

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

O.A. No. 160 of 2023 with M.A. No. 158 of 2023
Ex JWO Onkar Singh Mertia **Applicant**
By Legal Practitioner for the Applicant : Shri Ravi Kumar, Advocate
Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Adesh Kumar Gupta

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 5 months and 04 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 160 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 06.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 162 of 2023

Col (TS) Vinay Kumar Dixit (Retd) **Applicant**
By Legal Practitioner for the Applicant : Shri Maneesh Kumar Singh, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: justify;">Memo of Appearance filed by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri Maneesh Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">Learned counsel for the applicant appearing on behalf of applicant submits that his correct name is Shri Manish Kumar Rai whereas in cause list his name has been shown as Shri Maneesh Kumar Singh. Registry is directed to show correct name of learned counsel for the applicant as Shri Manish Kumar Rai on the next date of listing.</p> <p style="text-align: justify;">The matter pertains to grant of disability pension. It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks, thereafter.</p> <p style="text-align: justify;">List this case on 10.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 3)
O.A. No. 163 of 2023 with M.A. No. 160 of 2023

Ex LEM (P) Govind Singh

Applicant

By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Mrs. Anju Singh

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 5 months and 06 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 163 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 10.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 4)
O.A. No. 164 of 2023 with M.A. No. 161 of 2023

**MCERA I (Hony SLT) Paras Nath
Pandey (Retd)**

Applicant

By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajiv Pandey

Notes of the Registry	Orders of the Tribunal
	<p>14.02.2023 <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 5 months and 04 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 164 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 10.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

EX-A No. 94 of 2021 Inre: O.a. No. 38 of 2020

Ex Sub (Hony Capt) Paramhans Yadava **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.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri RK Tiwari, Accounts Officer, PCDA (P), Allahabad are present.</p> <p>No one is present on behalf of the applicant.</p> <p>Learned counsel for the respondents submits that order of the Tribunal has been fully complied with and PPO has been issued. Objection against compliance report, if any, may be filed by learned counsel for the applicant by the next date fixed.</p> <p>List on 01.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

EX-A No. 23 of 2022 Inre: O.A. No. 702 of 2020

Ex Sep Birendra Singh

Applicant

By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shailendra Sharma Atal.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Shri RK Tiwari, Accounts Officer, PCDA (P), Allahabad are present.</p> <p>Learned counsel for the respondents submits that in compliance of order passed by this Tribunal, Govt. sanction has been obtained. Shri RK Tiwari, Accounts Officer, PCDA (P), Allahabad submits that PPO shall be issued within two weeks.</p> <p style="text-align: center;">List on 06.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

EX-A No. 170 of 2022 Inre: O.A. No. 64 of 2019

Ex Sgt Om Prakash Ojha **Applicant**
By Legal Practitioner for the Applicant : Shri DS Tiwari, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Yogesh Kesarwani.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri DS Tiwari, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for two weeks' more time to comply the order. As prayed, two weeks' further time is granted to file compliance report. It is clarified that if the order of the Tribunal is not complied with by the next date fixed, cost of Rs. 10,000/- shall be imposed on respondents.</p> <p style="text-align: center;">List on 07.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 8)

EX-A No. 250 of 2022 Inre: O.A. No. 398 of 2020

Ex LSTD Guptesh Kumar **Applicant**
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri DK Pandey.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri DK Pandey, Ld. Counsel for the respondents No 1 to 4 and Mohd. Zafar Khan, for respondents No 5 and 6 are present.</p> <p>No one is present on behalf of the applicant.</p> <p>Mohd. Zafar Khan submits that he will file memo of appearance today in the Registry. He prays for and is granted four weeks' time to file compliance report.</p> <p style="text-align: center;">List on 07.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

EX-A No. 251 of 2022 Inre: O.A. No. 210 of 2020

Ex Sub Maj Subhash Singh **Applicant**
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that against the order of this Tribunal SLP is pending before Hon'ble Apex Court. He prays for and is granted four weeks' further time to file compliance report.</p> <p style="text-align: center;">List on 24.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

EX-A No. 289 of 2022 Inre: O.A. No. 552 of 2021

Ex Hav Ram Prasad Singh **Applicant**
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Arun Kumar Sahu, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">No one is present on behalf of the applicant.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted three weeks' time to file compliance report.</p> <p style="text-align: center;">List on 17.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 336 of 2022 Inre: O.A. No. 666 of 2021

Ex Nk Hira Lal **Applicant**
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri RKS Chauhan.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that compliance of the order passed by this Tribunal is in process. He prays for and is granted four weeks' time to file compliance report.</p> <p>List on 14.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 12)

EX-A No. 337 of 2022 Inre: O.A. No. 59 of 2022

Nk Jambe Prasad (Retd) **Applicant**
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Chet Narayan Singh.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Chet Narayan Singh, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of the applicant.</p> <p>Learned counsel for the respondents submits that compliance of the order passed by this Tribunal is in process. He prays for and is granted four weeks' time to file compliance report.</p> <p>List on 13.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 236 of 2021

Ex Hav Ram Bachan Singh Yadav **Applicant**
By Legal Practitioner for the Applicant : Shri Om Prakash Kushwaha, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Jai Narayan Mishra.

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p>No one is present on behalf of the applicant.</p> <p>In spite of availing several opportunities, learned counsel for the applicant has not filed rejoinder affidavit. As a matter of last chance, four weeks' further time is granted to file rejoinder affidavit. In case rejoinder affidavit is not filed by the next date fixed, his opportunity to file the same shall be closed.</p> <p style="text-align: center;">List on 20.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 542 of 2021

Ex Hav Dev Nath Singh Yadav **Applicant**
By Legal Practitioner for the Applicant : Shri VP Pandey, Advocate
: Shri RK Singh, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey
: Shri DC Lohumi, Advocate
: Shri Nitin Khanna, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri VP Pandey, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents assisted by Shri DC Lohumi and Shri Nitin Khanna for respondents are present.</p> <p>Shri Nitin Khanna, Advocate appearing on behalf of respondent No 6 prays for and is granted three weeks' time to file compliance report. If the order passed by the Tribunal is not complied with by the next date fixed, respondent No 6 shall pay cost of Rs. 25,000/- which shall be remitted to the applicant.</p> <p style="text-align: center;">List on 17.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 167 of 2022

Hony Lt Mahendra Nath Yadav **Applicant**
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri RC Shukla

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri RC Shukla, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of the applicant.</p> <p>Supplementary counter affidavit filed by the respondents is taken on record.</p> <p>List on 15.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>Ukt/-</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. 463 of 2022 with M.A. No. 525 of 2022

Ex Rect Kollati Kanaka Rao

Applicant

By Legal Practitioner for the Applicant : Shri Dharam Raj Singh, Advocate
: Shri Arvind K Tripathi, Advocate
: Shri Satyendra K Tiwari, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shailendra Sharma Atal

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of the applicant.</p> <p>Learned counsel for the respondents submits that question of maintainability if involved in this case. On perusal of order dated 04.07.2022, it reveals that rent agreement was required to file by the applicant within a period of 1 week. Neither the rent agreement has been filed by the applicant nor he is present in the Court. Today case is listed for filing counter affidavit. Maintainability of the case is required to be decided at this stage.</p> <p>Learned counsel for the applicant is directed to comply the order otherwise adverse orders shall be passed against the applicant.</p> <p>List on 06.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 520 of 2022

L/Hav Sant Ram Sharma

Applicant

By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajiv Pandey

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Advocate, holding brief of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>As a matter of last chance, two weeks' time is granted to respondents to file counter affidavit. In case counter affidavit is not filed by the date fixed, opportunity to file the same shall be closed.</p> <p style="text-align: center;">List on 06.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 687 of 2022

Ex Sigmn Brahm Prakash Pandey **Applicant**
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Rajesh Shukla

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that he shall file amendment application today in the Registry after serving a copy to learned counsel for the respondents. Learned counsel for the respondents prays for and is granted two weeks' thereafter, to file objection, if any.</p> <p style="text-align: center;">List on 20.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 803 of 2022

Ex PO COM (TAC) Ajani Kumar Maurya **Applicant**
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Kaushik Chatterjee

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>As a matter of last chance, two weeks' further time is granted to file counter affidavit.</p> <p>List on 02.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>Ukt/-</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. 854 of 2022

Ex Sgt Sanjay Kumar Singh **Applicant**
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
: Shri Vishnu Kant Awasthi, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>As a matter of last chance, two weeks' further time is granted to file counter affidavit.</p> <p style="text-align: center;">List on 01.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 891 of 2022

Ex Sep Baban Thakur

Applicant

By Legal Practitioner for the Applicant : Shri Ved Prakash, Advocate
: Shri Devendra Kumar, Advocate
: Shri Vinay Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Gyan Singh

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ved Prakash, Ld. Counsel for the applicant and Shri Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for and is granted three days time to file counter affidavit.</p> <p style="text-align: center;">List on 20.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 949 of 2022

Ex Sub Maj Ajay Kumar Sharma **Applicant**
By Legal Practitioner for the Applicant : Shri Dwijendra Nath Pandey Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Alok Kumar Mishra

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Dwijendra Nath Pandey, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Allowed.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. (A) No. 667 of 2020

Smt. Firoz Bano Wife of Mohd.
Yunus Khan (Deceased)

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order reserved.</p> <p style="text-align: center;">Learned counsel of both the parties are directed to file their written submissions.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</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. 67 of 2021

Ex Sub Manohar Lal

Applicant

By Legal Practitioner for the Applicant : Col AK Srivastava (Retd), Advocate
: Ms. Hemlata, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Ms. Appoli Srivastava, Ld. Counsel for the respondents is present.</p> <p>Learned counsel for the applicant is reported to be sick. Accordingly, the case is adjourned.</p> <p>List on 21.03.2023.</p> <p>Respondents are directed to retain Original Documents pertaining to case for perusal of the Bench on the next date of listing.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. (A) No. 383 of 2018 alongwith O.A. (A) No. 169 of 2020

Ex Cpl Achchhan Shekh through **Applicant**
His wife Smt. Shaheen Shekh
By Legal Practitioner for the Applicant : Shri Yashapla Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and JWO RR Rai, Departmental Representative for the respondents are present.</p> <p>Written submission filed by the applicant are taken on record. Copy of written submission has been served upon Departmental Representative for the respondents today in the Court. Departmental Representative for the respondents submits that he shall file his written submission by the next date fixed.</p> <p style="text-align: center;">List on 21.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 172 of 2023 with M.A. No. 170 of 2023

Ex Hav Anil Kumar Awasthi

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: justify;">Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 05 months and 07 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p style="text-align: justify;">Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned.</p> <p style="text-align: justify;">In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 172 of 2023</u></p> <p style="text-align: justify;">Heard. It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks, thereafter.</p> <p style="text-align: justify;">List this case on 05.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 173 of 2023 with M.A. No. 171 of 2023

Ex JWO Kamal Kishor Singh **Applicant**
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents : Shri Shyam Singh

Notes of the Registry	Orders of the Tribunal
	<p><u>14.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: justify;">Memo of Appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 18 years, 11 months and 23 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p style="text-align: justify;">Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, as seems, delay deserves to be condoned.</p> <p style="text-align: justify;">In the result, delay condonation application is allowed.</p> <p><u>O.A. No. 173 of 2023</u></p> <p style="text-align: justify;">Heard. It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks, thereafter.</p> <p style="text-align: justify;">List this case on 05.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>Ukt/-</p>