

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

O.A. No. 428 of 2023 with M.A. No. 522 of 2023

Ex LHO Bhrigunath Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate
Shri Markandey Tiwari, 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>18.04.2023</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 be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Keshav Sharma, 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 seven months and nine 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, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p>

O.A. No. 428 of 2023

Heard. It is a fit case for adjudication.

Admit.

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.

List on **19.07.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

O.A. No. 429 of 2023 with M.A. No. 524 of 2023

Ex AC Pawan Negi Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Shri Raj Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 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>Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 06 years 05 months and 05 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, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p> <p><u>O.A. No. 429 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</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.

List on **19.07.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

O.A. No. 437 of 2023 with M.A. No. 533 of 2023

Ex Sep Ashish Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Rahul Pal, 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>18.04.2023</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 .Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Rahul Pal, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of seven months and ten 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, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p> <p><u>O.A. No. 437 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</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.

List this case on **19.07.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

EX- A. No. 94 of 2023 Inre: O.A. No. 329 of 2022

Ex W/O Satyendra Pratap Singh Applicant
By Legal Practitioner for the Applicant : Shri Santosh Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Somesh 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>Heard Shri Santosh Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents.</p> <p>At the outset, Ld. Counsel for the applicant submitted that he may be permitted to withdraw the instant execution application with liberty to file afresh.</p> <p>Ld. Counsel for the respondents raised no objection.</p> <p>In view of above, the instant petition stands dismissed having been withdrawn with liberty to the applicant to file afresh.</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>RK/-</p>

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

EX- A. No. 95 of 2023 Inre: O.A. No. 330 of 2022

Ex Sep Sanoj S Applicant
By Legal Practitioner for the Applicant : ShriVP Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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;">Memo of Appearance filed by Mrs. Deepti Prasad Bajpai, 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 style="text-align: center;">Heard Shri VP Pandey, Ld. Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to seek instructions and to file compliance report.</p> <p style="text-align: center;">List on 30.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 6)

EX- A. No. 241 of 2022 Inre: O.A. No. 308 of 2021

Ex HFO/MWO Bal Krishna Mishra 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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 R Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted one week's time to file objections to the compliance report filed by the respondents.</p> <p style="text-align: center;">List on 16.05.2023.</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>RK/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 7)

EX-A. No. 247 of 2022 Inre: O.A. No. 264 of 2021

Ex Sgt Ashutosh Misra 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 Ram Saran Awasthi, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Sri Ravi Kumar Yadav holding brief for Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to comply with the previous order dated 11.04.2023 by the next date fixed.</p> <p style="text-align: center;">List on 15.05.2023.</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>RK/-</p>

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

EX- A. No. 269 of 2022 Inre: O.A. No. 404 of 2020

Ex MWO (HonyFgOffr) Ajay KumarSachan Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Ashok Kumar, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents stated that PPO has been issued and seeks further time to file compliance report. Two weeks time is granted for the same.</p> <p style="text-align: center;">List on 29.05.2023.</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>RK/-</p>

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

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

Nk Jambe Prasad (Retd) Applicant
By Legal Practitioner for the Applicant : Ravi Kumar Yadav , Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted last opportunity of four weeks further time to file compliance report failing which a cost of Rs. 10,000/- shall be imposed.</p> <p style="text-align: center;">List on 30.05.2023.</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>RK/-</p>

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

EX-A. No. 372 of 2022 Inre: O.A. No. 364 of 2021

Ex MWO Hari Narayan Shukla Applicant
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents stated that PPO has been issued and seeks further time to file compliance report. PPO filed by the respondents is taken on record. Two weeks time is granted for filing the compliance report.</p> <p style="text-align: center;">List on 08.05.2023.</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>RK/-</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. 2 of 2023Inre: O.A. No. 308 of 2022

Rfn Ekhalaq Ahamad (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Mrs. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Ravi Kumar Yadav, Ld. Counsel for the applicant and Mrs. Kavita Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks further time to file compliance report failing which a cost of Rs. 10,000/- shall be imposed.</p> <p style="text-align: center;">List on 30.05.2023.</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>RK/-</p>

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

EX-A. No. 42 of 2023 Inre: O.A. No. 402 of 2018

Ex Sub Prasanth M Kurup Applicant
By Legal Practitioner for the Applicant : Shri KK Misra, 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>18.04.2023</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 KK Misra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Compliance report filed by the respondents is taken on record. Copy of the same has been furnished to the applicant's counsel who may file objection, if any, within two weeks.</p> <p style="text-align: center;">List on 16.05.2023.</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>RK/-</p>

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

O.A. No. 456 of 2020

Ex Sep Anil Kumar Sharma & Another Applicants
By Legal Practitioner for the Applicants : Shri SG Singh, 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>18.04.2023</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>Heard Sri Anupam Mishra, Advocate holding brief for Shri SG Singh, Ld. Counsel for the applicants and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for further time to file rejoinder affidavit. As a last opportunity, four weeks and no more time is granted to file rejoinder affidavit.</p> <p>List on 17.07.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 448 of 2021

Ex Hav (ACP Nb Sub) Sujay Kumar Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajesh Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Despite several opportunities, rejoinder affidavit has not been filed by the applicant.</p> <p style="text-align: center;">List on 18.07.2023 for final hearing.</p> <p style="text-align: center;">In the meantime, applicant may file rejoinder affidavit.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 730 of 2022

Sgt Vindhyachal (Retd)

Applicant

By Legal Practitioner for the Applicant : Shri Abhay Kant Upadhyay, Advocate
Shri Neel Kant Upadhyay, Advocate
Shri Raj Kumar Mishra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks further time to file counter affidavit failing which a cost of Rs. 10,000/- shall be imposed.</p> <p style="text-align: center;">List on 16.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 16)

O.A. No. 994 of 2022

Ex Hony Sub Lt MCAA (W) II Mohammad Saleem Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>18.04.2023</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submitted that counter reply is ready and the same shall be filed during the course of the day in the Registry.</p> <p style="text-align: center;">List on 16.05.2023.</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>RK/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 20)

O.A. No. 60 of 2023

Col (TS) Vivek Sarpal (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Raj Kumar Mishra, Ld. Counsel for the applicant and Major Bharat Kesav, representing the respondents are present.</p> <p>Departmental representative for the respondents prays for and is granted two weeks further time as a last opportunity to file counter affidavit failing which a cost of Rs. 10,000/- shall be imposed.</p> <p>List on 15.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RKM</p>

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

O.A. No. 63 of 2023

HFO Nagesh Kumar Mishra (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks further time to file counter affidavit failing which a cost of Rs. 10,000/- shall be imposed.</p> <p style="text-align: center;">List on 29.05.2023.</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>RKM</p>

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

O.A. No. 94 of 2023

Ex Sub Yogednra Yadav Applicant
By Legal Practitioner for the Applicant : ShriManoj Kumar Awasthi, Advocate
Shri Anshuman Srivastava, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submitted that counter affidavit is ready and the same shall be filed within two days.</p> <p style="text-align: center;">List on 08.05.2023.</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>RKM</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. 108 of 2023

Lt Col Prabhat Chaturvedi (Retd) Applicant
By Legal Practitioner for the Applicant : ShriBN Choubey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 BN Choubey, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submitted that counter affidavit is ready and the same shall be filed within two days.</p> <p style="text-align: center;">List on 08.05.2023.</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>RKM</p>

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

O.A. No. 117 of 2023

Ex WO Bal Chand Yadav 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 Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Sri Ravi Kumar Yadav, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks further time to file counter affidavit as last opportunity.</p> <p>Ld. Counsel for the respondents further pointed out that in the cause list, the wing is mentioned as Air Force whereas the case pertains to Army. Registry is directed to correct the same in the future cause list.</p> <p>List on 30.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RKM</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 26)

O.A.(A) No. 597 of 2022 with M.A. No. 704 of 2022

Sep Dushyant Singh Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that during the pendency of the case, post confirmation appeal under section 164(2) has been rejected, so, he wants to amend the petition and seeks time which has not been opposed by the respondents. Two weeks time is granted for the same. Applicant may made necessary amendment(s) on or before the next date of hearing.</p> <p style="text-align: center;">List on 17.07.2023.</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>RKM</p>

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

O.A. (A). No. 626 of 2022

Sgt Suraj S

Applicant

By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate
Shri Ravi Kumar Yadav, 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>18.04.2023</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 Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Supplementary affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Ld. counsel for the applicant stated that after post confirmation of the order, he wants to incorporate this fact by way of amendment in the petition. He may incorporate the same on or before the next date of hearing.</p> <p style="text-align: center;">List on 11.07.2023.</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>RKM</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No.28)

O.A. (A) No. 159 of 2023 with M.A. No.157 of 2023

Nk (Dismissed) Bhanu Pratap Pandey Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>18.04.2023</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>M.A. No.157 of 2023</u></p> <p>The Original Application (Appeal) has been filed against the findings of DCM conducted against the applicant with delay of 03 months and 18 days. Regarding delay the submission of the Ld. Counsel for the applicant is that the applicant has filed petition U/s 164(2) of Army Act on 26.07.2022 within time which has not been replied till date and soon after expiry of period of six months which is mandatory, applicant has filed the instant O.A. As such, there is no delay in filing the same. Further submitted that if there is any delay that is not intentional and the same may be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application (A) and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p style="text-align: center;">In the result, delay condonation application is allowed.</p> <p style="text-align: center;">Delay condoned.</p> <p><u>O.A. (A) No. 159 of 2023</u></p> <p style="text-align: center;">Heard. It is a fit case for adjudication.</p> <p style="text-align: center;">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 style="text-align: center;">List on 10.07.2023.</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>RKM</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 29)

T.A. No. 8 of 2022

Ex Rect Surendra Kumar Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Vinay Pandey, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant made statement that inspite of PPO issued by the respondents, Bank (respondent No. 5 and 6) has not credited the interest component as per order of this Tribunal.</p> <p style="text-align: center;">Registry is directed to submit the report with regard to service of notices to respondent Nos. 5 and 6.</p> <p style="text-align: center;">List on 30.05.2023.</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>RKM</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 30)

D.Y No. 625 of 2023

Ex Dfr Manoj Kumar Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate
Shri Raj Kumar Tiwari, Advocate
Shri Rahul Dev Tripathi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Raj Kumar Mishra, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted a week's time to remove the defects indicated by the Registry.</p> <p style="text-align: center;">List on 01.05.2023.</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>RKM</p>

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

O.A. No. 400 of 2021

Surendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Om Prakash Kushwaha, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 Sri Chaturbhuj Dwivedi holding brief of Sri O.P Kushwaha, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant holding brief of Sri O.P Kushwaha submitted that Sri Ashok Kumar is also a counsel for the applicant. His name is not reflected in the cause list. Registry is directed to print the name of Sri Ashok Kumar alongwith Sri Om Prakash Kushwaha as counsel for the applicant, in the future cause list.</p> <p style="text-align: center;">List on 29.5.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RKM</p>

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

O.A. (A) No. 290 of 2015

Kaptan Singh Applicant
By Legal Practitioner for the Applicant : Shri SK Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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 SK Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Two weeks further time is granted to the applicant as a last opportunity to file relevant medical documents otherwise order shall be passed according to law.</p> <p style="text-align: center;">List on 16.05.2023.</p> <p style="text-align: center;">On the date fixed, Id. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</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>RKM</p>

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

T.A. No. 2 of 2018

Mohd Yasin Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.04.2023</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>Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>Written submissions filed by the Ld. Counsel for the applicant are taken on record. Copy of the same has been furnished to the Respondents' counsel.</p> <p>Ld. Counsel for the respondents seeks time to file written submissions. One week's time is granted to the respondents to file their written submissions.</p> <p>List on 24.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RKM</p>