

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

**O.A. No. 1070 of 2023 with M.A. No. 1443 of 2023**

**Ex Nk. Surendra Pal** Applicant  
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate  
Shri Saurabh Yadav, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</li><li>3. Ld. Counsel for the respondents seeks and is allowed four weeks further time to file objection against delay condonation application.</li><li>4. List on <b>23.11.2023</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 Ravindra Nath Kakkar)</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 (Suppl. No. 5)**

**O.A. No. 1229 of 2023**

**Gp. Capt. Aditya Kumar Pathak (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate  
Gp. Capt. Y. Venugopal (Retd.)

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Pushpendra Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Amit Asthana, Ld. Counsel for the applicant and Shri Pushpendra 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. 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.</li><li>5. Case needs adjudication.</li><li>6. Admit.</li><li>7. Ld. Counsel for the respondents seeks and is allowed six weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>8. List on <b>08.01.2024</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 Ravindra Nath Kakkar)</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 (Suppl. No. 6)**

**O.A. No. 1232 of 2023 with M.A. No. 1733 of 2023**

**Ex. Dfr. Manoj Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Virat Anand Singh , Advocate  
Shri Narendra Kumar Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Ashish Agnihotri, 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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Ashish Agnihotri, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of the grant of disability pension to the applicant.</li><li>4. There is a delay of 01 year, 01 month and 03 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is <b>condoned</b>. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 1232 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 denied 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 six weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>08.01.2024</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 Ravindra Nath Kakkar)</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 (Suppl. No. 7)**

**MA No. 1720 of 2023 with M.A. No. 1721 of 2023 Inre O.A. No. 449 of 2022**

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

**Versus**

**Ex JWO Sanjeet Kumar** Respondent  
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Shri Rajeev Narayan Pandey, Ld. Counsel for the applicants - Union of India &amp; others</p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 11.01.2023 of this Tribunal in Original Application No. 449 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India &amp; others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 07 months and 23 days in filing of application be condoned.</p> <p>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.</p> <p>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.</p> <p>6. Accordingly, Leave to Appeal is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> 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. 8)**

**M.A. No. 1722 of 2023 with M.A. No. 1723 of 2023 Inre O.A. No. 1098 of 2022**

**Union of India & Others**

Applicants

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

**Versus**

**JWO Radha Raman Pandey (Retd.)**

Respondent

By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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. Dr. Chet Narayan Singh, Ld. Counsel for the applicant – 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 21.04.2023 of this Tribunal in Original Application No. 1098 of 2022.</li><li>3. It is submitted by the Ld. Counsel for the applicants – Union of India &amp; others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 04 months and 13 days in filing of application be condoned.</li><li>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 <b>condoned</b>. Delay condonation application stands disposed off accordingly.</li><li>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.</li><li>6. Accordingly, Leave to Appeal is <b>dismissed</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 Ravindra Nath Kakkar)</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. 1)**

**Ex. A. No. 33 of 2023 Inre O.A. No. 148 of 2021**

**Ex. Sgt. Chandan Kumar Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri Rahul Pandey, Advocate  
Shri Rang Nath Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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. Compliance affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Rahul Pandey and Shri Rang Nath Pandey, Ld. Counsel for the applicant and Ms. Perna Singh, Ld. Counsel for the respondents.</li><li>3. Ld. Counsel for the respondents submits that order has been complied with.</li><li>4. Ld. Counsel for the applicant admits compliance of the order.</li><li>5. Accordingly, Execution Application is <b>discharged/disposed off</b> in full satisfaction.</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 Ravindra Nath Kakkar)</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. 2)**

**Ex. A. No. 89 of 2023 Inre : O.A. No. 494 of 2022**

**Ex. NK. Laxman Saini** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents submits that matter is pending with PS-4, New Delhi and prays four weeks further time to file affidavit of compliance.</li><li>3. Perusal of order-sheet reveals that it is fourth adjournment sought by the respondents.</li><li>4. Four weeks further time is granted to file affidavit of compliance as a last chance failing which respondents will have to pay Rs.5,000/- as cost to the applicant.</li><li>5. List on <b>23.11.2023</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 Ravindra Nath Kakkar)</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. 3)**

**Ex. A. No. 120 of 2023 with M.A. No. 1747 of 2023**  
**Inre O.A. No. 617 of 2021**

**Ex. Sgt. Raj Kumar Mishra** Applicant  
By Legal Practitioner for the Applicant : Shri Kapil Sharma, Advocate  
Ms. Upasna Mishra, Advocate  
Shri Satya Narayan Mishra, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Satya Narayan Mishra, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Objection against compliance report is taken on record.</p> <p>3. Impeladment application filed by the applicant is taken on record.</p> <p>4. Objection, if any, against impleadment application, may be filed by the next date fixed.</p> <p>5. List on <b>22.11.2023</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 Ravindra Nath Kakkar)</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. 4)**

**Ex. A. No. 137 of 2023 Inre O.A. No. 404 of 2022**

**Gp. Capt. Rajesh Kumar Mishra (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 : Shri Bipin Kumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri Bipin Kumar Singh , Ld. Counsel for the respondents are present.</li><li>2. Supplementary Affidavit filed by the respondents is taken on record.</li><li>3. On the last date i.e. 24.08.2023, the Ld. Counsel for the respondents stated that matter is under process and PIFA has already concurred the case and today Supplementary Affidavit has been filed to the effect that in the meeting held on 24.08.2023 with all stakeholders, the learned Attorney General of India has directed that an affidavit be filed before all concerned AFTs whose Orders are pending implementation that a decision at the highest level on expeditious implementation/Appeal before appropriate forum is under active consideration.</li><li>4. It is third adjournment sought by the respondents.</li><li>5. Considering the facts and circumstances of the case, three weeks further time is granted to the respondents to file affidavit of compliance as a last opportunity failing which they will have to pay Rs.5,000/- as cost to the applicant.</li><li>6. List on <b>20.11.2023</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 Ravindra Nath Kakkar)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 5)**

**Ex. A. No. 150 of 2023 Inre O.A. No. 269 of 2021**

**Ex. Sub. (Hony Lt.) Manzoor Ali** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks four weeks further time to file compliance affidavit.</li><li>3. It is third adjournment sought by the respondents.</li><li>4. Four weeks further time is granted to the respondents to file compliance affidavit as a last opportunity failing which they will have to pay Rs.5,000/- as cost to the applicant.</li><li>5. List on <b>11.12.2023</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 Ravindra Nath Kakkar)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 6)**

**Ex. A. No. 151 of 2023 Inre O.A. No. 798 of 2021**

**Ex. Hav. Rajendra Prasad Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri Matri Datt Tripathi, Advocate  
Shri Lal Mani, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Shri Matri Datt Tripathi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks four weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Four weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>11.12.2023</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 Ravindra Nath Kakkar)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 7)**

**Ex. A. No. 152 of 2023 Inre O.A. No. 187 of 2020**

**Smt. Geeta Dixit W/o Ex. Gnr Late Mahesh Prasad** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks four weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Four weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>11.12.2023</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 Ravindra Nath Kakkar)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 8)**

**Ex. A. No. 153 of 2023 Inre O.A. No. 459 of 2022**

**Col. George Alexander (Retd.)** 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 Pushpendra Mishra, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Six weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>11.12.2023</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 Ravindra Nath Kakkar)</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. 172 of 2023 Inre O.A. No. 523 of 2022**

**Ex. Nk. Shiv Bahadur Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Rang Nath Pandey, Advocate  
Shri Rahul Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</li><li>2. It is submitted by the Ld. Counsel for the respondents that the respondents have filed Progress (Status) Report, which has wrongly been mentioned as Counter Affidavit.</li><li>3. Ld. Counsel for the applicant submitted that he has filed objection to the progress report but has also been mentioned as Rejoinder Affidavit.</li><li>4. The Progress Report as well as objection thereto are taken on record.</li><li>5. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</li><li>6. It is second adjournment.</li><li>7. Six weeks further time is granted to the respondents to file compliance affidavit.</li><li>8. List on <b>11.12.2023</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 Ravindra Nath Kakkar)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 173 of 2023 Inre T.A. No. 50 of 2022**

**Ex. Sub. Maj. Balendra Prasad Pandey** Applicant  
By Legal Practitioner for the Applicant : In person

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Ex. Sub. Maj. Balendra Prasad Pandey, the applicant in person and Ms. Amrita Chakraborty, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Six weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>11.12.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="margin-left: 100px;"><b>(Justice Ravindra Nath Kakkar)</b></span> <b>Member (A)</b> <span style="margin-left: 100px;"><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. 174 of 2023 Inre O. A. No. 318 of 2022**

**Ex. Nk. Top Bahadur Thapa** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri R.K.S Chauhan, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</p> <p>3. It is second adjournment sought by the respondents.</p> <p>6. Six weeks further time is granted to the respondents to file compliance affidavit.</p> <p>7. List on <b>11.12.2023</b>.</p> <p>8. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance as per rules.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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)**

**Ex. A. No. 185 of 2023 Inre O.A. No. 141 of 2022**

**Maj. Dr. Barkha Singh (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Ajay Sharma, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Ajay Sharma, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents submits that Government Sanction will be issued shortly.</li><li>3. On the assurance given by the Ld. Counsel for the respondents the case is adjourned.</li><li>4. List on <b>29.11.2023</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 Ravindra Nath Kakkar)</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. 13)**

**Ex. A No. 270 of 2023 Inre O.A. No. 614 of 2022**

**Ex. POA (AH) Ramesh Chander** Applicant  
By Legal Practitioner for the Applicant : Wg. Cdr. Ajit Kakkar (Retd.), 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Manoj Kumar Awasthi, advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Six weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>30.11.2023</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 Ravindra Nath Kakkar)</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.14 )**

**Ex. A. No. 302 of 2023 Inre O.A. No. 589 of 2021**

**Ex. Sub. Varghese Job** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Kaushik Chatterjee, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel for the respondents seeks six weeks further time to file compliance affidavit.</li><li>3. It is second adjournment sought by the respondents.</li><li>4. Six weeks further time is granted to the respondents to file compliance affidavit.</li><li>5. List on <b>12.12.2023</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 Ravindra Nath Kakkar)</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.15 )**

**O.A. No. 409 of 2023**

**Ex. Swr. Ankit Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri R.K. Singh, Advocate  
Maj. S.M. Mustafa (Retd.), Advocate  
Shri D.K. Dixit, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents are present.</li><li>2. Counter Affidavit filed by the respondents is taken on record.</li><li>3. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.</li><li>4. List on <b>23.11.2023</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 Ravindra Nath Kakkar)</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 )**

**O.A. No. 416 of 2023**

**Ex. Hav. Vijay Kumar Singh Rathore** Applicant  
By Legal Practitioner for the Applicant : Shri V.K. Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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. Rejoinder Affidavit filed by the applicant is taken on record.</li><li>2. Heard Shri V.K. Pandey, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</li><li>3. The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for setting aside the rejection order of disability element, if any, and grant the disability pension @50% rounded of 75% for life to the applicant for life 2.3.f. 30.04.2008, to actual date of payment and also onwards, and provide the interest on the aforesaid delayed amount of disability pension with 18% p.a. since due date to actual date of payment in the interest of justice.</li><li>4. Briefly stated facts of the case are that the applicant was enrolled in the Indian Army on 06.09.1983 and discharged on 30.04.2008. At the time of discharge the Release Medical Board held at Base Hospital, Lucknow on 28.03.2008 assessed the applicant's disabilities (i) '<b>SPONDYLOLISTHESIS GDI L5/VS1</b>' @40% <b>as aggravated by service</b> and (ii) '<b>TYPE-II DIABETES MELLITUS</b>' 11-14% as neither attributable to nor aggravated by service (NANA), <b>composite disabilities @50%</b> for five years. Accordingly, the applicant was granted disability element of disability pension @40% rounded off to 50% for five years for the first disability from 01.05.2008 to 28.03.2023. The Re-Assessment Medical Board held on 02.05.2013 assessed the applicant's first disability again @40% for life. Accordingly, the applicant was granted disability element of disability pension @40% rounded off to 50% for life. The applicant's claim for the grant of disability element of disability pension for the second disability was rejected. It is in this perspective the applicant has filed this Original Application.</li><li>5. It is submitted by the Ld. Counsel for the applicant at the time of</li></ol>

enrolment, the applicant was found mentally and physically fit for service in the Army and there is no note in the service documents that he was suffering from any disease at the time of enrolment in Army. The first disability of the applicant was regarded as aggravated by service. The second disability of the applicant was also contracted during the service, hence it is also attributable to and aggravated by Military Service. He pleaded that various Benches of Armed Forces Tribunal have granted disability pension in similar cases, as such the applicant be granted disability element of disability pension and its rounding off to 75%.

6. Ld. Counsel for the On the other hand, Ld. Counsel for the respondents contended that first the disability of the applicant was regarded as aggravated by service as such applicant was granted disability element of disability pension but the second disability of the applicant @11-14% for life has been regarded as NANA by the RMB, hence as per Regulation 53(a) of the Pension Regulations for the Army, 2008 (Part-I) the applicant is not entitled to disability element of disability pension for second disability. He pleaded for dismissal of the Original Application.

7. We have heard Ld. Counsel for the applicant as also Ld. Counsel for the respondents. We have also gone through the Release Medical Board proceedings as well as the records and we find that the questions which need to be answered is that whether the second disability of the applicant is also attributable to or aggravated by Military Service?

8. In view of the settled position of law on attributability, we find that the RMB has denied attributability to the applicant only by endorsing that the second disability '**TYPE – II DIABETES MELLITUS**' is neither attributable to nor aggravated (NANA) by service on the ground of constitutional in nature, therefore, applicant is not entitled to disability element of disability pension. However, considering the facts and circumstances of the case, we are of the opinion that this reasoning of Release Medical Board for denying disability element of disability pension to applicant is cryptic, not convincing and doesn't reflect the complete truth on the matter. The applicant was enrolled in Indian Army on 06.09.1983 and the second disability has started after more than 23 years of Army service i.e. in October 2007. We are therefore of the considered opinion that the benefit of doubt in these circumstances should be given to the applicant in view of ***Dharamvir Singh Versus Union of India & Others***, reported in (2013) 7 Supreme Court Cases 316, and the second disability of the applicant should also be considered as aggravated by military service.

9. However, considering the fact that the second disability was assessed for five years and in view law laid down by the Hon'ble Apex Court in the case of ***Shiv Dass vs. Union of India***, reported in 2007 (3) SLR 445, arrears cannot be granted to the applicant for the second disability from 01.05.2008 to 28.03.2013.

10. Since the applicant's RMB for the second disability was valid for five years w.e.f. 30.04.2008, hence, the respondents will now have to conduct a fresh Re-Survey Medical Board for him to decide his future eligibility to disability pension

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

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

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

**(Justice Ravindra Nath Kakkar)**  
Member (J)

AKD/-

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

**O.A. No. 429 of 2023**

**Ex. AC Pawan Negi** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vinay Pandey, 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 applicant a week further time is granted to file Rejoinder Affidavit annexing therewith copy of Release Medical Board.</p> <p>3. List on <b>27.10.2023</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 Ravindra Nath Kakkar)</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.18 )**

**O.A. No. 527 of 2023**

**Ex. Hav. Jaya Prakash Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri K.P. Datta, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</li><li>2. It is third adjournment.</li><li>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit as a last opportunity.</li><li>4. List on <b>16.11.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Ravindra Nath Kakkar)</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.19 )**

**O.A. No. 538 of 2023**

**Ex. WO. Anil Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Keshav Sharma, Ld. Counsel for the applicant and Shri Vishwesh Kumar, 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 <b>02.11.2023</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 Ravindra Nath Kakkar)</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. 539 of 2023**

**Ex. Sgt. Jitendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Keshav Sharma, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on <b>02.11.2023</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 Ravindra Nath Kakkar)</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.21 )**

**O.A. No. 540 of 2023**

**Ex. WO Kamlesh Prasad Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Keshav Sharma, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, 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 <b>02.11.2023</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 Ravindra Nath Kakkar)</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.22 )**

**O.A. No. 582 of 2023**

**Ex. Hav. Arun Kumar Singh** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 R. Chandra, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>dismissed</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 Ravindra Nath Kakkar)</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.23 )**

**O.A. No.647 of 2023**

**Ex. MWO Jagdish Prasad Gupta** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate  
Shri Sandeep Tripathi, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vijay Kumar Pandey and Shri Sandeep Tripathi, Ld. Counsel for the applicant and Shri Alok 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> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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.24 )**

**O.A. No. 704 of 2023**

**Ex. Sgt. Alok Kumar Dubey** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four days further time to file Counter Affidavit.</p> <p>3. List on <b>16.10.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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. 885 of 2023**

**Ex. Sub. (Hony. Sub. Maj.) Veer Pratap Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</li><li>2. Counter Affidavit filed by the respondents is taken on record.</li><li>3. Ld. Counsel for the applicant prays for and is granted three weeks time to file Rejoinder Affidavit.</li><li>4. List on <b>10.11.2023</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 Ravindra Nath Kakkar)</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. 889 of 2023**

**Ex. Sub. Kush Narayan Jaiswal** 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 Alok Kumar Mishra, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Ravi Kumar Yadav and Shri Saurabh Yadav, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted three weeks further time to file Counter Affidavit.</p> <p>3. List on <b>10.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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.27 )**

**O.A. No. 891 of 2023**

**Ex. HFO Shiv Om Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate  
Shri Shashi Kant Chaturvedi, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vinay Pandey, 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 two weeks further time to file Counter Affidavit.</p> <p>3. List on <b>23.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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. 892 of 2023**

**Ex. MWO (HFO) Rajendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate  
Shri Shashi Kant Chaturvedi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vinay Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, 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 <b>06.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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.29 )**

**O.A. No. 894 of 2023**

**Ex. Sub. Omprakash Upadhyay** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 R. Chandra, 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 two weeks further time to file Counter Affidavit.</p> <p>3. List on <b>06.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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. 895 of 2023**

**Ex. JWO Surendra Kumar Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, 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>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted to two weeks further time to file Counter Affidavit.</p> <p>3. List on <b>06.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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. 914 of 2023**

**Lt. Col. (MNS) Chandra Kanta (Retd.)** 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 : Ms. Anju Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Ms. Anju Singh, 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 <b>28.11.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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. 1056 of 2023 with M.A. No. 1422 of 2023**

**Ex. Sgt. Bhasker Dubey** Applicant  
By Legal Practitioner for the Applicant : Shri Tatsat Shukla, Advocate  
Shri Dhiraj Kumar, Advocate  
Shri Rahul Pal, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri Rahul Pal, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.</p> <p>2. Ld. Counsel for the applicant submits that Original Application may be dismissed as withdrawn with liberty to file afresh.</p> <p>3. Accordingly, Original Application is <b>dismissed</b> as withdrawn with liberty to file afresh.</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 Ravindra Nath Kakkar)</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. 33)**

**R.A. No. 56 of 2023 with M.A. No. 1384 of 2023 & 1385 of 2023**  
**Inre O.A. (A) No. 672 of 2020**

**Ex. Sep. Randhir Kumar** 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 Yogesh Kesarwani, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. The Original Application (A) No. 672 of 2020 was decided by the Bench comprising of Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J) and Hon'ble Maj. Gen. Sanjay Singh, Member (A)</p> <p>3. Hence, list this case on <b>06.11.2023</b> before the Bench comprising of Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J) and Hon'ble Maj. Gen. Sanjay Singh, Member (A).</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</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.34 )**

**M.A. No. 1710 of 2023 Inre : O.A. No. 926 of 2023**

**Ex. WO (HFO) Ruqunuddin Mansoori** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.10.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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. Objection against maintainability of the Original Application is taken on record.</li><li>2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.</li><li>3. Applicant has filed this Original Application for the grant of disability pension to the applicant.</li><li>4. A Preliminary Objection has been raised by the Ld. Counsel for the respondents stating that applicant is resident of Delhi therefore, in view of Rule 6(2) of the Armed Force Tribunal (Procedure) Rules, 2008 this Original Application is not maintainable before this Tribunal as this Tribunal has no territorial jurisdiction to entertain the Original Application.</li><li>5. In regard to maintainability, Ld. Counsel for the applicant submits that applicant applicant's last posting was at Bakshi Ka Talab, Lucknow (38 Wing Air Force) with effect from 05.03.2021 to 31.12.2022, as the cause of action arose in Lucknow, Uttar Pradesh, therefore, this Tribunal has territorial jurisdiction and the Original Application is maintainable.</li><li>6. In view of the submissions made above, we are of the view that since the applicant was last posted at Bakshi Ka Talab, Lucknow (38 Wing Air Force), as such the cause of action arose at Lucknow, Uttar Pradesh, hence, as per Rule 6(1) (i) this Tribunal has jurisdiction to entertain the Original Application. Accordingly, Original Application <b>is maintainable</b> before this Tribunal.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed six weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>08.01.2024</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 Ravindra Nath Kakkar)</b> Member (J)</p> <p>AKD/-</p>