

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

O.A. No. 830 of 2023 with M.A. No. 1016 of 2023

Ex. Sub. Sanjeet Kumar Patel 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 Devesh Kumar Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Devesh Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, 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 06 months and 02 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 830 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.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.10. List on 25.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 831 of 2023 with M.A. No. 1017 of 2023

Col. Rajan Anand (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Manoj Kumar Singh, Ld. Counsel for the applicant and Shri Bipin Kumar 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 05 months and 02 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 831 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.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.10. List on 25.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 832 of 2023 with M.A. No. 1020 of 2023

Ex. JWO Sanjay Kumar Srivastava 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 : Ms. Kavita Mishra , Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Ms. Kavita Mishra, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Ms. Kavita Mishra, 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 07 months and 19 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 832 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.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.10. List on 25.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 836 of 2023 with M.A. No. 1024 of 2023

Ex. Sgt. Harish Chandra Dubey Applicant
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate
Shri Abhishek Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the respondents is taken on record.2. Heard Shri Abhishek Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.3. Applicant has filed this application for the grant of disability pension after condoning delay of 10 months and 11 days in filing of Original Application.4. It is submitted by learned counsel for the respondents that against the order rejecting disability claim by the competent authority, the applicant has preferred appeal to the competent authority on 18.03.2023. The appeal is still to be decided. However, before awaiting expiry of six months period from the date of preferring appeal, the applicant has filed this application which is not maintainable under Sub Section (2) of Section 21 of Armed Forces Tribunal Act, 2007.5. Learned counsel for the applicant submits that application may be dismissed as withdrawn with liberty to file afresh.6. Accordingly, Original Application is dismissed as withdrawn. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">SB</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. 201 of 2023 Inre : O.A. No. 43 of 2022

Ex. Sgt. Atul Kumar Applicant
By Legal Practitioner for the Applicant : Shri D.S. Tiwari , Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri D.S. Tiwari, Ld. Counsel for the applicant and Sqn. Ldr. Ashutosh Pandey, Departmental Representative for the respondents are present.</p> <p>2. This application has been filed for implementation of order dated 12.09.2022 in Original Application No. 43 of 2022.</p> <p>3. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</p> <p>4. List on 05.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 202 of 2023 Inre : O.A. No. 657 of 2022

Ex. L. Nk. Raghunath 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 Vishwesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Vishwesh Kumar, 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. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents are present.</p> <p>3. This application has been filed for implementation of order dated 14.12.2022 in Original Application No. 657 of 2022.</p> <p>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</p> <p>5. List on 05.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Ex. A. No. 204 of 2023 Inre : O.A. No. 24 of 2022

MWO Om Prakash (Retd.) 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 Ram Sharan Awasthi, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Ram Sharan Awasthi, 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. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Ram Sharan Awasthi, Ld. Counsel for the respondents are present.</p> <p>3. This application has been filed for implementation of order dated 06.01.2023 in Original Application No. 24 of 2022.</p> <p>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</p> <p>5. List on 05.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Ex. A. No. 205 of 2023 Inre : O.A. No. 289 of 2022

Ex. Sub. Madan Mohan Mishra Applicant
By Legal Practitioner for the Applicant : Shri K.P. Datta, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Ms. Prerna Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents are present.</p> <p>3. This application has been filed for implementation of order dated 02.12.2022 in Original Application No. 289 of 2022.</p> <p>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</p> <p>5. List on 05.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Ex. A. No. 206 of 2023 Inre : O.A. No. 769 of 2022

Ex. L/Nk. Abdul Khalik Applicant
By Legal Practitioner for the Applicant : Shri D.S. Tiwari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Gyan 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.2. On the case being taken up for hearing Shri D.S. Tiwari, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.3. This application has been filed for implementation of order dated 06.01.2023 in Original Application No. 769 of 2022.4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.5. List on 05.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">SB</p>

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

M.A. No. 1013 of 2023 with MJ.A. No. 1014 of 2023 Inre : O.A. No. 1136 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri Shyam Singh, Advocate

Versus

Ex. Gdr. Dheerendra Pratap Singh Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Shyam Singh, Ld. Counsel for the applicants – Union of India & others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 29.03.2023 of this Tribunal in Original Application No. 1136 of 2022.3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 02 months and 12 days in filing of application be condoned.4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.5. Upon hearing submission of Ld. Counsel for the applicants, we find that no point of law of general public importance is involved so that leave may be granted.6. Accordingly, Leave to Appeal is dismissed. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">SB</p>

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

Ex. A. No. 44 of 2021 Inre : O.A. No. 493 of 2019

Ex. Sep. Pradip Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, PCDA (P) Prayagraj are present.</p> <p>2. With regard to compliance of the order, PPO has been issued. The PPO, however, is not brought on record.</p> <p>3. Let it be brought on record by way of affidavit within two weeks.</p> <p>4. List on 10.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Ex. A. No. 107 of 2022 Inre : O.A. No. 11 of 2021

Ex. Hav. Arun Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. It is stated that case file of the applicant regarding implementation of the order is currently pending with Ministry of Defence. Thus, four weeks further time has been sought which is allowed subject to condition that if the order is not complied with, officer responsible for implementation of the order will appear in person in the Tribunal on the next date fixed to explain the reasons of non compliance.</p> <p>3. Respondents are further directed to deposit cost of Rs. 35,000/- due against them by the next date fixed.</p> <p>4. List on 12.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

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, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. 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>2. Learned counsel for the applicant submits that respondents are not complying with the order dated 02.07.2021 passed by this Tribunal in the garb of Civil Appeal filed in the Hon'ble Apex Court. No stay order has been granted in the Civil Appeal.</p> <p>3. Respondents cannot sit over the order in the garb of Civil Appeal filed in the Hon'ble Apex Court unless implementation of the order is stayed. They are therefore, directed to either file stay order or make implementation of the order within four weeks from today failing which officer responsible for implementation of the order will remain present in person in the Tribunal to explain the reasons why coercive measures be not taken against him for non compliance of the order.</p> <p>4. List on 12.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">SB</p>

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

Ex. A. No. 10 of 2023 Inre : O.A. No. 841 of 2021

Ex. Sgt. Sandeep Kumar Applicant
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Sqn Ldr Ashutosh Pandey, Departmental Representative for the respondents are present.</p> <p>2. It is submitted that respondents are intending to file Civil Appeal against the decision of this Tribunal, four weeks further time be granted.</p> <p>3. The order is to be implemented is dated 14.07.2022. Keeping in view the order passed in Original Application, respondents are directed to bring stay order after filing Civil Appeal, if any, within four weeks failing which they shall be liable to pay Rs. 10,000/- as cost.</p> <p>4. List on 14.09.2023.</p> <p>5. Let a copy of order be provided to AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">SB</p>

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

Ex. A. No. 12 of 2023 Inre : O.A. No. 794 of 2021

Ex. Sub. (Hony. Lt.) Suresh Pandey Applicant
By Legal Practitioner for the Applicant : Shri K.P. Datta, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present.2. Four weeks further time has been sought by the respondents saying file for implementation of the order is still pending with the Office of Principal Integrated Financial Advisor (PIFA). Order to be implemented is dated 04.05.2022.3. Respondents are granted four weeks further time, as prayed, for implementation of the order. It is directed that in case the order is not complied with, PIFA will appear in the Tribunal through video conferencing on the next date fixed to show cause why coercive measures be not taken against her for non compliance.4. Respondents are directed to deposit cost due against them by the next date fixed.5. List on 28.08.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 17)

Ex. A. No. 15 of 2023 Inre : O.A. No. 237 of 2022

Ex. Nk. Vijendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Santosh Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Santosh Singh, Ld. Counsel for the applicant and Maj. Naman Gupta, Departmental Representative for the respondents are present.</p> <p>2. It is submitted that order dated 12.09.2022 has not yet been complied with to which submission of learned counsel for the respondents is that file for implementation of the order has already been processed which is presently pending with the Office of Director AG PS-4. Thus, four weeks further time has been sought for implementation of the order which is allowed subject to condition that if the order is not being implemented, Director AG PS-4 will appear in the Tribunal by the next date fixed to explain the reasons for non compliance.</p> <p>3. Respondents are directed to deposit cost due against them by the next date fixed.</p> <p>4. List on 12.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Ex. A. No. 36 of 2023 Inre : O.A. No. 209 of 2022

Ex. Hav. Mudit Kumar Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Parijaat belaura, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted that order dated 04.07.2022 has not yet been complied with to which submission of learned counsel for the respondents is that file for implementation of the order has already been processed which is presently pending with the Office of Director AG PS-4. Thus, four weeks further time has been sought for implementation of the order which is allowed subject to condition that if the order is not being implemented, Director AG PS-4 will appear in the Tribunal by the next date fixed to explain the reasons for non compliance.</p> <p>3. Respondents are directed to deposit cost of Rs. 10,000/- due against them by the next date fixed.</p> <p>4. List on 12.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.2. Original Application is dismissed.3. For orders, see our order placed on separate sheets.4. Misc. Application(s), pending if any, shall stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</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. 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 R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>2. It is submitted by learned counsel for the respondents that statutory complaint preferred by the applicant has been considered and rejected by the Chief of the Army Staff vide order dated 25.05.2022. A copy of the order has been handed over to learned counsel for the applicant in court to which he prays for and is granted two weeks time to file amendment application to amend the prayer clause.</p> <p>3. List on 16.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.3. Original Application is dismissed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 912 of 2022

Ex. Sep. Lalit Mohan Kothyari Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Lt. Col. Nidhikant Dhyani (Retd.), 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. No counter affidavit has been filed by the respondents.</p> <p>3. List on 24.07.2023 for hearing.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 979 of 2022

Ex. AG PO EL (P) Suraj Kumar Verma Applicant
By Legal Practitioner for the Applicant : Shri Ved Prakash, Advocate
Shri Devenra Kumar, Advocate
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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents states that counter affidavit has been prepared and sent for vetting. He prays for and is granted a week further time to file counter affidavit which is allowed.</p> <p>3. It is clarified that in the event of counter affidavit being not filed in the given time, opportunity will stand closed without any reference and case will be heard and decided on the basis of material available on record.</p> <p>4. List on 16.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</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. 64 of 2023

Ex. Gnr. (MACP) Satish Kumar Yadav Applicant
By Legal Practitioner for the Applicant : Shri Ashok Singh, Advocate
Shri Vikas Singh Chauhan, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents submits that counter affidavit is prepared and sent for vetting. He prays for and is granted a week time to file counter affidavit.</p> <p>3. List on 27.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 65 of 2023

Ex. LD Vikram Singh

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. As prayed, two weeks further time is granted to file counter affidavit as a last chance.</p> <p>3. List on 23.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 226 of 2023

Ex. WO Shyam Ji Singh Applicant
By Legal Practitioner for the Applicant : Shri Abhay Kant Upadhyay, Advocate
Shri Neel Kant Upadhyay, Advocate
Shri Raj Kumar Mishra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents seeks and is allowed two weeks further time to file copies of Memo of Civil Appeal Diary No. 30205 of 2021 and Civil Appeal Diary No. 415 of 2022.</p> <p>3. List on 23.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 230 of 2023

Ex. JWO Neelkanth Pandey Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Mishra, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.3. Original Application is allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 302 of 2023

Ex. MWO Pradip Kumar Das

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 R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.3. Original Application is allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 324 of 2023

Ex. Nb. Sub. Singhasan Singh Yadav

Applicant

By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate
Shri R.K. Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Shyam Singh, 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 stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 342 of 2023

Ex. Sgt. Abhishek Kumar Applicant
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Shyam Singh, 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 stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</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. 357 of 2023

JWO Imroz Iqbal (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri A.K. Chaudhary, Advocate
Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri D.K. Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri D.K. Pandey, 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 stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 376 of 2023

Ex. Nk. Bhimjee Pandey 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 J.N. Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.3. The instant Original Application has been filed on behalf of the applicant under Section 14 of the Armed Forces Tribunal Act, 2007, whereby the applicant has sought following reliefs:-<ol style="list-style-type: none">A. To issue/pass an order or directions to set-aside/quash the letter/order no. 14623749K/DP-4/Pen dated 05 January 2017 and letter/order no. B/40502/357/2019/AG/PS-4 (1st Appeal) dated 08 September 2022, which is annexed as Annexure No. A-1 and A-2 respectively to this Original Application.B. To issue/pass an order or directions to the respondents to Grant disability pension @20% to the applicant from the date of discharge i.e. 31.12.2016 along with 12% interest on arrear in light of Hon'ble Apex Court judgments.C. To issue/pass an order or directions to the respondents to Grant benefit of rounding off/broad banding off disability pension @20% to @50% to the applicant from date of discharge i.e. 31.12.2016 along with 12% interest on arrear in light of Hon'ble Apex Court judgment and Government letter dated 31.01.2001.D. To issue/pass an order or directions to the respondents to consider the assessment of the disability of the applicant as contemplated in Amendment to Chapter VI & VII to Medical Officers, 2008.E. To issue/pass any other order or direction as this Hon'ble Tribunal may deem just, fit and proper under the circumstances of the case in favour of the applicant.

F. To allow this original application with costs.

4. Brief facts of the case are that applicant was enrolled in the Corps of EME of Indian Army on 28.12.1994 and discharged from service on 31.12.2016 (AN) in Low Medical Category on fulfilling the conditions of his enrolment under Rule 13 (3) Item III (i) of the Army Rules, 1954. At the time of discharge from service, the Release Medical Board (RMB) held at Military Hospital, Allahabad, New Cantt. on 20.05.2016 assessed his disabilities (i) 'FRACTURE LV1' @11-14% for life but since the IAFY 2006 was not signed by the competent authority, hence, attributability was not decided by the RMB and (ii) 'SPONTENIOUS DVT (LT) LOWER LIMB' @1-5% for life as neither attributable to nor aggravated by service and composite assessment @ 20% for life. The applicant's claim for grant of disability pension was rejected vide letter dated 05.01.2017. The applicant preferred representation dated 13.09.2018 but of no avail. The applicant preferred First Appeal against the rejection of his disability element which was rejected vide letter dated 08.09.2022. The applicant's First Appellate Medical Board has been sanctioned by the competent authority vide letter dated 17.05.2019, thereby respondent no. 4 sent a letter dated 31.05.2019 to Base Hospital, Delhi Cantt. for holding the First Appeal Medical Board of the applicant. Thereafter, letter dated 05.03.2021 was sent to the applicant by Base Hospital, Delhi Cantt for holding First Appeal Medical Board. The applicant's Appeal Medical Board (AMB) held at Base Hospital, Delhi Cantt on 20.04.2022 assessed the applicant's disability 'FRACTURE LV1' @15% for life and opined the disability to be attributable to service but applicant's another disability (SPONTENIOUS DVT (LT) LOWER LIMB) as mentioned in RMB in Part V, has not been reflected in the Appeal Medical Board and thus, its degree of disablement is not found mentioned in the relevant column (Part VII) alongwith disability 'FRACTURE LV1'. The respondents have denied grant of disability element of pension to the applicant. Being aggrieved with the denial of disability element of pension, the applicant has preferred the present Original Application.

5. Learned counsel for the applicant submitted that applicant was enrolled in the Indian Army on 28.12.1994 and discharged from service on 31.12.2016 (AN) in Low Medical Category on fulfilling the conditions of his enrolment under Rule 13 (3) Item III (i) of the Army Rules, 1954. At the time of discharge from service, the Release Medical Board (RMB) held at Military Hospital, Allahabad, New Cantt. on 20.05.2016 assessed his disabilities (i) 'FRACTURE LV1' @11-14% for life but since the IAFY 2006 was not signed by the competent authority, hence, attributability was not decided by the RMB and (ii) 'SPONTENIOUS DVT (LT) LOWER LIMB' @1-5% for life as neither attributable to nor aggravated by service and composite assessment @ 20% for life. The applicant's claim for grant of disability pension was rejected vide

letter dated 05.01.2017. The applicant preferred representation dated 13.09.2018 but of no avail. The applicant preferred First Appeal against the rejection of his disability element which was rejected vide letter dated 08.09.2022. The applicant's First Appellate Medical Board has been sanctioned by the competent authority vide letter dated 17.05.2019, thereby respondent no. 4 sent a letter dated 31.05.2019 to Base Hospital, Delhi Cantt. for holding the First Appeal Medical Board of the applicant. Thereafter, letter dated 05.03.2021 was sent to the applicant by Base Hospital, Delhi Cantt for holding First Appeal Medical Board. The applicant's Appeal Medical Board held at Base Hospital, Delhi Cantt on 20.04.2022, assessed the applicant's disability 'FRACTURE LV1' @15% for life and opined the disability to be attributable to service but applicant's another disability (SPONTENIOUS DVT (LT) LOWER LIMB) as mentioned in Part V of the RMB has not been reflected in the board proceedings of Appeal Medical Board.

6. Learned counsel for the applicant further submitted that Appeal Medical Board held at Base Hospital, Delhi Cantt on 20.04.2022 has assessed applicant's only one disability, i.e. 'FRACTURE LV-1' @ 15% for life as attributable to military service but applicant's second disability (SPONTENIOUS DVT (LT) LOWER LIMB) to which he was suffering before retirement from Army service (from 24.05.2011) as mentioned in RMB in Part V, has not been reflected in the board proceedings of Appeal Medical Board and thus, its degree of disablement which was assessed @ 1-5% in RMB, is not found mentioned in the relevant column (Part VII of AMB) alongwith disability 'FRACTURE LV1'. He also submitted that assessment of ID 'FRACTURE LV-1' cannot be assessed less than 20% as laid down in Amendment to Chapter VI & VII of Guide to Medical Officer (Military Pensions) 2008, Therefore, applicant is entitled to 20% disability element of pension for life to be rounded off to 50% for life from the next date of discharge from service.

7. In reply, submission of learned counsel for the respondents is that applicant was discharged from service on 31.12.2016 in low medical category having disabilities (a) Fracture LV1 and (b) Spontenious DVT (Lt) Lower Limb. The RMB assessed first disability @ 11-14% for life with remark, attributability to be decided by administrative authority and assessed second disability @ 1-5% for life as neither attributable to nor aggravated by military service, composite assessment was 20% for life. The applicant's claim for grant of disability element of pension was rejected being not fulfilling the conditions for grant of disability pension as laid down in para 53 of Pension Regulations for the Army, 2008 (Part-1). On being advised, the applicant preferred 1st appeal dated 02.11.2018 against the rejection of disability pension claim which was accepted by the ACFA and Appeal Medical Board of the applicant was conducted on 26.04.2022 and applicant's disability 'Fracture LV1' was assessed @ 15% for life as attributable to military service. The applicant was

communicated vide Record Office letter dated 19.09.2022. Since the applicant's disability is assessed @ 15%, i.e. less than 20%, therefore, applicant is not entitled to disability element of pension in terms of para 53 of Pension Regulations for the Army, 2008 (Part-1). He pleaded for dismissal of Original Application being devoid of merit.

8. On perusal of RMB and AMB proceedings, we observe that Release Medical Board held at Military Hospital, Allahabad, New Cantt. on 20.05.2016 assessed his disabilities (i) 'FRACTURE LV1' @11-14% for life with remark attributability to be decided by the administrative authority and (ii) 'SPONTENIOUS DVT (LT) LOWER LIMB' @1-5% for life as neither attributable to nor aggravated by service and composite assessment @ 20% for life. The Appeal Medical Board held at Base Hospital, Delhi Cantt on 20.04.2022 assessed the applicant's only one disability, 'FRACTURE LV1' @15% for life and opined the disability to be attributable to military service but applicant's second disability (SPONTENIOUS DVT (LT) LOWER LIMB) as mentioned in RMB in Part V, has not been reflected in the Appeal Medical Board. Thus, it shows that Appeal Medical Board has erroneously left consideration and assessment of second disability (SPONTENIOUS DVT (LT) LOWER LIMB) in the respective column of the medical board.

9. In view of the above, we are of the opinion that there is requirement to reassess the second disability (SPONTENIOUS DVT (LT) LOWER LIMB) of the applicant in the respective column of the Appeal Medical Board with regard to its degree of disablement as assessed by the Release Medical Board.

10. The respondents are therefore, directed to mention assessment of applicant's second disability (SPONTENIOUS DVT (LT) LOWER LIMB) in the respective column of the Appeal Medical Board or to conduct a fresh medical board of the applicant to assess his second disability (SPONTENIOUS DVT (LT) LOWER LIMB) mentioning degree of disablement therein. The respondents are directed to inform applicant the place and date where fresh medical board is to be conducted, if required by the medical authorities, and give effect to this order positively within a period of four months from the date of receipt of certified copy of the order.

11. No order as to costs.

12. Misc. Application(s), pending if any, shall stand disposed off.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

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

O.A. No. 378 of 2023

Gp. Capt. Manoj Gopal Puranik (Retd.) Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. S.N. Dwivedi (Retd.), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Anand Kumar, Advocate holding brief of Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri Kaushik Chatterjee, 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 stand disposed off. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

O.A. No. 406 of 2023

Ex. Sub. Pramod Kumar Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Giris Tiwari, Advocate
Shri Dheerendra Kumar Agnihotri, Advocate
Shri Sandeep Tripathi, Advocate
Shri Vishnu Kant Awasthi, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, 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 Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>3. List on 17.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</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. 407 of 2023

Col. Dev Raj Gupta (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri S.G. Singh, Advocate
Shri Anand Kumar Yadav, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri S.G. Singh and Shri Anand Kumar Yadav, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>3. List on 31.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 409 of 2023

Ex. Swr. Ankit Yadav

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Amrita Chakraborty, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>3. List on 31.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

Court No. 1 (Sl. No. 37)

O.A. No. 415 of 2023

Hony. Sub. Maj. Akhilesh Shukla

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.3. The applicant has filed present application under Section 14 of the Armed Forces Tribunal Act, 2007 and has sought the following reliefs:- <p style="margin-left: 40px;">“A. To issue pass an order to set aside/quash the order/letter dated 02 July 2020 and vide letter dated 31.08.2020, which are being annexed as Annexure No. 1 and 2 to this Original Application.</p><p style="margin-left: 40px;">B. To issue pass an order or directions to the respondents to constitute a fresh Re-Survey Medical Board so that a fresh disablement may be assessed and accordingly grant disability element of disability pension for the disability, as per the percentage contemplated in the Guide to Medical Officer, 2008, from the date of discharge, i.e. 31.12.2016 @ 12% interest in arrear in light of Hon'ble Apex Court judgments.</p><p style="margin-left: 40px;">C. To issue pass an order or directions to the respondents to grant benefit of rounding off disability pension from the date of discharge i.e. 31.12.2016 @ 12% interest as per the Hon'ble Apex Court judgments and letter dated 31.01.2001.</p><p style="margin-left: 40px;">D. Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstance of the case is also granted alongwith cost of the OA.</p><p style="margin-left: 40px;">E. To allow this original application with costs.”</p>

4. Brief facts of the case are that applicant was initially enrolled in the Army on 19.12.1986 and was discharged from service on 31.12.2016 in fit (SHAPE-1) medical category after rendering more than 30 years of service. Thereafter, applicant applied for re-enrolment in DSC and reported at CMP Centre, Bangalore for recruitment drill on receipt of call letter dated 06.12.2017. The applicant was declared unfit in Primary Medical Examination conducted at CMP Centre, Bangalore on 23.01.2018 due to disease, 'VERICOSE VEINS (LEFT) LEG' and thus, he was denied re-enrolment in DSC on medical grounds. The applicant being diagnosed a case of 'VERICOSE VEINS (LEFT) LEG', preferred an application dated 04.11.2019 for grant of disability element of pension which was rejected by the respondents vide letter dated 02.07.2020. The applicant applied for grant of disability pension as a Post Discharge Claim as per para 9 of IHQ of MoD (Army) policy letter dated 20.07.2006 but the same has been denied by the respondents. Since the applicant has been diagnosed a disease, 'VERICOSE VEINS (LEFT) LEG' within ten years of retirement from service, therefore, as per IHQ of MoD (Army) policy letter dated 20.07.2006, fresh medical board to be conducted to assess gravity of disablement and grant disability element of pension to the applicant.

5. Learned counsel for the applicant submitted that applicant was initially enrolled in the Army on 19.12.1986 and was discharged from service on 31.12.2016 in SHAPE-1 medical category under Army Rule 13 (3) I (i) (a) of Army Rules, 1954 after rendering more than 30 years of service. Thereafter, applicant applied for re-enrolment in DSC and reported at CMP Centre, Bangalore for recruitment drill on receipt of call letter dated 06.12.2017. The applicant was declared pass in physical test but he was declared unfit in medical examination report dated 23.01.2018 conducted at CMP Centre, Bangalore due to disease, 'VERICOSE VEINS (LEFT) LEG' and thus, he was denied re-enrolment in DSC on medical grounds. The applicant being diagnosed a case of 'VERICOSE VEINS (LEFT) LEG', preferred an application dated 04.11.2019 for grant of disability element of pension which was rejected by the respondents vide letter dated 02.07.2020. The applicant applied for grant of disability pension as a Post Discharge Claim as per para 9 of IHQ of MoD (Army) policy letter dated 20.07.2006 but the same has been denied by the respondents. He pleaded that since the applicant has been diagnosed disease, 'VERICOSE VEINS (LEFT) LEG' within ten years of retirement from service, fresh medical board to be conducted to examine/assess gravity of disablement of the applicant as per IHQ of MoD (Army) policy letter dated 20.07.2006 and grant disability element of pension under the provisions of para 53 of Pension Regulations for the Army, 2008.

6. On the other hand, learned counsel for the respondents submitted that applicant was discharged from Army service on 31.12.2016 in fit medical category SHAPE-1. After three years, the applicant preferred an application

dated 04.11.2019 stating that he applied for re-enrolment in DSC and he has been declared unfit by the Primary Medical Examination conducted at CMP Centre in Jan. 2018, therefore, a Review Medical Board to be conducted for grant of disability pension which was replied by CMP Records vide letter dated 26.12.2019 rejecting request of the applicant. The applicant again approached CMP Records vide his personal application dated 10.02.2020 for the same relief which was replied by the office of Director General of Armed Forces Medical Service vide letter dated 02.07.2020 intimating that '*the disability Primary Varicose Vein is not attributable to service. Prolonged standing, injury and infection vitiate the condition and aggravation may be considered in these cases*'. Hence, request of the applicant to hold Post Discharge Claim Medical Board and to grant disability element of pension was rejected by the competent authority as per rules. The applicant has been diagnosed with the said disability after 2 years from his discharge from Army service in SHAPE-1 and there is no evidence of any service related infection found in the documents, hence, Original Application is liable to be dismissed.

7. We have perused the records including the medical boards and we find that applicant was discharged from service on 31.12.2016 in fit medical condition. The disease, 'VERICOSE VEINS (LEFT) LEG', was diagnosed during his re-enrolment in DSC while conducting Primary Medical Examination at CMP Centre in Jan. 2018. Thus, it is clear that applicant suffered with the disability, 'VERICOSE VEINS (LEFT) LEG' after retirement from Army service on 31.12.2016 and before joining DSC in Jan. 2018. Therefore, under the provisions of Para 9 of IHQ of MoD (Army), a Re-survey Medical Board (RSMB) is required to be conducted for the applicant to assess the cause and gravity of his disability which was diagnosed at CMP Centre, Bangalore during re-enrolment in DSC service in Jan. 2018.

8. The para 9 (b) of IHQ of MoD (Army) policy letter dated 20.07.2006 is reproduced as under :-

*"9. **Post Discharge Claims.** Disability pension claims arising in the following contingencies shall be referred to DGAFMS by the Records Office/AHQ (AG/MP 5&6 or MPRS (O) for constitution of appropriate Medical Boards as mentioned against each. Finding of the board will be final :-*

(a) Cases of substantial increase in the disability claimed by an individual after invalidment/retirement/discharge (Reassessment Medical Board).

(b) Manifestation of any disability within 10 years of retirement/discharge (Fresh Medical Board similar to RMB."

9. In view of aforesaid, the respondents are directed to conduct a Re-Survey Medical Board for the applicant to assess his medical condition recommending the cause and percentage of disability, if any. The respondents

are directed to inform applicant the place and date where RSMB is to be conducted and give effect to this order positively within a period of four months from the date of receipt of certified copy of the order.

10. No order as to costs.

11. Misc. Application(s), pending if any, shall stand disposed off.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

SB

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 38)

Diary No. 742 of 2023

Ex. Rfn. (MACP Nk) Sandeep Kumar 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 : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Defect has been removed by the applicant.2. Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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 06 months and 12 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 856 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 25.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 39)
Diary No. 1536 of 2023

Gp. Capt. Sanjeev Kumar Singh Gosain (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar, Advocate
Shri Vinay Pandey, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Defect has been removed by the applicant.2. Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, 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 03 months and 23 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 855 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 25.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 40)

Diary No. 1909 of 2023 Inre : O.A. No. 661 of 2022

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 Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Sunil Sharma, 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. On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>3. It is submitted by learned counsel for the applicant that there is no delay in filing review application as it has been filed within 30 days from the date of receipt of certified copy of the order. The order against review is filed is dated 21.04.2023. A certified copy of the order was forwarded on 10.05.2023 and review application was filed on 04.06.2023. Certified copy of the order has not been filed.</p> <p>4. Let it be filed within two weeks.</p> <p>5. List on 21.08.2023 for hearing.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 41)

O.A. No. 388 of 2017

Gagan Singh

Applicant

By Legal Practitioner for the Applicant : Mohd. Zafar Khan, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Vakalatnama filed by Mohd. Zafar Khan today on behalf of the applicant is taken on record.2. On the case being taken up for hearing Mohd. Zafar Khan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.3. Mohd. Zafar Khan, Ld. Counsel for the applicant prays for and is granted two weeks time to prepare the case.4. List on 24.08.2023 for hearing. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>SB</p>

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

O.A. No. 300 of 2023

Ex. Hav. Ved Vijay Pandey Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate
Shri Dheerendra Kumar Agnihotri, Advocate
Shri Sandeep Tripathi, Advocate
Shri Vishnu Kant Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed by the respondents is taken on record.2. On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.3. Learned counsel for the applicant prays for and is granted two weeks time to file rejoinder affidavit.4. List on 31.07.2023 for hearing. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>

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

Ex. A. No. 37 of 2023 Inre : O.A. No. 683 of 2021

Ex. Rect. Ram Singh Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, 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>18.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.2. Order has not yet been complied with nor cost has been deposited.3. It is stated that case file of the applicant for implementation of the order is pending with office of Director AG PS-4. Four weeks further time has been sought for implementation of the order which is allowed subject to condition that if the order is not complied with in the given time, Director PS-4 will file his personal affidavit stating the reasons for non compliance of the order.4. Respondents are directed to deposit cost due against them by the next date fixed.5. List on 12.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">SB</p>