

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

O.A. No. 1442 of 2023 with M.A. No. 2090 of 2023

Rect. Pawan Kumar Sharma Applicant
By Legal Practitioner for the Applicant : Shri Ashiya Gupta, Advocate
Shri Arvind Kumar Jauhari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Arvind Kumar Jauhari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>3. By means of this Original Application the applicant has challenged the order dated 21.09.2021 by which he has been dismissed from service on the unverified ground.</p> <p>4. There is a delay of 01 year, 03 months and 10 days in filing of Original Application.</p> <p>5. Ld. Counsel for the applicant has filed delay condonation application.</p> <p>6. We are of the view that the reasons shown for condoning the delay are sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 1442 of 2023</u></p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on 28.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 2)

O.A. No. 1444 of 2023 with M.A. No. 2092 of 2023

Ris. (ADT) Prabha Shankar Mishra Applicant
By Legal Practitioner for the Applicant : Shri Diwakar Mishra, Advocate
Shri Anjani Kumar Mishra, Advocate
Shri Rajneesh Upadhyay, Advocate
Shri Jainendra Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Memo of Appearance filed by Dr. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Jainendra Pandey, Ld. Counsel for the applicant through Video Conferencing and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>3. Ld. Counsel for the respondents prays for and is granted three weeks time to seek instructions and to file objection on maintainability of Original Application.</p> <p>4. List the on 07.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 1447 of 2023 with M.A. No. 2094 of 2023

Ex. Spr. Surya Bali Singh Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate
Shri Saurabh Yadav, Advocate
Ms. Suman Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 01 year, 08 months and 13 days in filing of Original Application.</p> <p>5. Ld. Counsel for the applicant has filed application for condonation of delay.</p> <p>6. It is a pensionary matter. We are of the view that the reasons shown are sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 1447 of 2023</u></p> <p>7. 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.</p> <p>8. Case needs adjudication.</p> <p>9. Admit.</p> <p>10. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>11. List on 28.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Dairy No. 1209 of 2023

Ex. Swr. Dinesh Chandra Bastyal Applicant
By Legal Practitioner for the Applicant : Shri D.C. Lohumi, Advocate
Shri G.C. Joshi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri D.C. Lohumi , Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Applicant was directed to remove the defects pointed out by the registry, but the defects have not been removed.</p> <p>3. Ld. Counsel for the applicant prays for and is granted four weeks further time as a last opportunity to remove the defects failing which this Original Application shall be dismissed for non-prosecution.</p> <p>4. List on 13.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 2)

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 : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant is present through Video Conferencing.2. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.3. Ld. Counsel for the respondents submits that PPO has been generated on 11.07.2023.4. Ld. Counsel for the applicant submits that applicant has not received the PPO till date.5. Ld. Counsel for the respondents is directed to file affidavit of compliance along with copy of PPO within two weeks.6. List on 30.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 3)

Ex. A. No. 236 of 2022 Inre: O.A. No.590 of 2021

Ex. L/NK. Sunil Kumar Chauahan Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Affidavit of compliance has not been filed. Cost has not been deposited by the respondents.3. Ld. Counsel for the respondents prays for and is granted six weeks further time on payment of additional cost of Rs.10,000/-.4. All the costs be deposited by the next date of listing which shall be remitted to the applicant.5. Respondents are also directed to file affidavit of responsible officer regarding present status of the execution proceedings.6. List on 29.02.2024.7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 4)

Ex. A. No. 255 of 2022 Inre: O.A. No. 517 of 2017

Ex. Sep. Rahul Singh Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ram Saran Awasthi, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Advocate holding brief of Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents are present.2. Compliance affidavit has already been filed by the respondents.3. Applicant was granted time to file objection against affidavit of compliant but the same has not been filed.4. Ld. Counsel for the applicant prays for and is granted two weeks further time to file objection action affidavit of compliance.5. List on 29.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 5)

Ex. A. No. 386 of 2022 Inre: O.A. No. 601 of 2021

Ex. Hav. Ashok Kumar Applicant
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing none is present on behalf of the applicant.</p> <p>2. Dr. S. N. Pandey, Ld. Counsel for the respondents assisted by Major Danish Farooqui, Departmental Representative is present.</p> <p>3. Ld. Counsel for the respondents submits that matter is pending before the Ministry of Defence. He prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.5,000/- to the applicant.</p> <p>4. List on 26.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 6)

Ex. A. No. 395 of 2022 Inre: O.A. No. 359 of 2020

Ex. Rect. Munesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Rohit Kumar, Advocate

Versus

Second Appellate Committee on Pension (SACP),
New Delhi & Others Respondents
By Legal Practitioner for Respondents : Ms. Amrita Chakraborty, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant is present.2. Ms. Amrita Chakraborty, Ld. Counsel for the respondents is present through Video Conferencing.3. Affidavit of compliance has already been filed.4. Applicant was granted time to file objection against affidavit of compliance but objection has not been filed.5. Ld. Counsel for the applicant prays for and is granted two weeks further time as last opportunity to file objection.6. List on 25.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 7)

Ex. A. No. 40 of 2023 Inre: O.A. No. 505 of 2019

Ex. L. NK. Mithlesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate
Shri S.S. Rajawat, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.2. Affidavit of compliance has not been filed.3. Ld. Counsel for the respondents submits that a letter has been received from the Department that a Writ Petition has to be filed in the case against the order passed by the Tribunal.4. Respondents are directed to bring that letter or direction on record within two weeks.5. Ld. Counsel for the respondents prays for and is granted six weeks further time to file affidavit of compliance on payment of Rs.5,000/- as cost to the applicant.6. Respondents are further directed to deposit all the costs by the next date fixed.7. List on 29.02.2024.8. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 8)

Ex. A. No. 44 of 2023 Inre: O.A. No. 326 of 2022

Ex. Ris. Satendra Singh Yadav Applicant
By Legal Practitioner for the Applicant : Shri Satendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present on behalf of the applicant.2. Shri Devesh Kumar Mishra, Ld. Counsel for the respondents is present.3. Affidavit of compliance has not been filed.4. Ld. Counsel for the respondents submits that matter is pending before the Line Directorate.5. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance. Respondents are also directed to file affidavit of responsible officer clarifying the delay and present status of execution.6. List on 29.02.2024.7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 113 of 2023 Inre: O.A. No.558 of 2022

Ex. Lance Hav. Pawar Satish Popat 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 Somesh Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>4. List on 28.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 10)

Ex. A. No. 122 of 2023 Inre: O.A. No. 241 of 2022

Ex. Rfn. Kapil Kumar Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents submits that matter is pending before the PS-4. She prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>4. List on 28.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 130 of 2023 Inre: O.A. No. 73 of 2022

Ex. Hav. Sarvesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant is present.2. Shri Anurag Mishra, Ld. Counsel for the respondents is present through Video Conferencing.3. Compliance report has not been filed by the respondents.4. Ld. Counsel for the respondents prays for and is granted four week further time to file affidavit of compliance.5. List on 19.02.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 74 of 2023

Ex. Nk. Subhas Chandra Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present.2. Shri Rajiv Pandey, Ld. Counsel for the respondents is present through Video Conferencing.3. Applicant was granted time to file Rejoinder Affidavit, but Rejoinder Affidavit has not been filed.4. Ld. Counsel for the applicant prays for and is granted two weeks further time to file Rejoinder Affidavit.5. List on 19.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 13)
O.A. No. 81 of 2023

Ex. Nk. Rajiv Giri Applicant
By Legal Practitioner for the Applicant : Col. Ashok Kumar (Retd.), Advocate
Shri Rohit Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.2. Counter Affidavit has not been filed by the respondents.3. Ld. Counsel for the respondents submits that Counter Affidavit has been prepared and has been sent for vetting. He prays for and is granted four weeks further time to file Counter Affidavit.4. List on 25.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 86 of 2023

Col. Sushil Kumar Joshi (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh Chauhan, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant is present.2. Shri Rajiv Pandey, Ld. Counsel for the respondents is present through Video Conferencing.3. Despite several opportunities Counter Affidavit has not been filed by the respondents.4. Today is last opportunity to file Counter Affidavit, but Counter Affidavit has not been filed.5. Ld. Counsel for the respondents prays for and is granted four weeks further time on payment of cost of Rs.1,000/- to the applicant to file Counter Affidavit.6. List on 22.01.2024.7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No.15)

O.A. No. 150 of 2023

Col. (Dr.) Ritu Bakshi (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 : Ms. Appoli Srivastava , Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Wg. Cdr. S. N. Dwivedi (Retd.) , Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents3. Original Application is partly allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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.16)

O.A. No. 316 of 2023 along with T.A. No. 62 of 2022

Ex. Rect. Om Prakash Applicant
By Legal Practitioner for the Applicant : Shri Pradeep Kumar Srivastava, Advocate
Ms. Jyotsana Srivastava, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Pradeep Kumara Srivastava, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.2. Counter Affidavit has already been taken on record.3. Rejoinder Affidavit filed by the applicant is taken on record.4. Pleadings are complete.5. List on 15.02.2024 for hearing. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 17)

O.A. No. 343 of 2023

Ex. Hav. (ACP Nb/Sub) More Sandip Ramchandra Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate
Shri Dheerendra Kumar Agnihotri, Advocate
Shri Vishnu Kant Awasthi, 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><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Alok Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Today is last opportunity to file Counter Affidavit, but Counter Affidavit has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time as last opportunity to file Counter Affidavit failing which respondents shall pay cost of Rs.1,000/- which shall be remitted to the applicant.</p> <p>4. List on 13.01.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 345 of 2023

Ex. GDSM Birendra Upadhyay Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Counter Affidavit filed by the respondents is taken on record.3. On the request of Ld. Counsel for the respondents the case is adjourned.4. List on 12.01.2024 as part case. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 349 of 2023

Ex. Sep. Sayed Sahid Ali

Applicant

By Legal Practitioner for the Applicant : Shri K.K. Misra, Advocate

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents : Shri Devesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.K. Misra, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents are present.2. Counter Affidavit filed by the respondents is taken on record.3. Rejoinder Affidavit may be filed within a week.4. List on 22.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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.20)

O.A. No. 352 of 2023

Ex. Hav. Akram Yadava Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents.3. Original Application is partly allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 506 of 2023

Sgt. Saurabh Shukla Applicant
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.2. Counter Affidavit filed by the respondents is taken on record.3. Rejoinder Affidavit may be filed within a week.4. List on 19.01.2024 for hearing. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 523 of 2023 with M.A. No. 632 of 2023

Ex. Nk. Ajeet Verma Applicant
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate
Shri V.K. Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present on behalf of the applicant.2. Shri R.C. Shukla, Ld. Counsel for the respondents is present.3. There is a delay of 07 months and 29 days in filing of Original Application.4. Heard Shri R.C. Shukla, Ld. Counsel for the respondents on the application for condonation of delay moved by the Ld. Counsel for the applicant.5. We are of the view that the reasons shown for condoning the delay are sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly. <p><u>O.A. No. 523 of 2023</u></p> <ol style="list-style-type: none">6. Case needs adjudication.7. Admit.8. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.9. List on 13.02.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 561 of 2023

Ex. AC (U/T) Jai Kant Yadav Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. Counter Affidavit filed by the respondents is taken on record.</p> <p>3. Rejoinder Affidavit may be filed within a week.</p> <p>4. List on 25.01.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 565 of 2023

Col. Sumit Datta (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri S.G. Singh, Advocate
Shri Anand Yadav, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Somesh Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present on behalf of the applicant.2. Major Danish Farooqui, Departmental Representative for the respondents is present.3. Counter Affidavit has not been filed by the respondents.4. Major Danish Farooqui, Departmental Representative prays for and is granted four weeks further time to file Counter Affidavit.5. List on 13.02.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 566 of 2023

Brig. Sammer Bhadauria (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri S.G. Singh, Advocate
Shri Anand Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing none is present on behalf of the applicant.</p> <p>2. Shri Devesh Kumar Mishra, Ld. Counsel for the respondents is present. He submits that para-wise comments is still awaited. He prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>3. List on 13.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 629 of 2023

Ex. Sgt. Ramesh Chandra Shakya Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Ashok Kumar, Ld. Counsel for the applicant through Video Conferencing and Ms. Amrita Chakraborty, Ld. Counsel for the respondents Assisted by Gp. Capt. Amulya Dayal, Departmental Representative for the respondents.2. Original Application is allowed.3. For orders, see our order passed on separate sheets.4. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 637 of 2023

Ex. JWO. Adal Singh Applicant
By Legal Practitioner for the Applicant : Shri Ved Prakash Pandey, Advocate
Shri Rakesh Kumar Singh, Advocate
Shri V.K. Chahar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri Pushendra Mishra, Ld. Counsel for the respondents.3. Original Application is partly allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 695 of 2023 with M.A. No. 841 of 2023

Ex. L/Nk. Sahadev Thapa 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 Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Reply to objection on delay condonation has not been filed by the applicant.3. Ld. Counsel for the applicant prays for and is granted four weeks further time to file reply to the objection on delay condonation.4. List on 31.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 899 of 2023 with M.A. No. 1169 of 2023

Ex. Nk. Dashrath Singh Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Objection against delay condonation application filed by the respondents is taken on record.2. Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Purna Singh, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 18 years, 08 months and 16 days in filing of Original Application.5. Ld. Counsel for the applicant submitted that it is a pensionary matter in which cause of action accrues on day-to-day basis. He further submitted that delay in filing of Original Application is neither intentional nor deliberate.6. In reply, Ld. Counsel for the respondents submitted that delay has not been properly and satisfactorily explained on day-to-day basis.7. It is a pensionary matter. We are of the view that the reasons shown are sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 899 of 2023</u></p> <ol style="list-style-type: none">8. 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.9. Case needs adjudication.10. Admit.11. 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.12. List on 28.02.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 910 of 2023 with M.A. No. 1181 of 2023

Ex. Sub. Ranjit Kumar Das Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate
Shri Karunanidhi Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing no one is present on behalf of the applicant.2. Ms. Anju Singh, Ld. Counsel for the respondents is present.3. Objection on maintainability of Original Application filed by the respondents is taken on record.4. Reply to objection, if any, may be filed within a week by the applicant.5. List on 19.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 912 of 2023 with M.A. No. 1183 of 2023

Ex. WO Satyendra Narayan Singh Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Mishra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ankur Rawat, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Objection on maintainability of Original Application has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time as a last opportunity to file objection on maintainability of Original Application.</p> <p>4. List on 05.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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. 926 of 2023 with M.A. No. 1224 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><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.2. Counter Affidavit has not been filed by he3. Ld. Counsel for the respondents prays for and is granted two weeks further time to file Counter Affidavit.4. List on 08.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 1036 of 2023

Sub. Clk. (SD) Pradip Kumar Jana Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate
Holding Brief of
Shri Sudheer Singh Raghuvanshi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Preliminary objection on maintainability of Original Application filed by the respondents is taken on record.</p> <p>2. Heard Shri Manoj Kumar Awasthi, Advocate holding brief of Shri Sudheer Singh Raghuvanshi, Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>3. The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for the following reliefs :-</p> <p style="padding-left: 40px;">A. <i>To issue/pass an order or directions to set aside the impugned order dated 05.07.2023 has been transferred from HQ UB Area (Ord) ERE Unit to 6 Mtn DOU without any rhyme and reason in very illegal and arbitrary manner in contrary to provisions contained as Annexure No. 1 to this original application.</i></p> <p style="padding-left: 40px;">B. <i>To issue/pass any other order or direction as this Hon'ble Tribunal may deemed just, fit and proper under the circumstances of the case in favour of the applicant.</i></p> <p style="padding-left: 40px;">C. <i>To award the cost of the case in favour of the applicant from the opposite parties.</i></p> <p>4. Ld. Counsel for the respondents submitted that applicant was posted a Ordnance Branch, HQ UB Area with effect from 25 March, 2022, AOC Records issued his posting order on 05.07.2023 to Mtn Division C/o 56 APO from HQ UB Area C/o 56 APO and applicant want to stop his posting order and quashing letter dated 05.07.2023. Posting and Transfer are not covered in Section 3(o) of Armed Forces Tribunal Act, 2007. Hence, this Original Application is not maintainable.</p> <p>5. In reply, Ld. Counsel for the applicant submitted that the move of the</p>

applicant to the new unit accordance with the impugned order dated 05.07.2023 will hamper the treatment of his wife and look after his children as well and the impugned order is a very illegal and arbitrary manner contrary to the Circular and letter dated 01.12.2022.

6. Section 3(o) of the Armed Forces Tribunal Act, 2007 provides as under:-

“3(o) “service matters”, in relation to the persons subject to the Army Act, 1950 (46 of 1950), the Navy Act, 1957 (62 of 1957) and the Air Force Act, 1950 (45 of 1950), mean all matters relating to the conditions of their service and shall include –

(i) remuneration (including allowances), pension and other retirement benefits;

(ii) tenure, including commission, appointment, enrolment, probation, confirmation, seniority, training, promotion, reversion, premature retirement, superannuation, termination of service and penal deductions;

(iii) summary disposal and trials where the punishment of dismissal is awarded;

(iv) Any other matter, whatsoever,

but shall not include matters relating to –

(i) orders issued under section 18 of the Army Act, 1950 (46 of 1950), sub-section (1) of section 15 of the Navy Act, 1957 (62 of 1957) and section 18 of the Air Force Act, 1950 (45 of 1950); and

(ii) transfer and postings including the change of place or unit on posting whether individually or as a part of unit, formation or ship in relation to the persons subject to the Army Act, 1950 (46 of 1950), the Navy Act, 1957 (62 of 1957) and the Air Force Act, 1950 (45 of 1950).

(iii) leave of any kind;

(iv) summary Court Martial except where the punishment is of dismissal or imprisonment for more than three months.

7. In view of the above, as the definition of “service matters” do not include the transfers and posting including the change of place or unit on posting whether individually or as a part of unit, formation or ship in relation to the persons subject to the Army Act, 1950 and in the instant Original Application applicant has challenged his transfer/posting order, therefore, Original Application is not maintainable and is liable to be dismissed as such.

8. Accordingly, Original Application is **dismissed** being not maintainable.

(Lt. Gen. Anil Puri)
Member (A)

(Justice Anil Kumar)
Member (J)

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

O.A. No. 1180 of 2023 with M.A. No. 1621 of 2023

Lt. Col. Shashi Bala (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Aditya Singh Puar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present on behalf of the applicant.2. Shri J.N. Mishra, Ld. Counsel for the respondents is present. .3. This Original Application has been filed with delay of 01 month and 26 days for the grant of disability pension to the applicant.4. Ld. Counsel for the respondents prays for and is granted two weeks time to file objection on delay condonation application as well as on maintainability of Original Application.5. List on 19.01.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) 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.35)

O.A. No. 211 of 2017

Bhupendra Gavar Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Maj. Vinay Sharma (Retd.), Advocate
Shri Kapil Mishra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Ankur Rawat, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.2. Shri Ankur Rawat, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant requested for adjournment.3. The case is adjourned for the day.4. List on 12.01.2024 for hearing. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>