p>Accordingly, Original Application is dismissed being withdrawn with liberty to approach the appropriate forum as per rules.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

