

**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 2022**

**Ex. Sgt. A.K. Pandey**  
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>28.04.2022</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 Shri Rajesh Shukla, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The case needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List the matter before Registrar on <b>08.07.2022</b> for exchange of pleadings.</p> <p style="text-align: center;">List the matter before Tribunal on <b>29.07.2022</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/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. 123 of 2022 Inre : O.A. No. 179 of 2020**

**Hav. Rajesh 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>28.04.2022</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>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for the implementation of order dated 24.11.2020 in Original Application No. 179 of 2020.</p> <p>Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>19.07.2022</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><small>AKD/SB/-</small></p>

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

**Ex. A. No. 124 of 2022 Inre : O.A. No. 357 of 2019**

**Ex. Hv. Suresh 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>28.04.2022</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 Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This application has been filed for the implementation of order dated 19.02.2021 in Original Application No. 357 of 2019.</p> <p style="text-align: center;">Shri Arun Kumar Sahu, Ld. Counsel appearing on behalf of respondents submits that order under execution has been complied with. He seeks and is allowed a week time to file affidavit of compliance.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed three weeks time to seek instruction.</p> <p style="text-align: center;">List on <b>10.05.2022</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/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. 125 of 2022 Inre : O.A. No. 328 of 2021**

**Ex. Nk. Manoj 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>28.04.2022</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 Shri Ramesh Chandra Shukla, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This application has been filed for the implementation of order dated 25.10.2021 in Original Application No. 328 of 2021.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that four weeks time be granted to file affidavit of compliance, which is allowed.</p> <p style="text-align: center;">List on <b>20.07.2022</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/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. 126 of 2022 Inre : O.A. No. 198 of 2021**

**Ex. Hav. Suresh Chandra**  
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>28.04.2022</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 Yashpal Singh, Ld. Counsel for the applicant and Major Sini Thomas, Departmental Representative for the respondents.</p> <p style="text-align: center;">This application has been filed for the implementation of order dated 08.10.2021 in Original Application No. 198 of 2021.</p> <p style="text-align: center;">Major Sini Thomas, Departmental Representative submitted that in the order in question there being some discrepancy in the Army Number and name of the applicant, order could not be implemented. She stated that the correct name and Army Number of applicant are “<b>Suresh Chandra</b>” and “<b>15107504X</b>” respectively whereas in the order dated 08.10.2021 in Original Application No. 198 of 2021 name of applicant is transcribed as “Suresh Chadnra” and Army Number “1510750X” which need to be corrected.</p> <p style="text-align: center;">Let in the order dated 08.10.2021 in Original Application No. 198 of 2021 the name of the applicant and Army Number be corrected as “<b>Suresh Chandra</b>” and “<b>15107504X</b>” respectively in place of “Suresh Chadnra” and “1510750X”.</p> <p style="text-align: center;">Major Sini Thomas, Departmental Representative further submits that in compliance of the order PPO has been generated on 24.03.2022. She seeks and allowed four weeks time to file affidavit of compliance.</p> <p style="text-align: center;">List on <b>20.07.2022</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/SB/-</p>

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

**M.A. No. 360 of 2022 Inre : T.A. No. 671 of 2010**

**Ex. Sub. Umakant Mishra**  
In Person

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>28.04.2022</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><b><u>M.A. No. 360 of 2022</u></b></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Ex. Sub. Umakant Mishra, the applicant in person and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Applicant has moved this application for correction in the operative portion of the order dated 20.02.2018 in Transferred Application No. 671 of 2010 wherein last word of the operative portion the word “punishment” has been transcribed in place of “<b>payment</b>”.</p> <p>For the reasons stated in affidavit filed in support of application, correction application is <b>allowed</b>.</p> <p>In the operative portion (in para 14) of the order dated 20.02.2018 in Transferred Application No. 671 of 2010, the last word be corrected as “<b>payment</b>” in place of “punishment”</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) Member (A)</b>      <b>(Justice Umesh Chandra Srivastava) Member (J)</b></p> <p>AKD/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. 76 of 2021 Iner : O.A. No. 276 of 2019**

**Ex. Hav. Krishna Chandra Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>28.04.2022</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 Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Dr. Shailendra Sharma, Ld. Counsel appearing on behalf of the respondents submitted that order in question is in the process of implementation, therefore, four weeks further time be granted, which is allowed.</p> <p>List on <b>21.07.2022</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/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. 85 of 2022 Inre : O.A. No. 325 of 2020**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>28.04.2022</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 Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel appearing on behalf of respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>List on <b>04.07.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/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. 87 of 2022 Iner : O.A. No. 210 of 2021**

**Ex. MWO (HFO) Chitranjan Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>28.04.2022</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant, Ms. Kavita Mishra, Ld. Counsel for the respondents and Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj (Allahabad).</p> <p>Ld. Counsel for the respondents submits that order in question has been complied with and PPO has been generated.</p> <p>A copy of PPO has been annexed along with affidavit of compliance, which is taken on record.</p> <p>Ld. Counsel for the applicant submits that despite PPO being issued on 21.01.2022 no payment has been received by the applicant to which Shri Rajeev Tiwari, Accounts Officer, PCDA (Pensions), Prayagraj submitted that four weeks time be granted to ensure the compliance of the order, which is allowed.</p> <p style="text-align: center;">List on <b>04.07.2022</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/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. 386 of 2021**

**Cpl. Chandan Yadav**  
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>28.04.2022</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 Ram Bachan Yadav and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Shri Kaushik Chatterjee, Ld. Counsel appearing on behalf of respondents submits that Counter Affidavit is ready within him and will be filed today in the registry.</p> <p>List on <b>26.07.2022</b> for final 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>AKD/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. 521 of 2021**

**Ex. AC (U/T) Aditya Kashyap**  
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>28.04.2022</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 Vinay Pandey and Shri J.B.S. Rathour, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that some more time be granted to file Counter Affidavit. It is submitted that Counter Affidavit has been prepared and sent for vetting.</p> <p style="text-align: center;">In view of the above, two weeks further time is granted, as a last chance, to file Counter Affidavit.</p> <p style="text-align: center;">List on <b>27.07.2022</b>.</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/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. 716 of 2021**

**Ex. Rect. Pooran Sharma**  
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>28.04.2022</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 Om Prakash, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel appearing on behalf of respondents submitted that Counter Affidavit in the case has been filed which be taken on record, which is allowed.</p> <p>Ld. Counsel for the applicant submits that he has not received the copy of Counter Affidavit.</p> <p>Ld. Counsel for the respondents is directed to furnish the copy of Counter Affidavit to the Ld. Counsel for the applicant today itself.</p> <p>List on <b>10.05.2022</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/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. 783 of 2021**

**Ex. Hony. Nb. Sub. Ramesh 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**

**28.04.2022**

**Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)**

**Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)**

Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant, Shri Bipin Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 4, Shri Awadhesh Shukla, Ld. Counsel for the respondent Nos. 5 and 6 (Bank).

Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pensions), Prayagraj is also present.

A Counter Affidavit has been filed today by the respondent Nos. 5 and 6, which is taken on record.

Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.

Shri Kaushik Chatterjee, Advocate states that he is Counsel of Union of India in this case and wants to file Counter Affidavit on behalf of respondent Nos. 1 to 4, therefore, time be granted to file the same.

On perusal of record shows that Shri Bipin Kumar Singh, Advocate has filed his Memo of Appearance on behalf of respondent Nos. 1 to 4 and has filed Counter Affidavit also. When Memo of Appearance of Shri Bipin Kumar Singh, Advocate who is in the panel of Standing Counsel of Union of India is on record and he has filed Counter Affidavit on behalf of respondent Nos. 1 to 4 and it is informed by Major Sini Thomas, Departmental Representative of the respondents also that Shri Bipin Kumar Singh was authorized to file Memo of Appearance in the case, we do not see any reason to allowed Shri Kaushik Chatterjee again to file Counter Affidavit on behalf of respondent Nos. 1 to 4.

Shri Virendra Kumar Verma, Branch Manager, Bank of India, Mainpuri Branch, Mainpuri (UP) is present in person and he submits that over payment has been made to the applicant wherefore recovery is to be made by the Bank from the applicant.

In view of the above, personal appearance of respondent Nos. 5 and 6 (Bank) are exempted.

List on **07.07.2022**.

**(Vice Admiral Abhay Raghunath Karve)**  
**Member (A)**

**(Justice Umesh Chandra Srivastava)**  
**Member (J)**

AKD/SB/-



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

**O.A. No. 786 of 2021**

**HFO Arun Prasad Lal (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>28.04.2022</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 Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</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/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. 808 of 2021**

**Wg. Cdr. Manish Pandey (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>28.04.2022</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 R.K. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Counter Affidavit is under preparation. He prays for and is granted three weeks further time to file Counter Affidavit.</p> <p>List on <b>19.05.2022.</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/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. 815 of 2021**

**Ex. Hav. Mohan Lal Pal**  
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>28.04.2022</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 V.K. Pandey and Shri Girish Tiwari, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents. Original Application is <b>partly 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> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/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. 834 of 2021**

**Ex. Cpl. Ram Kripal 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>28.04.2022</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.K. Pandey, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that para-wise comments being not received, Counter Affidavit could not be filed.</p> <p>The Departmental Representative Mr. Ashutosh Pandey submits that in the preparation of para-wise comments being various agencies are involved in the process, the same could not be collected and forwarded to the Ld. Counsel for the respondents for preparation of Counter Affidavit.</p> <p>The Original Application has been filed on 10.12.2021.</p> <p>Considering to this, respondents are allowed four weeks further time, as a last chance, to file Counter Affidavit. It is made clear that if the Counter Affidavit is not filed within the time given, the opportunity of filing the same shall stand closed without any reference.</p> <p style="text-align: center;">List on <b>06.07.2022</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/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. 72 of 2022**

**Smt. Suman Sambhaji Gavale W/o Ex. Hav. G.S. Jaganath Gavale**      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>28.04.2022</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>The amendments have not yet been incorporated in the pleadings.</p> <p>Amendments must be incorporated within a week failing which the opportunity shall be closed.</p> <p>The Counter Affidavit has also not been filed in the case.</p> <p>Ld. Counsel for the respondents seeks and is allowed three weeks time to file Counter Affidavit.</p> <p>List on <b>06.07.2022</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/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. 92 of 2022**

**Ex. Hav. Soba Ram**  
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>28.04.2022</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Counter Affidavit is under preparation. He prays for and is granted ten days time to file Counter Affidavit.</p> <p style="text-align: center;">List on <b>13.05.2022</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><small>AKD/SB/-</small></p>

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

O.A. No. 93 of 2022

**Ex. Hav. Sumeshwar 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>28.04.2022</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.K. Chahar, Ld. Counsel for the applicant and Ms. Kavita 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>19.05.2022</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/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. 94 of 2022**

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

Applicant

**Versus**

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

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>28.04.2022</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 Sudhir Kumar Singh and Shri S.K. Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that para-wise comments being not received by him, Counter Affidavit could not be filed. He prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>List on <b>07.07.2022</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/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. 232 of 2010**

**Jagdish 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>28.04.2022</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.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">The original documents relating to GCM proceedings are not available today.</p> <p style="text-align: center;">List on <b>04.07.2022</b> for final hearing on which date respondents shall produce all original documents including GCM proceedings for perusal of the Bench.</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/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. 556 of 2018**

**Shyam Singh Gurjar**  
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>28.04.2022</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 Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>During the course of hearing Ld. Counsel for the applicant submitted that a similar matter being Original Application No. 485 of 2018 has been dismissed by this Tribunal on 16.05.2019. A copy of the order has been filed on record.</p> <p>By means of this Original Application the applicant has made following prayer :-</p> <p>(i) <i>The Hon'ble Tribunal may be pleased to direct the respondents to either grant further relaxation in ACR to the applicant in the rank of Havildar and consider his case for promotion to the rank of Naib Subedar with one CR in the rank of Havildar, one NIR and 2 CRs in the rank of Naik or direct respondents to requisition one special CR w.e.f. 01/10/2015 and thereafter; consider him for promotion to the rank of Naib Subedar with available CRs. The promotion be directed to be considered before 30/06/2016 i.e. the date on which the applicant becomes overage for promotion to the rank of Naib Subedar or consider him for promotion with ACR upto 2017 by granting him age relaxation under para 149(c) of the Regulations For the Army, 1987 to maintain parity. They may be directed to promote the applicant to the rank of Naib Subedar with all consequential benefits..</i></p> <p>(ii) <i>Any other appropriate writ, order or direction which the Hon'ble court may deem just and proper in the nature and circumstances of the case.</i></p>

The claim of the applicant is based on the pronouncement of the Armed Forces Tribunal, Regional Bench, Jabalpur in **Original Application No.124 of 2016, Hav. Rajendra Singh Versus Union of India and Others**, decided on 18.04.2017. It is submitted by the Ld. Counsel for the applicant that the case of the applicant is at par with the case of Rajendra Singh (Surpa). Hence, he is entitled for the same relief.

Ld. Counsel for the respondents submitted that against the above Judgment the respondents have preferred Special Leave Petition (Diary No.3988 of 2018) before the Hon'ble Apex Court. The Hon'ble Apex Court though has dismissed the said Special Leave Petition but has observed as under :-

*“From the perusal of the order of the Armed Forces Tribunal it appears that in the peculiar facts and circumstances of the case, the Armed forces Tribunal has directed for age relaxation of the respondent for consideration of his age for promotion to the post of Naib Subedar. We are not inclined to entertain this appeal. However, we make it clear that the direction given by the Tribunal will not be treated as precedent.”*

Thus the aforesaid order passed by the Armed Forces Tribunal, Regional Bench, Jabalpur has been distinguished by the Hon'ble Apex Court itself and it cannot be treated as precedent to grant parity to the applicant. Therefore, we cannot grant the relief as prayed by the applicant. The arguments of the Ld. Counsel for the applicant are devoid of merit. The Original Application lacks merit and deserves to be dismissed.

Accordingly, the **Original Application No. 556 of 2018** is **dismissed**.

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/SB/-





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

**O.A. No. 99 of 2021**

**Ex. Lady Cadet Nira Chaudhary**  
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>28.04.2022</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 Vinay Sharma, Advocate holding brief of Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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> Member (A)      Member (J)</p> <p style="text-align: left;">AKD/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. 116 of 2013

**Karamati Iqbal Khan**  
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>28.04.2022</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 K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>List on <b>29.04.2022</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> <p>AKD/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. 459 of 2020**

**Sub. Raeesul Hasan (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>28.04.2022</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>The original documents regarding DPC and Honorary Commission are not available.</p> <p>List on <b>07.07.2022</b> on which date respondents shall produce the original records regarding DPC, Honorary Commission and correspondence in between AD Records and 30 Bn NCC for perusal of the Bench.</p> <p>Integrated Headquarters of Ministry of Defence (Army), New Delhi is directed to provide the aforesaid original documents to the AFT Legal Cell, Lucknow for production of the same before the Bench on the next date fixed.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>AKD/SB/-</p>



