

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

**Ex. A. No. 117 of 2023 Inre : O.A. No. 522 of 2022**

**Lt. Col. (MNS) Radhamonyamma KS (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 15.12.2022 of this Tribunal in Original Application No. 522 of 2022 by which respondents have been directed to grant disability element of pension to the applicant @30% for life to be rounded off to 50% for life from the next date of her discharge with a period of four months from the date of receipt of a certified copy of order.</li><li>4. Ld. Counsel for the applicant submits that order in question has not been complied yet.</li><li>5. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance.</li><li>6. List on <b>26.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



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

**O.A. No. 532 of 2023 with M.A. No. 650 of 2023**

**Ex. Sgt. Ram Prawesh Prasad** Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate  
Shri Abhishek Singh, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Ramesh Chandra Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Ramesh Chandra 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.</li><li>2. Heard Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 08 months and 01 day in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 532 of 2023</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>26.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 533 of 2023 with M.A. No. 651 of 2023**

**Ex. Sub. Ashok Kumar Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate  
Shri Anshuman Srivastava, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri J.N. 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.</li><li>2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 03 years and 27 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 533 of 2023</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>26.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 534 of 2023 with M.A. No. 654 of 2023**

**Ex. MWO Satyendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Rama Kant, Advocate  
Shri Shiv Narain Kaushal, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>2. Heard Shri Rama Kant and Shri Shiv Narain Kaushal, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 01 month and 01 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 534 of 2023</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>26.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 535 of 2023 with M.A. No. 653 of 2023**

**Ex. WO Chandra Bhushan Ojha** Applicant  
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Bipin 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.</li><li>2. Heard Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 01 year, 01 month and 09 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 535 of 2023</u></b></p> <ol style="list-style-type: none"><li>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.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>26.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 536 of 2023 with M.A. No. 654 of 2023**

**Ex. POWTR Sandeep Kumar**

Applicant

By Legal Practitioner for the Applicant : Shri Tatsat Shukla, Advocate  
Shri Rahul Pal, Advocate  
Shri Dhiraj Kumar, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri Rajiv 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.</p> <p>2. Heard Shri Tatsat Shukla, Shri Rahul Pal and Shri Dhiraj Kumar, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 07 years, 01 month and 05 days in filing of Original Application.</p> <p>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 536 of 2023</u></b></p> <p>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.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>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.</p> <p>10. List on <b>26.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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**Court No. 1 (Sl. No. 8)**

**Ex. A. No. 114 of 2023 Inre : O.A. No. 402 of 2022**

**Ex. Hav. (ACP -1) Rajveer Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On 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.</li><li>2. On he case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</li><li>3. This application has been filed for implementation of order dated 19.09.2022 of this Tribunal in Original Application No. 402 of 2022 by which respondents have been directed to grant disability element of pension to the applicant @40% for life to be rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application with a period of four months from the date of receipt of certified copy of order.</li><li>4. Ld. Counsel for the applicant submits that order in question has not been complied yet.</li><li>5. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance.</li><li>6. List on <b>27.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 9)**

**Ex. A. No. 115 of 2023 Inre : O.A. No. 185 of 2022**

**Ex. Sub. Ajai Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On Memo of Appearance filed by Ms. Anju Singh, 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.</p> <p>2. On he case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>3. This application has been filed for implementation of order dated 11.07.2022 of this Tribunal in Original Application No. 185 of 2022 by which respondents have been directed to grant disability element of pension to the applicant @30% for life to be rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application with a period of four months from the date of receipt of certified copy of order.</p> <p>4. Ld. Counsel for the applicant submits that order in question has not been complied yet.</p> <p>5. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance.</p> <p>6. List on <b>27.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 116 of 2023 Inre : O.A. No. 504 of 2021**

**Ex. Hav. Hari Ram** 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 : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On Memo of Appearance filed by Dr. Shailendra Sharma Atal, 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.</li><li>2. On he case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</li><li>3. This application has been filed for implementation of order dated 10.01.2022 of this Tribunal in Original Application No. 504 of 2021 by which respondents have been directed to grant disability element of pension to the applicant @20% for life to be rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application with a period of four months from the date of receipt of certified copy of order.</li><li>4. Ld. Counsel for the applicant submits that order in question has not been complied yet.</li><li>5. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance.</li><li>6. List on <b>27.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="float: right;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>AKD/-</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. 118 of 2023 Inre : O.A. No. 302 of 2021**

**Ex. Nk. Madan Kumar**

Applicant

By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri R.K. Singh, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On 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.</li><li>2. On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</li><li>3. This application has been filed for implementation of order dated 03.01.2022 of this Tribunal in Original Application No. 302 of 2021 by which respondents have been directed to grant disability element of pension to the applicant @20% for two years from the next date of his discharge and holding of Re-Survey Medical Board of the applicant with a period of four months from the date of receipt of certified copy of order.</li><li>4. Ld. Counsel for the applicant submits that order in question has not been complied yet.</li><li>5. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance.</li><li>6. List on <b>28.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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.12)**

**M.A. No. 648 of 2023 with M.A. No. 649 of 2023 Inre : O.A. No. 518 of 2022**

**Union of India & Others** Applicants  
By Legal Practitioner for the Applicants : Shri Jai Narayan Mishra, Advocate

**Versus**

**Lt. Col. Alok Shankar Pandey (Retd.)** Respondent  
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Jai Narayan Mishra, Ld. Counsel for the applicants herein – Union of India &amp; Others.</li><li>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. 518 of 2022.</li><li>3. There is a delay of 01 year, 01 month and 01 day in filing of leave to application.</li><li>4. Submission of Ld. Counsel for the applicants – Union of India &amp; Others is that delay in filing leave to appeal is not deliberate. His further submission is that soon after the order passed the same was sent before the competent authority to take appropriate action which was sent to the Law Department to get the legal opinion regarding filing of the Appeal. On the basis of opinion of Ministry of law the authorities sent the papers to the Counsel to prepare the leave to appeal. Thus, his submission is that delay is not deliberate, but for the reasons stated above.</li><li>5. Having heard the submission of Ld. Counsel for the applicants – Union of India &amp; others and considering the facts and circumstances of the case, we find that explanation offered by the applicants for delay in filing Leave to Appeal is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case. Further, we also find that no point of law of general public importance is involved so that leave may be granted</li><li>6. In the result, we find that delay is not condonable.</li><li>7. Accordingly, delay condonation application is <b>dismissed</b>.</li><li>8. Leave to Appeal is also <b>dismissed</b> being time barred as well as on merit.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="float: right;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 13)**

**Ex. A. No. 26 of 2018 Inre : T.A. No. 178 of 2009**

**Sriram Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate  
Shri Sachindra Pratap Singh, Advocate

**Versus**

**Defence Secretary, Ministry of Defence, Govt. of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate  
Shri D.C. Lohumi, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant, Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 3 and Shri D.C. Lohumi, Ld. Counsel for the respondent Nos. 4 and 5 are present.</p> <p>2. On the request of Ld. Counsel for the respondent Nos. 1 to 3 four weeks further time is granted to make deposit of the cost.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 14)**

**Ex. A. No. 213 of 2022 Inre : O.A. No. 166 of 2021**

**Ex. Hav. Ramesh Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh Chauhan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>2. Major Abilash MC, Record Officer, Records The Garhwal Rifles is present in Court in person and he states that after passing of the order in question a Leave to Appeal was filed by the respondents which was dismissed by this Tribunal on 26.04.2022. Thereafter, the case file of the applicant was processed for implementation of the order through Director, PS-4, Integrated Headquarters of Ministry of Defence (Army), New Delhi along with requisite documents. The office of the Director, PS-4 has sent the case file of the applicant to the office of Principal Integrated Financial Advisor (PIFA) (Q &amp; M), Sena Bhawan, New Delhi for financial concurrence as financial concurrence is necessary for the implementation of the order in view of Para 6 of Ministry of Defence, New Delhi letter No. 3(1)/2017 /D/Pen/Pol dated 14.12.2021. Thus, he submits that there is no delay on the part of the Records Office in implementation of the order.</p> <p>3. In view of the above, four weeks further time is granted to make compliance of the order.</p> <p>4. It is further submitted by the Ld. Counsel for the applicant that cost awarded against the respondents has not yet been deposited.</p> <p>5. Respondents are directed to make deposit of the cost by the next date fixed.</p> <p>6. List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 248 of 2022 Inre : O.A. No. 310 of 2021**

**Ex. Hav. Akhilesh Kumar Ojha** Applicant  
By Legal Practitioner for the Applicant : Shri Shamshad Alam, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Col. R.C. Dixit (Retd.), Advocate holding brief of Shri Shamshad Alam, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>2. Ld. Counsel for the respondents submits that in compliance to order Corrigendum PPO has been issued. He has also produced a copy of Corrigendum PPO in Court for perusal of the Bench and on its perusal we find that compliance of the order is done.</p> <p>3. Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 318 of 2022 Inre : O.A. No. 239 of 2021**

**Ex. Nk. Dhurvijai Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</li><li>2. In regard to compliance of the order the Ld. Counsel for the respondents states that case file of the applicant is pending clearance for Government Sanction with the competent authority.</li><li>3. Director, Line Directorate, Integrated Headquarters of Ministry of Defence (Army), New Delhi is said to be the officer responsible for implementation of the order.</li><li>4. In the circumstances of the case four weeks further time is granted to make compliance of the order and it is directed that in the event of order being not complied with within given time Director, Line Directorate, Integrated Headquarters of Ministry of Defence (Army), New Delhi will appear in Tribunal on the next date fixed to explain the reasons of non-compliance.</li><li>5. Respondents are further directed to make deposit of the cost due against them by the next date fixed.</li><li>6. List on <b>26.07.2023</b>.</li><li>7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



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

**Ex. A. No. 352 of 2022 Inre : O.A. No. 523 of 2021**

**Ex. Nb. Sub/SKT Ramanand Singh** Applicant  
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Ms. Preeti Mala, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri R.K. Singh, Advocate holding brief of Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>2. Shri Rajeev Tiwari submits that in compliance of the order PPO has been issued on 02.05.2023. He has also produced a copy of PPO in Court for perusal of the Bench.</p> <p>3. As per PPO disability element of pension has been granted to the applicant from 01.04.1988 to 31.03.1989 and 01.04.1989 to 12.07.2022 @100%. The status of the Re-Survey Medical Board is not known as its report has not been brought on record.</p> <p>4. Respondents are directed to file compliance affidavit annexing therewith copy of PPO and report of Re-Survey Medical Board within two weeks from today.</p> <p>5. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 18)**

**Ex. A. No. 35 of 2023 Inre : O.A. No. 313 of 2022**

**Ex. Hav. Surander Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Pushpendra Kumar Dhaka, Advocate  
Shri Ramakant Gupta, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Pushpendra Kumar Dhaka and Shri Ramakant Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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 file affidavit of compliance.</p> <p>3. List on <b>01.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 812 of 2022**

**Col. Bhawani Datt Joshi (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Col. H.M. Maheshwari (Veteran), 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri Parijaat Belaura, Advocate holding brief of Col. H.M. Maheshwari (Veteran) , Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p>2. The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to conduct Re-Survey Medical Board and to assess present disablement of the applicant.</p> <p>3. Ld. Counsel for the respondents submits that at the time of retirement the applicant was in medical category SHAPE-1 as such there is no need for issuing direction to hold Re-Survey Medical Board (RSMB) to assess the disability of the applicant.</p> <p>4. Briefly stated facts of the case are that the applicant was commissioned in the Corps of Engineers of Indian Army on 14.06.1986 and retired from service in February, 2016 on attaining the age of superannuation in medical SHAPE-1 and finally in February, 2020 after re-employment for years. The applicant preferred Non-Statutory Complaint dated 10.02.2020 and representation dated 24.08.2021 for holding Re-Survey Medical Board to assess his disability which he had suffered during service but nothing happened.</p> <p>5. Upon hearing submission of Ld. Counsel of both the parties and considering the facts and circumstances of the case, we <b>dispose of</b> 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 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.</p> <p>6. Let copy of this order be provided to the learned Counsel for the parties.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 1011 of 2022**

**Maj. (Retd.) Avinash Belwal** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</li><li>2. Original Application is <b>partly allowed in respect of first disability i.e. 'Primary Hypertension'</b>.</li><li>3. For orders, see our order passed on separate sheets.</li><li>4. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 21)**

**O.A. No. 31 of 2023**

**Col. Brijendra Singh Bhadauria, SM (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit as a last chance.</p> <p>3. List on <b>31.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 22)**

**O.A. No. 83 of 2023**

**Ex. Hav. MD Saleem** Applicant  
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 23)**

**O.A. No. 86 of 2023**

**Col. Sushil Kumar Joshi** 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 Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents, two weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A) <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>AKD/-</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. 103 of 2023**

**Lt. Col. Parul Gupta (Retd.)**

Applicant

By Legal Practitioner for the Applicant : Shri J.L. Joel, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri J.L. Joel, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 25)**

**O.A. No. 174 of 2023**

**Ex. JWO Ajay Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 26)**

**O.A. No. 175 of 2023**

**Ex. Sgt. Mohammad Adil Hussain** Applicant  
By Legal Practitioner for the Applicant : Shri Pradeep Kumar Srivastava, Advocate  
Shri Chandrakant Jha, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Pradeep Kumar Srivastava, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 176 of 2023**

**Lt. Col. Sushil Kumar (Retd.)** 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 : Shri Ashish Kumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 28)**

**O.A. No. 224 of 2023**

**Ex. Sgt. Anil Kumar Giri** Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate  
Shri Abhishek Singh, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents and Rejoinder Affidavit filed by the applicant are taken on record.</li><li>2. Heard Shri Sudhir Kumar Singh and Shri Abhishek Singh, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="float: right;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>AKD/-</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. 225 of 2023**

**Ex. Sub. Ash Mohammad Khan** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate  
Shri Anshuman Srivastava, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>31.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 30)**

**O.A. No. 226 of 2023**

**Ex. WO Shyam Ji Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Abhay Kant Upadhyay, Advocate  
Shri Neel Kant Upadhyay, Advocate  
Shri Raj Kumar 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></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. On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>31.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 31)**

**O.A. No. 227 of 2023**

**Ex. Hav. Prabhaker Singh** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri D.K. Dixit, Advocate  
Shri Rakesh Kumar Singh, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 32)**

**O.A. No. 228 of 2023**

**Ex. Sub. Shaik Meera** 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 Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 33)**

**Ex. A. No. 229 of 2023**

**Ex. Sgt. Pavan Kumar Singh** 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 J.N. Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></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. On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 34)**

**O.A. No. 230 of 2023**

**Ex. JWO Neelkanth 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 Rajiv Pandey, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit</p> <p>3. List on <b>31.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 318 of 2023 with M.A. No. 355 of 2023**

**Ex. Sub. T.D. Bhatt** Applicant  
By Legal Practitioner for the Applicant : Shri J.L. Joel, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p><b><u>M.A. No. 355 of 2023</u></b></p> <ol style="list-style-type: none"><li>1. Objection to delay condonation application filed by the respondents is taken on record.</li><li>2. Heard Shri J.L. Joel, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</li><li>3. This application has been filed for condoning delay of 36 years and 28 days (total 13168 days) in filing of Original Application for the grant of disability element of pension to the applicant.</li><li>4. It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Corps of Signals of Indian Army on 25.04.1970 and discharged from service on 19.04.1986 with disability "Fracture Lateral Condyle, Femour (Rt)" attributable to military service, however, no disability element was granted. It is further submitted that applicant was not aware about the rule for the grant of disability element of pension for the disability suffered by him while in service, he could not file the Original Application earlier. Applicant is in receipt of service pension for the services rendered in the Army and disability claim cannot be denied on the ground of delay as it is a recurring cause of action.</li><li>5. Ld. Counsel for the respondents has vehemently opposed the prayer on the premise that there being a long delay of more than 36 years and the same being not been properly and satisfactorily explained on day to day basis, delay should not be condoned.</li><li>6. Upon hearing submissions of Ld. Counsel of both sides and considering that applicant is a pensioner and as per Release Medical Board report filed by him, the disability suffered is attributable to military service, we find that delay in filing the Original Application is condonable.</li></ol>

7. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.

**O.A. No. 318 of 2023**

8. Case needs adjudication.

9. Admit.

10. Issue notice.

11. Shri Arun Kumar Sahu, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.

12. Respondents may file Counter Affidavit within four weeks. Thereafter, the applicant will have two weeks time to file Rejoinder Affidavit, if any.

13. List on **26.07.2023**.

**(Vice Admiral Atul Kumar Jain)**  
Member (A)

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

AKD/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 36)**

**O.A. No. 264 of 2017 along with T.A. No. 82 of 2016 (Decided)**

**Devendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Mukesh Kumar, Advocate  
Shri S.S. Rajawat, Advocate  
Shri Shailendra Kumar Singh, 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><b><u>11.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Mukesh Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. This case is partly heard by the Bench comprising of Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J) and Hon'ble Major General Sanjay Singh, Member (A).</p> <p>3. List on <b>13.07.2023 before the appropriate Bench.</b></p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>