

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

**O.A. No. 36 of 2022 with M.A. No. 47 of 2022**

**Ex. Nk. Raj Muni Tewari**  
 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><b><u>20.01.2022</u></b>  <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Shri Manu Kumar Srivastava, Advocate appears on behalf of the respondents and he submits that he will file Memo of Appearance today during the course of the day.</p> <p style="text-align: justify;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">Matter pertains to grant of disability pension.</p> <p style="text-align: justify;">There is a delay of 16 years, 03 months and 13 days in filing of Original Application regarding which an application for condonation of delay has been filed. An affidavit has also been filed in support of application for condonation of delay stating therein that delay in filing of Original Application is not intentional.</p> <p style="text-align: justify;">Ld. Counsel for the applicant submits that it is a pensionary matter in which bar of limitation is not applicable.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the prayer and submits that there being a long delay of more than 16 years and the same being not properly and satisfactorily explained, delay should not be condoned.</p> <p style="text-align: justify;">Upon hearing submissions of Ld. Counsel of both sides and considering that bar of limitation is not applicable in pensionary matter and delay, if any, is not intentional, we <b>condone</b> the delay.</p> <p style="text-align: justify;">Delay condonation application stands <b>allowed</b> accordingly.</p> <p><b><u>O.A. No. 36 of 2022</u></b></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 <b>14.03.2022</b> for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on <b>07.04.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>    <b>Member (J)</b></p>

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**Court No.1 (E. Court)**

**O.A. No. 37 of 2022 with M.A. No. 45 of 2022**

**Ex. Sep. Ram Singh Bisht**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Jay Narayan Mishra, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Col. R.C. Dixit (Retd.), Ld. Counsel for the applicant and Shri Jay Narayan Mishra, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed with delay of 30 years, 05 months and 16 days regarding which an application for condonation of delay has been filed.</p> <p>Ld. Counsel for the respondents seeks and is allowed two weeks time to file objection against delay condonation application.</p> <p>List on <b>10.02.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>

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**Court No.1 (E. Court)**

**Ex. A. No. 10 of 2022 Inre : O.A. No. 259 of 2015**

**Ex. Spr. Jaivir Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></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;">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 style="text-align: center;">It is a fresh Execution Application.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instructions in the matter.</p> <p style="text-align: center;">List on <b>07.03.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

Form No. 4  
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.1 (E. Court)

M.A. No. 48 of 2022 with M.A. No. 49 of 2022 Inre : O.A. No. 628 of 2020

Union of India & Others By Legal Practitioner for the Applicants	Versus	Applicants
Smt. Asha Devi & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.01.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Pushpendra Mishra, Ld. Counsel for the applicants – Union of India &amp; Others.</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 <b>dismissed</b>.</p> <p>This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p>Accordingly, Leave to Appeal is <b>dismissed</b>.</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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**M.A. No. 51 of 2022 Inre : O.A. No. 241 of 2021**

**Lt. Col. Suprita Chandel**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Sunil Sharma, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal.</p> <p>Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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**Court No.1 (E. Court)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents submits that delay in implementation of the order has occurred due to shifting of PS Directorate. He further submits to grant four weeks time to file affidavit of compliance to which the Ld. Counsel for the applicant has serious objection and he submits that order to be implemented is dated 31.07.2012.</p> <p>Upon hearing submissions of Ld. Counsel of both sides we are not satisfied with reason assigned for non-implementation of the order.</p> <p>Respondents are directed to file affidavit of compliance within four weeks positively failing which an officer of the PS Directorate, IHQ of Mod (Army), New Delhi responsible for implementation of order shall remain physically present in Court on the next date fixed to explain why coercive measure be not taken for non-implementation of the order.</p> <p>Respondents are further directed to deposit the entire cost due by the next date fixed.</p> <p>List on <b>11.03.2022</b>.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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Court No.1 (E. Court)

Ex. A. No. 18 of 2021 Inre : O.A. No. 320 of 2019

Sgt. Rohitash Kumar Sharma  
In Person

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing the applicant Sgt. Rohitash Kumar Sharma, in person and Shri Kaushik Chatterjee, 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. It is also ordered that if the order is not complied with within the given time, the respondents shall pay Rs.10,000/- as cost to the applicant.</p> <p>List on <b>24.02.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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**Ex. A. No. 27 of 2021 Inre : O.A. No. 41 of 2021**

**Ex. Nb. Sub. Chandra Bali**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>Shri Anurag Mishra, Ld. Counsel appearing on behalf of respondents submits that in compliance of the order under execution PPO has been generated on 24.12.2021. He seeks and is allowed two weeks time to file affidavit of compliance.</p> <p>List on <b>10.02.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/-</p>





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Ex. A. No. 73 of 2021 Inre : O.A. No. 551 of 2018

**Vijay Singh Kurmi**  
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>20.01.2022</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">An affidavit of compliance has been filed by the respondents, which is taken on record.</p> <p style="text-align: center;">We have gone through the affidavit of compliance as well copy of PPO enclosed therewith and we find that it is in terms of order.</p> <p style="text-align: center;">Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)          <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**Court No.1 (E. Court)**

**Ex. A. No. 101 of 2021 Inre : O.A. No. 267 of 2021**

**Smt. Ramwati W/o Late Reservist Virender Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">An affidavit of compliance has been filed by the respondents, which is taken on record.</p> <p style="text-align: center;">We have gone through the affidavit of compliance as well as copy of PPO attached therewith and we find that it is in terms of order.</p> <p style="text-align: center;">In the result, Execution Application is <b>dismissed</b> being infructuous with direction to the respondent No. 5 - Branch Manager, Punjab National Bank, Bhawan Bahadur Nagar, Bulandshahar (U.P.) to make payment at the earliest.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>AKD/-</p>



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**Court No.1 (E. Court)**

**O.A. No. 385 of 2020**

**Ex. Hav. Naresh Kumar** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Chief of Army Staff & Others** Respondents  
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Abhay Raj Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that three weeks time be granted to file Rejoinder Affidavit which is allowed.</p> <p style="text-align: center;">List on <b>15.03.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**Court No.1 (E. Court)**

**O.A. No. 352 of 2021**

**Ex. Sgt. Rakesh Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri V.P. Pandey and Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Shri Rajiv Pandey, Ld. Counsel appearing on behalf of respondents submits that Counter Affidavit is under signature, therefore, a week further time be granted to file it which is allowed.</p> <p>List on <b>21.02.2022.</b></p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 407 of 2021**

**Cdr. Mohammad Ameen JM (Retd)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri S.G. Singh and Shri Anand Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on <b>25.02.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 489 of 2021**

**Ex. Sqn. Ldr. Mahendra Pal 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><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri S.N. Singh Gaherwar and Shri Ajit Singh Gaherwar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Original Application is <b>partly allowed</b>.</p> <p>For order, see our Judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></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. 516 of 2021**

**Ex. Hav. Rajeev Ranjan Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri S.S. Rajawat and Shri Mukesh Kumar, Ld. Counsel for the applicant and Shri Pushendra Mishra, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, a week further time is granted to file Counter Affidavit.</p> <p>List on <b>17.02.2022</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b> <b>Member (A)    Member (J)</b></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. 623 of 2021

**Ex. Hv. Lokendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash and Shri Devendra Kumar , Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>24.02.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 624 of 2021

Ex. Hav. Sri 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><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. 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"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 626 of 2021**

<b>Ex. Sep. Bablu</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>dismissed</b>.</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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></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. 628 of 2021**

**Ex. CHA ( S&S) Prashant Kumar 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><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Shri Rajiv Pandey, 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 <b>25.02.2022</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p style="text-align: left;">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. 629 of 2021**

**Ex. Log 1 (SC) Uday Kumar** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p>List on <b>25.02.2022</b> for hearing.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 630 of 2021**

**Ex. MC ERA II Raj Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ved Prakash and Shri Devendra Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents two weeks further time is granted to file counter affidavit.</p> <p style="text-align: center;">List on <b>25.02.2022</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></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. 264 of 2017**

**Devendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Mukesh Kumar and Shri SS Rajawat, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>The matter needs physical hearing.</p> <p>List on <b>05.04.2022</b> for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 382 of 2018**

**Nitesh Rai**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Amit Sharma, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed by the applicant praying that period of non qualifying service between 16.08.2013 to 31.01.2016 to be counted as service for seniority and pension and the entire salary and dues of the period be provided to the applicant.</p> <p>The applicant was enrolled in the Navy on 16.08.2011 and was dismissed from service on 16.08.2013. The applicant being aggrieved with dismissal order dated 16.08.2013 filed O.A. No. 43 of 2014 before this Tribunal which was allowed in favour of applicant vide order dated 01.02.2016 and respondents were directed to reinstate the applicant in service. The operative portion of the order reads as under :-</p> <p><i>“16. In view of above, in our view, the applicant deserves to be reinstated. Accordingly, the O.A. is allowed and the dismissal order dated 16.08.2013 is quashed. The respondents are directed to reinstate the petitioner in service within a period of three months from today. No order as to costs.”</i></p> <p>Learned counsel for the applicant submitted that in pursuance to order dated 01.02.2016, applicant has been reinstated into service and he is getting salary regularly but the applicant has not been paid salary of the period when he remained out of service. He also submitted that period between 16.08.2013 to 31.01.2016 to be counted as service period for seniority and pension and the entire salary and dues of the period be provided to the applicant.</p> <p>Learned counsel for the respondents submitted that applicant was summarily tried by the Commanding Officer, INS Sukanya under Section 45 (c) of Navy Act, 1957 and awarded punishment of dismissal from the Naval Service vide INS Sukanya order dated 16.08.2013. Subsequently, the applicant approached this Tribunal by filing O.A. No. 43 of 2014 which was allowed vide</p>

order dated 01.02.2016 with direction to the respondents to reinstate the applicant into service. The applicant is not eligible for back wages for the period from 16.08.2013 to 31.01.2016 and period between the date of dismissal from service and reinstatement cannot be counted for the purpose of seniority and pension in accordance with Regulations 291 and 292 of Regulations for the Navy, Part III (Statutory). Regulations 291 and 292 of Regulations for the Navy, Part III (Statutory) stipulates as under :-

**“Para 2(b) of Regulation 291 of Regs Navy Part III (Statutory).** Time for which pay is not allowed for example time lost through imprisonment, detention, cells, custody of civil power, waiting trial for desertion or time during which a man has taken out of the service for any cause will not count as reckonable qualifying service for award of Good Conduct badges”.

**“Regulation 292 of Regs Navy Part III (Statutory).** The minimum requirement for the award of each badge is continuous ‘VG’ conduct during the last two years of reckonable service immediately preceding the award of the badge”.

Learned counsel for the respondents further submitted that the issues raised by the applicant are barred by res-judicata. Section 11 of the Code of Civil Procedure and the aspect of a subsequent proceeding being barred by constructive res-judicata were looked into by the Hon’ble Apex Court in **Jaswant Singh & Anr vs. Custodian of Evacuee Property, New Delhi** (1985) 3 SCC 648.

He further submitted that in **Beerbal Singh (Dead) through Legal Representative vs. State of UP and Ors** (2018) 13 SCC 675, the Hon’ble Supreme court had held that “only ground raised in previous writ petition was with respect to matter which has been dealt with in impugned order passed by Division Bench of High Court on 06.07.2005. Thus filing of second writ petition was not only misconceived but ill advised action and new ground, urged for lapse of proceedings was not available to be raised in second writ petition. Successive writ petition could not be said to be maintainable with respect to same notification. Hence, it had rightly been dismissed by High Court.”

He pleaded that instant application deserves to be dismissed since the issues raised by the applicant have already been decided by this Tribunal in its order dated 01.02.2016.

Having heard submissions of both sides and perusal of order dated 01.02.2016 shows that there was direction with regard to applicant’s reinstatement into service and no pay and allowances were to be paid to the applicant during the period applicant remained out of service i.e. from 16.08.2013 to 31.01.2016. Therefore, period from 16.08.2013 to 31.01.2016 cannot be taken into account for salary/pensionary purpose being non qualifying service according to principle of ‘No work, No pay’.

The applicant is not entitled for any salary for the period between 16.08.2013 to 31.01.2016 in view of judgment of the Hon'ble Supreme Court in **Union of India and others Vs. Jaipal Singh**, 2004 (1) SCT 108 - 2003 Supp(5) SCR 115 in which it was held by Their Lordships that "*in case a person is discharged on account of criminal proceedings and conviction, he cannot claim back wages for the period he was not in service. The State cannot be made liable for the period for which it could not avail the services of the respondents and, therefore, the order passed by the High Court directing to pay back wages was held liable to be set aside. It is, therefore, clear from the above discussion that Hon'ble the Supreme Court has laid down the principle that in case there is no work, no pay shall be paid as back wages for the period the petitioner was out of service in view of the orders passed. Accordingly, applying the said principle of 'no work, no pay' it is clear that the order passed by the authorities holding that the petitioner was not entitled to the pay and allowances for the period between the date of discharge and date of his reinstatement into the service, calls for no interference by this Tribunal and as such there is no merit in the petition filed by the petitioner*".

With regard to grant of seniority, we are of the view that period between the date of dismissal from service and reinstatement into service i.e. from 16.08.2013 to 31.01.2016 shall be taken into account for the purpose of seniority only and not for salary/pensionary purpose.

With the aforesaid direction, the Original Application is **disposed of** finally. The respondents are directed to comply with the order accordingly.

Let a copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for compliance.

(Vice Admiral Abhay Raghunath Karve)  
Member (A)

(Justice Umesh Chandra Srivastava)  
Member (J)

SB

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

**O.A. No. 506 of 2019**

**Ms. Varsha & Others**  
By Legal Practitioner for the Applicant

Applicants

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>An affidavit of compliance filed by the respondents is taken on record. Heard Shri Prabhat Kumar Tripathi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for the grant of family pension in favour of applicant Nos. 1 to 3, who are legal heirs of the deceased soldier, Havildar Chandra Shekhar, who died on 14.09.2017 making them entitled to receive family pension. In support, they have filed death certificate of Havildar Chandra Shekhar showing that death of Havildar Chandra Shekhar took place on 14.09.2017.</p> <p>An affidavit of compliance has been filed by the respondents stating therein that grievance raised in O.A. has been redressed by the respondents during pendency of the application and in pursuance, PPO has been issued in favour of applicant No. 1 Miss Varsha for the grant of family pension w.e.f. 15.09.2017. A copy of PPO has been filed alongwith affidavit of compliance.</p> <p>Learned counsel for the respondents submits that since the grievance raised in O.A. has been redressed and in pursuance thereof PPO has been generated, O.A. may be dismissed being infructuous.</p> <p>We have gone through copy of PPO filed alongwith compliance report and we find that grievance raised in O.A. has been redressed and in pursuance thereof PPO has been generated in favour of applicant No. 1, Miss Varsha, daughter of deceased soldier to receive family pension on behalf of applicant Nos. 1 to 3 w.e.f. 15.09.2017.</p> <p>In view of aforesaid, O.A. deserves to be dismissed being infructuous. Accordingly, Original Application is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 182 of 2020**

**Dfr Jai Prakash**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vinod Kumar and Shri Satya Man Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Shri Vinod Kumar appears on behalf of the applicant and submits that applicant needs to file rejoinder affidavit, however, copy of counter affidavit being not received it is not possible to do so. He makes request to issue direction to learned counsel for the respondents to give copy of counter affidavit to him on his email ID vinodkumarlaw0@gmail.com .</p> <p>Let copy of counter affidavit be furnished to leaned counsel for the applicant on his above mentioned email by today itself. Thereafter, rejoinder affidavit, if any, be filed within a week.</p> <p>List on <b>28.01.2022</b> for hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 448 of 2020

Ex. Sep Anjani Kumar Tripathi  
By Legal Practitioner for the Applicant

Applicant

**Versus**

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b>20.01.2022</b> <b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b> <b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed by the applicant against the illegal and arbitrary action on the part of respondents for not granting sanction to condone the delay in holding release medical board which was admittedly not held at the time of discharge of the applicant from service in the year 1996.</p> <p>Today, during the course of hearing, learned counsel for the applicant submitted that applicant's appeal which is pending with the respondents for holding release medical board be decided to enable the applicant to get disability pension.</p> <p>Learned counsel for the respondents submitted that there is a long delay in filing appeal which has been preferred by the applicant after 20 years of discharge from service which is pending for consideration with the competent authority with regard to condonation of delay.</p> <p>Considering the facts and circumstances of the case, we feel it proper to condone the delay in filing Appeal and therefore, delay in filing appeal is condoned.</p> <p>With the consent of learned counsel for the parties, we hereby dispose of the O.A. finally with the direction to the respondents to decide the appeal of the applicant for holding release medical board 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>With the aforesaid direction, the Original Application is <b>disposed of</b> finally.</p> <p>Let a copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p>

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

O.A No. 473 of 2020

**Hav. Mhatru Narasewadkar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Col. AK Srivastava (Retd), Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed, list on <b>09.02.2022</b>.</p> <p style="text-align: center;">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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></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. 690 of 2020**

**Ex. Sep /MT Ashok Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></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 RC Shukla, Ld. Counsel for the respondents are present.</p> <p>The matter needs physical hearing.</p> <p>List on <b>05.04.2022</b> for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 64 of 2021

**Rajput Anup 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><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Mukesh Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondent Nos. 1 to 3 are present.</p> <p>An affidavit has been filed today by learned counsel for the respondent Nos. 1 to 3 and the same is taken on record.</p> <p>Notice to private respondent No. 4, Capt Sanjeev Kumar has not yet been issued.</p> <p>Issue notice to private respondent No. 4 returnable within four weeks. Steps for notice be taken within a week.</p> <p>List on <b>05.04.2022</b>.</p> <p style="text-align: right;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p style="text-align: left;">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. 67 of 2021**

**Ex. Sub Manohar Lal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><u><b>20.01.2022</b></u> <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u> <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p>On the case being taken up for hearing Col. AK Srivastava (Retd) and Ms. Hemlata, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed today by learned counsel for the applicant which is taken on record.</p> <p>The matter needs physical hearing.</p> <p>List on <b>07.04.2022</b> for physical hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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. 155 of 2021**

**Nb Sub (RT) Pushkar 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><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Ashutosh Shahi and Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Rejoinder affidavit filed by the applicant is taken on record.</p> <p style="text-align: center;">List on <b>29.03.2022</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></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. 311 of 2020**

**Smt Prabhawati Devi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.01.2022</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri BB Tripathi and Shri Amit Verma, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, learned counsel for respondent Nos. 1 to 3 and Shri Gaurav Gunjan, Ld. Counsel for the respondents Nos. 4 &amp; 5.</p> <p>An affidavit has been filed today by respondent Nos. 4 &amp; 5 in compliance of the order which is taken on record.</p> <p>Learned counsel for the respondent Nos. 4 &amp; 5 submits that in compliance to order, a sum of Rs. 8,30,625/- has been credited as interest on delayed payment of arrears in applicant's account on 28.12.2021. A calculation sheet has been attached alongwith affidavit.</p> <p>In view of the aforesaid, grievance raised in O.A. seems to be fully redressed. Resultantly, Original Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>SB</p>