

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

O.A. No. 1138 of 2023 with M.A. No. 1583 of 2023

MWO Narendra Singh (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Ms. Deepti Prasad Bajpai, 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 R. Chandra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 02 years, 07 months and 19 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 1138 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 denied 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 15.12.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A) AKD/-</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Suppl. No. 2)

O.A. No. 1139 of 2023 with M.A. No. 1585 of 2023

Col. Prabhakar Joshi (Retd.) Applicant
By Legal Practitioner for the Applicant : Maj. (Dr.) S M Mustafa (Retd.), 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Ashish Kumar Singh, 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 Maj. (Dr.) S.M. Mustafa (Retd.), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.3. As per office note, there is no delay in filing of Original Application, however, an application for condonation of delay has been filed which being not required is dismissed.4. This Original Application has been filed for the grant of disability pension to the applicant.5. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.6. Case needs adjudication.7. Admit.8. 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.9. List on 15.12.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Suppl. No. 3)

O.A. No. 1140 of 2023 with M.A. No. 1586 of 2023

Ex. L/NK. Naveen Joshi Applicant
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Rajiv Narayan 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 K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Rajiv Narayan Pandey, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 08 months and 05 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 1140 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 denied 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 15.12.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;">AKD/-</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. 1141 of 2023 with M.A. No. 1589 of 2023

Ex. L/NK. Kundan Singh Mehara Applicant
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Chet Narayan Singh, 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 K.K. Singh Bisht, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 04 months and 11 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 1141 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 denied 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 15.12.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Suppl. No. 5)

O.A. No. 1205 of 2023 with M.A. No. 1662 of 2023

Ex. Sub. Jitendra Kumar Yadav Applicant
By Legal Practitioner for the Applicant : Shri K. P. Datta, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Shesh Narayan 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 K. P. Datta, Ld. Counsel for the applicant and Dr. Shesh Narayan Pandey, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 02 months and 16 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 1205 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 denied 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 18.12.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;">AKD/-</p> |

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ORDER SHEET
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Court No. 1 (Suppl. No. 6)

Ex A No. 331 of 2023 Inre O.A. No. 16 of 2023

Ex. L. Nk. Virendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Shyam Sundeer Bajpai, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Shyam Singh, 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 Shyam Sunder Bajpai, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.3. This application has been filed for implementation of order dated 20.04.2023 of this Tribunal in Original Application No. 16 of 2023.4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.5. List on 23.11.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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Court No. 1 (Suppl. No. 7)

Ex. A. No. 332 of 2023 Inre : Ex. A. No. 88 of 2022
Inre : O.A. No. 195 of 2019

Ex. Rfn. Hakim Singh 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 Amit Jaiswal, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents Nos. 1 to 3 is taken on record. His name be shown as Counsel for the respondent Nos. 1 to 3 when the case is listed next.2. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 3 are present.3. This application has been filed for implementation of order dated 14.01.2019 of this Tribunal in Original Application No. 195 of 2019.4. Ld. Counsel for the respondent Nos. 1 to 3 seeks and is allowed four weeks time to seek instructions regarding compliance.5. Issue notice to the respondent Nos. 4 and 5 returnable within four weeks.6. List on 23.11.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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Court No. 1 (Suppl. No. 8)

Ex. A. No. 333 of 2023 Inre O.A. No. 497 of 2017

Smt. Satbiri wife of Late Ajaipal Singh 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 : Dr. Shailendra Sharma Atal , Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. This application has been for implementation of order dated 18.12.2020 of this Tribunal in Original Application No. 497 of 2017.</p> <p>3. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</p> <p>4. It is submitted by the Ld. Counsel for the respondents that earlier the applicant had filed Execution Application No. 65 of 2021 which was dismissed being infructuous vide order dated 17.03.2023.</p> <p>5. It is submitted by the Ld. Counsel for the applicant that applicant has not been paid any amount by the respondent Nos. 5 and 6 (PDAs) in terms of PPOs dated 01.08.2022 and 09.01.2023 on the basis of which the said Execution Application was dismissed.</p> <p>6. List this case on 23.11.2023 along with Execution Application No. 65 of 2021.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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Court No. 1 (Suppl. No. 9)

M.A. No. 1521 of 2023 with M.A. No. 1522 of 2023
Inre O.A. No. 793 of 2022

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

Versus

Ex. Hav. Khem Raj Sharma Respondent
By Legal Practitioner for Respondent : None

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Rajiv Pandey, Ld. Counsel for the applicants- Union of India & Others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 03.02.2023 of this Tribunal in Original Application No. 793 of 2022.3. 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 06 month and 11 days in filing of application be condoned.4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.5. Upon hearing submission of Ld. Counsel for the applicants, we find that no point of law of general public importance is involved so that leave may be granted.6. Accordingly, Leave to Appeal is dismissed. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Suppl. No. 10)

O.A. No. 595 of 2023

Ex Sgt Vijay Kumar Tiwari 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.3. Original Application is partly allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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

EX. A. No. 26 of 2020 Inre: O.A. No. 19 of 2019

Ex. Sep. Munna Singh Applicant
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Heard Shri Ankur Rawat, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>2. It is submitted by the Ld. Counsel for the respondents that order passed by this Tribunal has already been complied with only cost of Rs.15,000/- is pending for payment in terms of order dated 01.08.2022.</p> <p>2. In view of the above, Execution Application is discharged subject to payment of Rs.15,000/- as cost to the applicant.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</p> |

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

EX. A. No. 10 of 2022 Inre : O.A. No. 259 of 2015

Ex. Spr. Jaivir Singh Applicant
By Legal Practitioner for the Applicant: Shri K.K. Misra, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri K.K. Misra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted by the Ld. Counsel for the respondents that Government Sanction has already been accorded. He further submits that the matter is under process for implementation of the order in question.</p> <p>3. Let compliance affidavit be filed within four weeks.</p> <p>4. List on 09.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;"><small>AKD/-</small></p> |

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

EX.A. No. 89 of 2022 Inre : T.A. No. 1283 of 2010

Ex. Sep. Inderjeet Kumar Applicant
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents submits that only interest part is remained to be paid. He prays for and is granted four weeks further time to file compliance affidavit.</p> <p>2. List on 16.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

EX. A. No. 149 of 2022 Inre: O.A. No. 126 of 2021

Ex. Hav. Sur Sari Charan Mishra Applicant
By Legal Practitioner for the Applicant: Shri Bhanu Pratap Singh Chauhan, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents submits that in compliance of the order PPO has been issued on 05.09.2023. He prays for and is allowed two weeks further time to file compliance affidavit.</p> <p>3. List on 16.10.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

EX.A. No. 245 of 2022 Inre: O.A. No. 317 of 2020

NC (E) Naresh Kumar Safaiwala Applicant
By Legal Practitioner for the Applicant: Ms. Mamta Pandey, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Ms. Mamta Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.2. It is submitted by the Ld. Counsel for the applicant that order has not yet been complied with.3. Ld. Counsel for the respondents submits that applicant has not furnished the requisite document has have been sought by the respondents.4. Applicant is directed to furnish the requisite documents as have been within two weeks.5. On furnishing the requisite documents by the applicant, respondents will have two weeks time to comply with the order.6. Cost has not been deposited. Let it be deposited by the next date fixed.7. List on 19.10.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</p> |

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ORDER SHEET

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

EX.A. No. 306 of 2022 Inre: O.A. No. 612 of 2021

Ex. MWO. Suresh Chandra Dwivedi Applicant
By Legal Practitioner for the Applicant: Shri Sudhir Kumar Singh, Advocate

Versus

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shailendra Kumar Singh, Advocate holding brief of Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents four weeks further time is granted to comply with the order.</p> <p>3. List on 09.11.2023.</p> <p>4. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal cell for compliance.</p> <p>(Lt. Gen. Anil Puri) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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

EX.A. No. 336 of 2022 Inre: O.A. No. 666 of 2021

Ex. Nk. Hira Lal Applicant
By Legal Practitioner for the Applicant: Shri R. Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri R.K.S. Chauhan, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri R .Chandra, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.2. It is submitted by the Ld. Counsel for the respondents that matter is pending with Director, PS-4, Ministry of Defence for sanction.3. Cost has not been deposited.4. This is seventh chance.5. Respondents are directed to show cause as to why attachment proceedings be not initiated for non-compliance of the order.6. List on 10.11.2023.7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (Sl. No. 8)

EX.A. No. 358 of 2022 Inre: T.A. No. 5 of 2022

Lt. Col. Amar Singh (Retd) Applicant
By Legal Practitioner for the Applicant: Col. Ashok Kumar (Retd), Advocate
Shri Rohit Kumar, Advocate

Versus

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

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|------------------------------|---|
| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.2. An affidavit to the effect that matter is under process and sent to the Ministry of Defence, New Delhi for conditional sanction.3. The order which is to be complied with is dated 25.05.2022.4. It is tenth adjournment.5. In view of the above, issue show cause notice to the respondents as to why attachment proceedings be not initiated against the respondents for non-compliance of the order passed by this Tribunal.6. List on 16.11.2023.7. Let copy of this order be provided to the Ld. Counsel for the respondents for compliance. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</p> |

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

EX.A. No. 385 of 2022 Inre: O.A. No. 452 of 2021

Ex. Sep. Shrawan Kumar Tripathi Applicant
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri R.K.S. Chauhan, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ankur Rawat, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>2. Copies of PPO and RSMB have not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents submits that he will file copy of RSMB within a week which is allowed.</p> <p>4. List on 06.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></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. 396 of 2022 Inre: O.A. No. 186 of 2022

Hav / Ck Deepak Sahu Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>2. On perusal of record it reveals that order has been complied with.</p> <p>3. Accordingly, Execution Application is discharged in full satisfaction.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p><small>AKD/-</small></p> |

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

EX.A. No. 101 of 2023 Inre: O.A. No. 114 of 2022

Ex. Sub. Arun Kumar Yadava Applicant
By Legal Practitioner for the Applicant: Shri Parijaat Belaura, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Advcoate holding brief of Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted by the Ld. Counsel for the respondents that matter is pending with Director, PS-4, New Delhi. He prays for and is allowed four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be paid to the applicant.</p> <p>3. List on 24.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;"><small>AKD/-</small></p> |

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

EX.A. No. 263 of 2023 Inre: O.A. No. 792 of 2022

Gp. Capt. (Dr.) Anindya Kumar Gupta (Retd) Applicant
By Legal Practitioner for the Applicant: Wg. Cdr. S.N. Dwivedi (Retd), Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Wg. Cdr. S.N. Dwivedi (Retd), Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Supplementary affidavit filed by the respondents is taken on record.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>4. List on 20.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (Sl. No. 13)

EX.A. No. 264 of 2023 Inre: O.A. No. 965 of 2022

Ex. Nk. (MACP-I) Kaushlendra Mishra Applicant
By Legal Practitioner for the Applicant: Shri Parijaat Belaura, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Advocate holding brief of Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted by the Ld. Counsel for the respondents that matter is pending with Line Directorate. He prays for and is granted four weeks further time to file compliance affidavit.</p> <p>3. List on 28.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

EX.A. No. 265 of 2023 Inre: O.A. No. 790 of 2022

Col. Sanjay Srivastava (Retd) Applicant
By Legal Practitioner for the Applicant: Col. Ashok Kumar (Retd.), Advocate
Shri Rohit Kumar, Advocate

Versus

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant and Ms. Deepi Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted by the Ld. Counsel for the respondents that matter is pending with the Director, PS-4, New Delhi. He prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>3. List on 28.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

O.A. No. 82 of 2022

Rect. Harish Gangwar Applicant
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate
Shri Akhilesh Kumar Maurya, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri R.C. Shukla, Advocate

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ankur Rawat, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Supplementary Rejoinder Affidavit filed by the applicant is taken on record.</p> <p>3. List on 07.12.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 912 of 2022

Ex. Sep. Lalit Mohan Kothyari Applicant
By Legal Practitioner for the Applicant: Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Lt. Col. Nidhikant Dhyani (Retd), 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.3. Original Application is allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

O.A. No. 235 of 2023

Ex. Ris. Bishambhar Singh Nai Applicant
By Legal Practitioner for the Applicant: Shri Satendra Kumar Singh, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.2. Impleadment Application filed by the applicant is taken on record.3. For the facts stated in affidavit filed in support of impleadment application, impleadment application is allowed.4. Ld. Counsel for the applicant is directed to incorporate the amendment within a week. Thereafter, amended copy of Original Application be given to the Ld. Counsel for the respondents.5. Respondents may file Counter Affidavit within four weeks.6. List on 02.11.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 292 of 2023

Ex. Spr. (ACP Hav) Shembade Satish Dnyandeo Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

Versus

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents are present.</p> <p>2. It is third chance.</p> <p>3. Ld. Counsel for the respondents seeks four weeks further time to file Counter Affidavit which is allowed subject to payment of Rs.5,000/- as cost to the applicant.</p> <p>4. List on 10.11.2023.</p> <p>(Lt. Gen. Anil Puri) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>AKD/-</p> |

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

O.A. No. 515 of 2023

Ex.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

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|------------------------------|--|
| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shubham Sharma, Advocate holding brief of Shri S.N. Singh Gaherwar, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the applicant three weeks further time is granted to file Rejoinder Affidavit.</p> <p>3. List on 03.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></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. 607 of 2023 with M.A. No. 744 of 2023

Ex. Nk. Vanama Srinivas Rao Applicant
By Legal Practitioner for the Applicant: Wg. Cdr. Ajit Kakkar (Retd), Advocate
Shri Manoj Kumar Awasthi, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Heard Shri Girish Chandra Tripathi, Advocate holding brief of Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>2. Applicant has filed this Original Application for the grant of disability pension after condoning delay of 26 years, 07 months and 01 day in filing of Original Application.</p> <p>3. It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Indian Army on 15.12.1978 and was discharged from service in low medical category on 30.04.1994 in low medical category for the disabilities (i) Pulmonary Eosinophilia, (ii), Essential Hypertension, (iii) Hepsto Intestinal Amoebiasis and (ii) Obesity. The applicant's first disability was regarded as aggravated by military service and the third disability was regarded as attributable to military service and composite disabilities of both disabilities was 30% for two years. The third and fourth disabilities of the applicant were regarded as neither attributable to nor aggravated by military service by the Principal Controller of Defence Account, Prayagraj. The applicant received a disability pension for two years. After two years a RSMB was conducted at Military Hospital, Secunderabad where applicant was informed that his disability has been assessed @20%. Subsequent to that he received communication from respondent No. 3 that the disability by RSMB has been assessed @18% for which disability pension cannot be granted. From 1996 to 2004 no RSMB was conducted in respect of the applicant. The applicant was called for RSMB after a period of 08 years in the year 2004. The applicant had filed Original Application No. 953 of 2022 in this Tribunal which was dismissed as withdrawn with liberty to file a fresh with better particulars.</p> |

4. A Preliminary Objection has been raised by the Ld. Counsel for the respondents stating that applicant is resident of Guntur, Andhra Pradesh wherefore this Tribunal has no territorial jurisdiction to entertain the Original Application.

5. In regard to maintainability , Ld. Counsel for the applicant submits that applicant was serving in Army Medical Corps, Lucknow when he was discharged from service and, as the cause of action arise in Lucknow, Uttar Pradesh, therefore, this Tribunal has jurisdiction.

6. In view of the submissions made above, we are of the view that since the Army Medical Corps Record Office, Lucknow has rejected the applicant's claim for the grant of disability pension vide letter dated 06.07.2022, annexure at Annexure A-1 of Original Application, as such the cause of action arose at Lucknow, Uttar Pradesh, this Tribunal has jurisdiction to entertain the Original Application.

7. As regards delay, cause shown is sufficient. Accordingly, delay is **condoned**. Delay condonation application stands disposed off.

O.A. No. 607 of 2023

8. Case needs adjudication.

9. Admit.

10. 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.

11. List on **12.12.2023**.

(Lt. Gen. Anil Puri)
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 (Sl. No. 21)

O.A. No. 701 of 2023

Hav / NA B. Sivaram

Applicant

By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

Union of India & Others

Respondents

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>2. Arguments concluded.</p> <p>3. Order reserved.</p> <p>(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></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. 877 of 2023

Ex. Rect. Desh Singh Applicant
By Legal Practitioner for the Applicant: Shri Dharam Raj Singh, Advocate
Shri Ashish Asthana, Advocate

Versus

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

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|------------------------------|---|
| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.2. Objection against maintainability of the Original Application filed by the respondents is taken on record.3. Applicant may file reply within three weeks.3. List on 21.11.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 878 of 2023

Ex. WO Sushil Kumar Upadhyay 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 R.C. Shukla, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, 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 R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on 24.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;"><small>AKD/-</small></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. 879 of 2023

Ex. WO Awadhesh Kumar Pal 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 J.N. Mishra, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, 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 J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on 24.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;"><small>AKD/-</small></p> |

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

O.A. No. 880 of 2023

Ex. JWO Sarvesh Kumar Pandey 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 Ram Saran Awasthi, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, 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 Ram Saran Awasthi, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted two weeks further time to file Counter Affidavit.</p> <p>3. List on 30.10.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 881 of 2023

Ex. Sub. Trilok Singh 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 Amit Jaiswal, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, 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 Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on 24.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (Sl. No. 27)

O.A. No. 882 of 2023

Ex. MWO (HFL) Nalini Kanta Mahapatra 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: Dr. Shailendra Sharma Atal, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on 24.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 976 of 2023 with M.A. No. 1295 of 2023

Ex. Sep. Indrakant Mishra Applicant
By Legal Practitioner for the Applicant: Shri R. Chandra, Advocate
Ms. Supriya Srivastava, 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 |
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| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.2. Applicant has filed this Original Application for the grant of disability pension after condoning delay of 18 years, 02 months and 15 days in filing of Original Application.3. Objection on condonation of delay filed by the respondents is taken on record.4. A Preliminary Objection has been raised by the Ld. Counsel for the respondents stating that applicant was invalided out from on 08.07.1966 and he was sleeping for about 35 years. His fifth Re-Survey Medical Board was held on 02.04.1983 but he could not raised his grievance after that at any point of time but he accepted the fate and it is now after 35 years he woke-up for his sleep. He further submitted that inordinate delay of more than 35 years has not been explained on day to day basis.5. It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Army on 24.11.1962 and was invalided out from service on 08.07.1966 for the disability "Hansen's Disease Tuberculoid" after rendering 03 years, 07 months and 02 days of service. He further submitted that applicant's Re-survey Medical Board was conducted from time to time. The Fifth Re-Survey Medical Board was held at Military Hospital, Danapur on 02.04.1983 and applicant's disability was assessed 20% permanent. After 30.03.1983 other Re-Survey Medical Board have carried out and applicant has granted disability element till 09.12.2002 vide CDA (P), Allahabad PPO No. D/RA/4190/98. He further submitted that pension is a recurring cause of action and pensionary claim cannot be denied on the ground of delay. |

6. Upon hearing submission of Ld. Counsel of both the parties we are of the view that cause shown is sufficient. Accordingly, delay is **condoned**. Delay condonation application stands disposed off.

O.A. No. 976 of 2023

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 **14.12.2023**.

(Lt. Gen. Anil Puri)
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 (Sl. No. 29)

O.A. No. 977 of 2023 with M.A. No. 1303 of 2023

Ex. Cadet. Shivam Gupta Applicant
By Legal Practitioner for the Applicant: Shri Ravi Kumar Yadav, Advocate

Versus

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

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Objection against maintainability of the Original Application filed by the respondents is taken on record.</p> <p>3. Ld. Counsel for the applicant prays for and is granted three weeks time to file reply to the objection.</p> <p>4. List on 09.11.2023.</p> <p>5. Name of Col. H.M. Maheshwari (Retd.), Advocate be also shown as Counsel for the applicant when the case is listed next.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left; font-size: small;">AKD/-</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. 999 of 2023

Ex. WO Sarat Kumar Swain

Applicant

By Legal Practitioner for the Applicant: Shri Amit Asthana, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Amit Asthana, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the applicant prays for and is granted a week time to file Rent Agreement.</p> <p>3. List on 26.10.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

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

T.A. No. 67 of 2022

Sep / MT. Maiyoor Singh Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.2. Amended copy of Transferred Application filed by the applicant is taken on record.3. Ld. Counsel for the respondents prays for and is granted four weeks time to file Supplemntary Counter Affidavit to the amended Transferred Application.4. List on 28.11.2023. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></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. 255 of 2021

Pradeep Kumar

Applicant

By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Namit Sharma, Advocate

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>2. On the joint request made by the Ld. Counsel for the parties the case is adjourned.</p> <p>3. List on 29.11.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p><small>AKD/-</small></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (Sl. No. 33)

O.A. No. 488 of 2022

L/NK. Vipin Kumar Singh

Applicant

By Legal Practitioner for the Applicant: Shri Ganga Prasad, Advocate
Shri Prasun Mishra, Advocate
Shri Santosh Kumar Gupta, 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>05.10.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ganga Prasad, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. On the request made by the Ld. Counsel for the applicant the case is adjourned.</p> <p>3. List on 11.12.2023.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p style="text-align: left;"><small>AKD/-</small></p> |