

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

O.A. No. 1295 of 2023 with M.A. No. 1869 of 2023

Ex Sgt Surendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Shri Deepak Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri JN Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 05 months and 20 days in filing of Original Application.4. Being a pensionary matter, delay is condoned.5. Delay condonation application stands disposed off. <p><u>O.A. No. 1295 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 24.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 2)

O.A. No. 1297 of 2023

Lt Col Mukesh Kumar (Retd) Applicant
By Legal Practitioner for the Applicant : Ms. Upasna Mishra, Advocate
Shri Raj Kumar Mishra, Advocate
Shri Pradeep Kumar Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri RC Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and ShriRC Shukla, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.5. Case needs adjudication.6. Admit.7. Ld. Counsel for the respondents seeks and is allowed six weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.8. List on 24.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 3)

O.A. No. 1299 of 2023 with M.A. No. 1881 of 2023

Ex L/NK Kamla Singh Yadav (DSC) Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate
Shri Saurabh Yadav, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 05 months and 18 days in filing of Original Application.4. Being a pensionary matter, delay is condoned.5. Delay condonation application stands disposed off. <p><u>O.A. No. 1299 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 24.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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

O.A. No. 1300 of 2023 with M.A. No. 1882 of 2023

Ex Sep Anjani Kumar Tripathi Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 24 years 04 months and 13 days in filing of Original Application.4. Ld. Counsel for the respondents raised objections with regard to delay in filing the O.A. He seeks and is allowed two weeks time to file objections with regard to delay in filing of the O.A.5. List on 03.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 5)

O.A. No. 1301 of 2023 with M.A. No. 1883 of 2023

Ex SGT Umesh Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate
Shri Rahul Dev Tripathi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri JN Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 12 years 05 months and 11 days in filing of Original Application.4. Ld. Counsel for the respondents raised objections with regard to delay in filing the O.A. He seeks and is allowed two weeks time to file objections with regard to delay in filing of the O.A.5. List on 03.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 6)

EX-A. No. 428 of 2023 Inre: O.A. No. 505 of 2022

Col (TS) Dharendra Kumar Thapliyal Applicant
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh Chauhan, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.3. This application has been filed for implementation of order dated 09.12.2022 of this Tribunal in Original Application No. 505 of 2022.4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.5. List on 04.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 7)

EX-A. No. 429 of 2023 Inre: O.A. No. 496 of 2022

Ex JWO Radhe Shyam Mishra Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Pushpendra Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Pushpendra Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents.3. This application has been filed for implementation of order dated 17.05.2023 of this Tribunal in Original Application No. 496 of 2022.4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.5. List on 05.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J) RK/-</p>

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Court No. 1(Suppl. No. 8)

M.A. No. 1871 of 2023 with M.A. No. 1872 of 2023
Inre: O.A. No. 557 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri DK Pandey, Advocate

Versus

Ex Sub Mundhe Vishnu Ananda Respondent
By Legal Practitioner for Respondent : -

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri DK Pandey , Ld. Counsel for the applicants - Union of India & Others.</p> <p><u>M.A No. 1871 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 15.02.2023 of this Tribunal in Original Application No. 557 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 07 months and 14 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 07 months and 14 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1872 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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Court No. 1(Suppl. No. 9)

M.A. No. 1874 of 2023 with M.A. No. 1875 of 2023
Inre: O.A. No. 521 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Ms. Kavita Mishra, Advocate

Versus

Ex Nk Chakradhar Majhi Respondent
By Legal Practitioner for Respondent : -

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Ms. Kavita Mishra , Ld. Counsel for the applicants - Union of India & Others.</p> <p><u>M.A No. 1874 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 12.01.2023 of this Tribunal in Original Application No. 521 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 08 months and 17 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 08 months and 17 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1875 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 10)

M.A. No. 1876 of 2023 with M.A. No. 1877 of 2023
Inre: O.A. No. 436 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri DK Pandey, Advocate

Versus

Ex Sub Umakant Mishra Respondent
By Legal Practitioner for Respondent : -

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri DK Pandey , Ld. Counsel for the applicants - Union of India & Others.</p> <p><u>M.A No. 1876 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 06.10.2022 of this Tribunal in Original Application No. 436 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 11 months and 23 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 11 months and 23 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1877 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 1)

Ex- A No. 49 of 2022 Inre: O.A. 253 of 2019

Ex Sgt Dinesh Kumar Saxena Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.2. Ld. Counsel for the applicant stated that RSMB was held in February 2023 but PPO has not yet been issued.3. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.4. List on 18.12.2023. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 2)

Ex- A. No. 73 of 2023 Inre: O.A. No. 588 of 2022

Ex HavCik (SD) Lalit Narayan Thakur Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.2. Perusal of the file reveals that neither the cost has been deposited nor any clarification/ explanation of the responsible officer has been filed by the respondents.3. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- in addition to the earlier cost imposed, which shall be remitted to the applicant.4. List on 13.12.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 3)

Ex-A. No. 134 of 2023 Inre: T.A. No. 14 of 2022

Col Gautam Kumar Deb (Retd) Applicant
By Legal Practitioner for the Applicant : Col RN Tiwari (Retd), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Col RN Tiwari (Retd), Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 05.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

Ex-A. No. 146 of 2023 Inre: O.A. No. 595 of 2022

Ex WO Dhirendra Singh

Applicant

By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri R Chandra, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that government sanction has been accorded. He prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same.3. List on 08.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 5)

Ex-A. No. 189 of 2023 Inre: O.A. No. 812 of 2021

Ex Nk Shankar Dnyanu Mane Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. SN Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. SN Pandey, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 08.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 6)

Ex-A. No. 217 of 2023 Inre: O.A. No. 604 of 2022

Ex ACP Nb Sub Kailash Chandra Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 09.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 7)

Ex-A. No. 218 of 2023 Inre: O.A. No. 950 of 2022

Ex Dfr Ved Parkash Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Devesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri KP Datta, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 09.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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Court No. 1(SI. No. 8)

Ex-A. No. 220 of 2023 Inre: O.A. No. 800 of 2022

Ex Sub (Hony Capt) Pramod Kumar Mishra Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the same on the condition that if compliance affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 09.01.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 9)

Ex-A. No. 284 of 2023 Inre: O.A. No. 423 of 2022

Ex Sub Maj Nigam Singh Applicant
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Prerna Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents stated that government sanction is still awaited. She prays for further four weeks time to file compliance affidavit. Time as prayed is allowed.3. List on 10.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 10)

EX-A. No. 298 of 2023 Inre: T.A. No. 71 of 2022

Ex WO BB Tiwary Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file compliance affidavit.</p> <p>3. List on 10.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

O.A. No. 689 of 2022

L/HavVijay Pal Singh Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 12.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 12)

O.A. No. 106 of 2023 with M.A. No. 102 of 2023

Ex Sep Rakesh Ranjan Applicant
By Legal Practitioner for the Applicant : Shri Bed Prakash Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Bed Prakash Rai, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Reply to objections raised against the delay condonation application has been filed by the applicant. Same is taken on record.3. Matter pertains to SCM, hence, list before the appropriate Court.4. List on 08.12.2023. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1(Sl. No. 13)

O.A. No. 201 of 2023

Ex Rect Santosh Kumar

Applicant

By Legal Practitioner for the Applicant : Col HM Maheshwari (Veteran), Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Subodh Yadav holding brief for Col HM Maheshwari (Veteran), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Pleadings have been exchanged. Matter is ripe for hearing.3. List on 29.11.2023 for final hearing. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.14)

O.A. No. 207 of 2023

Col Pushkar Saluja (Retd) Applicant
By Legal Practitioner for the Applicant : Shri SG Singh, Advocate
Shri Anand Kumar Yadav, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Deepti P Bajpai, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri SG Singh, Ld. Counsel for the applicant and Ms. Deepti P Bajpai, Ld. Counsel for the respondents are present.2. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have neither filed counter affidavit nor the cost imposed.3. Ld. Counsel for the respondents prays for further four weeks time to file counter affidavit.4. Taking into consideration the above facts and circumstances, as a last opportunity four weeks time is granted to the respondents to file the CA on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 10,000/- in addition to the earlier costs which shall be remitted to the applicant.5. List on 20.12.2023. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.15)

O.A. No. 445 of 2023 with M.A. No. 1199 of 2023

Ex Sgt Umesh Kumar

Applicant

By Legal Practitioner for the Applicant : Shri VP Pandey, Advocate
Shri DK Dixit, Advocate
Maj S M Mustafa (Retd)
Shri RK Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri VP Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Substitution application filed by the applicant is taken on record to which the respondents may file objection, if any, within two weeks.</p> <p>3. List on 30.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 16)

O.A. No. 515 of 2023

Ex. No. 770061-S Sgt. Sanjay Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri S.N. Singh Gaherwar, Advocate
Shri Ajit Singh Gaherwar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri J.N. Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>11. Rejoinder Affidavit filed by the applicant is taken on record.</p> <p>12. Heard Shri S.N. Singh Gaherwar, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>13. The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for the following reliefs :-</p> <p>I. <i>To summon the copy of rejection order passed vide Letter No. Air HQ/99801/77061/5/DAV (Med) dated 24.10.2019 deciding the appeal filed against the finding of Review Medical Board dated 31 May 2019, thereafter Quash the impugned order vide Letter No.Air HQ/99801/77061/5/DAV (Med) dated 24.10.2019 and Impugned order passed by the Review Medical Board held at Army Hospital Delhi Cantt. On 31.05.2019 for ID BILATERAL SENSARINEURAL HEARING LOSS disability 40% for life as marked Ann No. 1.</i></p> <p>II. <i>To further command the respondents pay the enhanced rate of disability pension to 80% from the date of disability enhanced on the basis of disability certificate issued by CC (CH) Command Hospital, Lucknow confirming issuing the percentage of disability 80% vide letter no. Stats/421Disability Cert/2018 dated 28.11.2018. The copy of letter being annexed herewith a marked Ann No. 2 to the compilation No. 1 to this OA.</i></p> <p>III. <i>To constitute the Specialized Medical board to assess the correct/exact percentage of disability when two different of Medical Authorities arise, one finding by CC Hospital, Lucknow and Another finding by Army Hospital RR Delhi.</i></p>

IV. Any other order or direction which may just deem fit and proper in the interest of justice for proper adjudication of case may also pass in the applicant favour.

14. Briefly stated facts of the case are that the applicant was enrolled in the Indian Air Force on 03.02.1994 and discharged from service on 29.07.2011 at his own request in Low Medical Category after rendering 17 years and 176 days of service. At the time of discharge from service, the Release Medical Board (RMB) held at 11 Air Force Station, Hindon on 20.07.2011 assessed his disability '**SNHL (Sensory Neural Hearing Loss) B/L (LD)**' @40% for life and opined the disability to be **aggravated by service**. Accordingly, the applicant was granted disability element of disability pension @40% for life with effect from 29.07.2011. On the request of applicant the Reassessment Medical Board (RAMB) held at Army Hospital (R&R), Delhi Cantt on 31.05.2019 for the disease '**SNHL B/L**' assessed the applicant's disability @40% for life which was communicated to the applicant vide letter dated 05.07.2019. The applicant being aggrieved with the findings of disability percentage assessed by the RAMB preferred an Appeal dated 16.07.2019/23.07.2023 which was rejected vide letter dated 07.11.2019. It is in this perspective that the applicant has preferred the present Original Application.

15. Learned Counsel for the applicant submitted that The Release Medical Board and Re-Assessment Medical Board have assessed the applicant's disability @40% for life whereas the Command Hospital (Central Command), Lucknow on 08.11.2018 has issued a 'Certificate for the Person with Disability' wherein the applicant's disability has been assessed @80%, as such there are two view of medical authorities arise in the case of applicant, in such circumstances, review by some Specialized Medical Board consists of Special Team need to be constituted.

16. On the other hand, Ld. Counsel for the respondents contended that applicant's disability @40% for life has been regarded as aggravated by service by the RMB held on 20.07.2011. Further, RAMB held on 31.05.2019 has also been assessed the applicant's disability @40% for life. Accordingly he was granted disability element of disability pension to the applicant. His further submission is that in view of prevailing rules and policies the applicant is not entitled for grant of disability of pension @80% for life. He pleaded for dismissal of Original Application.

17. We have heard Ld. Counsel for the applicant as also Ld. Counsel for the respondents. We have also gone through the Release Medical Board proceedings, Re-Assessment Medical Board proceedings, 'Certificate for the Person with Disability' issued by Command Hospital (Central Command), Lucknow as well as the records and we find that in the Re-Assessment Medical Board held on 19.03.2019 at page 3 point 7 (a) Assessment of disablement - in

the column "*Whole disable/Separate assess*" the RAMB has mentioned "**60%**", in the column "*Worsening due natural progress disability*" it has mentioned "**20%**" and in the column "*Net Assessment properly referral service*" it has mentioned "**40%**" and in the 'Certificate for the Person with Disability' issued by Command Hospital (Central Command), Lucknow on 08.11.2018 the applicant's disability has been shown as 80% permanent. In view of above we find that there are two view of medical authorities arise in the applicant's case. Therefore, we are of the considered opinion that fresh Re-Survey Medical Board be constituted to assess the applicant's degree of disability and Original Application may be disposed off.

18. Accordingly, we **dispose of** the Original Application finally with the direction to the respondents to conduct Re-Survey Medical Board (RSMB) of the applicant to assess his disability for deciding his further entitlement of disability element of disability pension. Respondents are further directed to give effect to the order within four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment

19. Let copy of this order be provided to the learned Counsel for the parties.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 17)

O.A. No. 544 of 2023

Ex Sub Maj (Hony Capt) Roop Narayan Misra Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Satya Narayan Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that comments have been received and prays for further a week's time to file counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 30.11.2023. <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.18)

O.A. No. 545 of 2023

Ex Ris (RT) Tribhuan Narayan Pandey Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Satya Narayan Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that comments have been received and prays for further a week's time to file counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same.3. List on 30.11.2023. <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.19)

O.A. No. 551 of 2023

Ex Sep Udai Pratap Singh

Applicant

By Legal Practitioner for the Applicant : Shri Niteesh Kumar, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Kaushik Chatterjee, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Subham Srivastava holding brief for ShriNiteesh Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents stated that CA is ready and the same shall be filed shortly. He prays for and is granted further ten days time to file counter affidavit.</p> <p>3. List on 17.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.20)

O.A. No. 605 of 2023

Ex Sgt Shakil Ahmed Applicant
By Legal Practitioner for the Applicant : Shri Pramod Kumar Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Pramod Kumar Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>2. At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>3. List on 10.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.21)

O.A. No. 631 of 2023

Col Sanal Kumar MK (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Shri Shashi Kant Chaturvedi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents prays for further two week's time to file counter affidavit. As a last opportunity two week's time is granted to the respondents to file the same.3. List on 11.01.2024. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.22)

O.A. No. 765 of 2023

Ex WO Sushil Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Anurag Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.2. Counter affidavit filed by the respondents is taken on record.3. Ld. Counsel for the applicant is not inclined to file rejoinder affidavit.4. O.A is partly allowed.5. Detailed order on separate sheets.6. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of. <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.23)

O.A. No. 766 of 2023

GpCapt Rakesh Ranjan (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Prerna Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant is present through video conferencing and Ms. Prerna Singh, Ld. Counsel for the respondents is present before the Court.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 09.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.24)

O.A. No. 768 of 2023

Ex Sub Maj Vibhishan Yadav Applicant
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Preeti Mala, Advocate
Shri Ankit Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing ShriYashpal Singh, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the official respondents and Shri Ankit Kumar Singh on behalf of respondent No. 5 are present.</p> <p>2. Vakalatnama filed on behalf of R-5 by Shri Ankit Kumar Singh is taken on record.</p> <p>3. Ld. Counsel for the respondent No. 5 prays for and is granted two weeks time to file counter affidavit.</p> <p>4. List on 24.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.25)

O.A. No. 770 of 2023

Ex Sep Rajat Thapa Applicant
By Legal Practitioner for the Applicant : Lt Col Nidhikant Dhyani (Retd), Advocate
Ms. Upasna Mishra, Advocate
Shri Raj Kumar Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents stated that CA is under vetting and prays for and is granted further two weeks time to file counter affidavit.</p> <p>3. List on 21.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.26)

O.A. No. 774 of 2023

Ex WO Abdul Qadir Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajesh Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present through video conferencing.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further two weeks time to file counter affidavit.</p> <p>3. List on 30.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.28)

O.A. No. 846 of 2023

Ex Sgt Dharmesh Kumar Singh Chauhan Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant is present through video conferencing and Shri GS Sikarwar, Ld. Counsel for the respondents is present before the Court.</p> <p>2. Ld. Counsel for the respondents stated that comments have been received. He prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 09.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.29)

O.A. No. 847 of 2023

Ex JWO Subhash Chandra Mishra Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : ShriRC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant is present through video conferencing and Shri RC Shukla, Ld. Counsel for the respondents is present before the Court.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 09.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.30)

O.A. No. 851 of 2023

Ex Sub Jagdish Chand Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing none present for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted last opportunity of four weeks time to file counter affidavit.</p> <p>3. List on 12.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.31)

O.A. No. 859 of 2023

Ex Sub Musaphir Yadava

Applicant

By Legal Practitioner for the Applicant : Shri Shiv Kumar Saroj, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Shiv Kumar Saroj, Ld. Counsel for the applicant and Shri RC Shukla holding brief for Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted last opportunity of fourweeks time to file counter affidavit.</p> <p>3. List on 12.01.2024.</p> <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.32)

O.A. No. 952 of 2023

Ex Nk Sonu Applicant
By Legal Practitioner for the Applicant : Shri KK Misra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none present for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents is present.2. Counter affidavit filed by the respondents is taken on record. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.3. List on 29.11.2023. <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 35)

O.A. No. 188 of 2023

Ex Sub (Hony Lt) Gajendra Singh Applicant
By Legal Practitioner for the Applicant : Col RC Jain (Veteran), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>03.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Col RC Jain (Veteran), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.2. Ld. Counsel for the applicant admitted that the promotional rank has been provided to the applicant and associated pay thereof has also been paid but certain other benefits/payments viz. arrears, leave encashment, difference of gratuity and difference of pension have not been granted by the respondents.3. Ld. Counsel for the respondents submitted that to comply with the previous order of this Tribunal, two week's time be granted to clarify the status with regard to the applicant's claim. Time as prayed is allowed.4. Respondents are directed to address the issues raised by the applicant's counsel before this Tribunal and file supplementary affidavit, if he so desires.5. List on 11.12.2023. <p>(Vice Admiral Atul Kumar Jain)(Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>