

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 2)**  
**O.A. No. 440 of 2023**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Deepti Prasad Bajpai, 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>Heard Shri V.P. Pandey, Ld. Counsel appearing for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel appearing for the respondents.</p> <p>This Original Application has been filed for the grant of disability element of pension to the applicant.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Indian Army on 24.10.1994 and was discharged from service on 31.10.2022 in low medical category after rendering 27 years and 09 days of service. The applicant's disabilities "Posterior Fossa Arachnoid Cyst (G93.0)" and "Bilateral Sensorineural Hearing Loss (90.3)" were compositively assessed @32% for life, however, disability No. 1 being regarded as neither attributable to nor aggravated by military service applicant was denied disability element of pension as disability No. 2 was assessed below 20%. It is further submitted by the Ld. Counsel for the applicant that disability No. 1 suffered by the applicant during the service has been wrongly recorded as Nil for life.</p> <p>Ld. Counsel for the respondents, on the other hand, prays for time to file Counter Affidavit/Reply.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue notice.</p> <p>Ms. Deepti Prasad Bajpai, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.</p> <p>Respondents may file Counter Affidavit within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 441 of 2023**

**Maj. Gen. Bhaskar Kalita, YSM (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Col. A.K. Srivastava (Retd.), Advocate  
Shri Amarendu Srivastava, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability element of pension to the applicant.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant has been superannuated from the service of the Army in low medical category, however, his claim for the grant of disability element of pension has been denied on the ground that disability is neither attributable to nor aggravated by military service. In fact disability suffered by the applicant is connected with military service.</p> <p>Ld. Counsel for the respondents, on the other hand, has submitted that this Tribunal has no territorial jurisdiction to entertain this Original Application as neither the disability has arisen to the applicant in the territorial jurisdiction of this Tribunal nor the claim was denied and, further applicant is not the permanent resident within the territorial jurisdiction of this Tribunal rather he is the native of Assam and, therefore this Tribunal lacks jurisdiction to entertain the Original Application.</p> <p>In the memo of Original Application applicant has shown to be the resident of Lucknow. In Rule 6 of Armed Forces Tribunal (Procedure) Rules, 2008 it is provided that the Original Application under the Armed Forces Tribunal Act, 2007 may be filed with the Registrar of the Bench where the cause of action has arisen or the applicant was last posted and in case the</p>

applicant is retired, he is ordinarily residing at the time of filing of the Original Application. As in the memo of Original Application applicant is shown to be the present resident at Lucknow, this Tribunal has territorial jurisdiction to entertain the Original Application as per provisions laid down in Rule 6(2) of the Armed Forces Tribunal (Procedure) Rules, 2008, therefore, it is held that Original Application is well within the territorial jurisdiction of this Tribunal.

As regards disability claim case needs adjudication.

Admit.

Issue notice.

Dr. Shailendra Sharma Atal, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.

The respondents may file Counter Affidavit within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.

List on **19.07.2023**.

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

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

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

**O.A. No. 442 of 2023 with M.A. No. 536 of 2023**

**Ex. Nk. Shiv Bhawan Singh** Applicant  
By Legal Practitioner for the Applicant : Col. R.C. Dixit (Retd.), Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Alok 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.</p> <p>Heard Col. R.C. Dixit (Retd.), Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 01 year, 08 months and 25 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 442 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 443 of 2023**

**Nb. Sub. Kamlesh Kumar** Applicant  
By Legal Practitioner for the Applicant : Col. A.K. Srivastava (Retd.), Advocate  
Shri Amarendu Srivastava, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, 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 Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for setting aside the ACR of the applicant for the period from 01.06.2020 to 31.05.2021 and, letters dated 21.01.2022 and 11.04.2022 issued by Col. D.K. Singh, CO an dMaj. Vishnu Dev respectively, granting promotion to the applicant to the rank of Subedar and paying arrears of Pay and Allowances.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant suffered Battle Casualty while in service and withstanding the same he was regularly promoted till the rank of Naib Subedar. Thereafter, the applicant was denied promotion to the rank of Subedar on one or the other reasons and his ACR for the period from 01.06.2020 to 31.05.2021 was also recorded by the officer not competent to record the same. With the result, he could not get his promotion and was forced to be discharged in the rank of Naib Subedar.</p> <p>Ld. Counsel for the respondents, on the other hand, submitted that there is nothing wrong in recording the ACR of the applicant for the period stated above and he has been rightly denied promotion to the rank of Subedar as he lacks promotion criteria for the same.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue Notice.</p> <p>Shri Amit Jaiswal, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.</p> <p>Respondents may file Counter Affidavit within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="float: right;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p>

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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 6)**  
**O.A. No. 445 of 2023 with M.A. No. 538 of 2023**

**Ex. Sgt. Umesh Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri D.K. Dixit, Advocate  
Major S.M. Mustafa (Retd.), Advocate  
Shri R.K. Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Dr. Chet Narayan Singh, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for issuing direction to the respondents to grant disability element of pension @30% for two years to be rounded off to 50% for two years to the applicant from the next date of his discharge.</p> <p>There is a delay of 27 years, 01 month and 25 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 445 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that the applicant suffered disability while in service and being connected with the military service he is entitled to disability element of pension to which the submission of Ld. Counsel for the respondents is that disability claim of the applicant has been rightly denied being disability neither attributable to nor aggravated by military service.</p> <p>Applicant is already in receipt of service pension. Case needs adjudication. Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 447 of 2023 with M.A. No. 540 of 2023**

**Ex. Hav. Gajendra Singh Bhadauria** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri J.N. 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.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 07 months and 11 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 447 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 453 of 2023 with M.A. No. 545 of 2023**

**Ex. Sgt. Gunjan Kumar Jha** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Vishvesh 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>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Vishvesh Kumar, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 02 years, 03 months and 14 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 453 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 9)**

**O.A. No. 454 of 2023 with M.A. No. 546 of 2023**

**Ex. Nk. Jagat Chandra** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Rajiv Pandey, 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 R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 13 years and 25 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 454 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 456 of 2023 with M.A. No. 548 of 2023**

**Ex. MCECH (P)-II Nitendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>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>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 07 months and 12 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 456 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 464 of 2023 with M.A. No. 539 of 2023**

**Ex. ACP Nk. Ram Pal 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Shyam 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 K.P. Datta, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 06 months in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 464 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. (A) No. 430 of 2023 with M.A. No. 525 of 2023**

**Ex. L/Nk. Mohammed Shahab Alam (through wife Smt. Saba Perveen)** Applicant  
By Legal Practitioner for the Applicant : Shri Brijendra Singh, Advocate  
Shri Rohit Kumar Advocate  
Shri Romil Pathak, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Shri Amit Jaiswal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>This Original Application has been filed under Section 15 of the Armed Forces Tribunal Act, 2007 against order dated 17.09.2022 of the General Court Martial (GCM) by which applicant has been awarded the following punishments :-</p> <ol style="list-style-type: none"><li>i) To be reduced in rank.</li><li>ii) To suffer Rigorous Imprisonment for six years and</li><li>iii) To be dismissed from service.</li></ol> <p>It is submitted by the Ld. Counsel for the applicant that reasons assigned by the GCM holding applicant guilty for the offences allegedly committed by him are based on no cogent reasons. The applicant is in custody since 04.05.2019.</p> <p>Ld. Counsel appearing on behalf of the respondents, on the other hand, prays for time to file Counter Affidavit.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue notice.</p> <p>Shri Amit Jaiswal, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.</p> <p>Respondents may file Counter Affidavit as well as Reply of the Bail Application within four weeks from today. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.</p> <p>List on <b>20.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 13)**

**T.A. No. 11 of 2023**

**Ex. JWO Manoj Kumar Jaiswal** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Transferred Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**T.A. No. 12 of 2023**

**Ex. Sgt. Naveen Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, 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><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Memo of Appearance filed by Ms. Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Vinay Pandey, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Transferred Application is <b>allowed</b>.</p> <p style="text-align: center;">For orders, see our order passed on separate sheets.</p> <p style="text-align: center;">Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A) <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 15)**

**Ex. A. No. 2 of 2021 with M.A. No. 180 of 2021 Inre : O.A. (A) No. 98 of 2014**

**Lt. Col. Subhash Chandra Pandey (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh Chauhan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>Vide order dated 10.10.2022 this Tribunal had directed to respondents to make compliance of the order by paying full pay and allowances to the applicant for the period from 15.03.2014 to 14.02.2022 as against 50% back wages.</p> <p>In regard to above, the submission of Ld. Counsel for the respondents is that Government Sanction has been accorded by the competent authority. However, when the Ld. Counsel was asked to produce the Sanction letter he submitted that he has no such letter rather this has reflection in the Supplementary Audit Report.</p> <p>Major Bharat Keshava, Departmental Representative, who is also present during the course of hearing submitted that Government Sanction in the matter is still to be accorded by the ADG PS-3 and he sought four weeks further time to make compliance of the order which is allowed subject to the condition that in the event of order being not complied with ADG PS-3, Integrated Headquarters of Ministry of Defence, New Delhi shall remain physically present in the Tribunal on the next date fixed to show cause why contempt proceedings be not initiated against him for non-compliance of the order.</p> <p>List on <b>01.06.2023</b>.</p> <p>Let copy of this order be given to the AFT Legal Cell to serve the same to the officer concerned.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 16)**

**Ex. A. No. 170 of 2022 Inre : O.A. No. 64 of 2019**

**Ex. Sgt. Om Prakash Ojha** Applicant  
By Legal Practitioner for the Applicant : Shri D.S. Tiwari, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri D.S. Tiwari, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the applicant that there being some typographical error in the order to be executed a correction application was made to remove the same which was allowed on 29.03.2023. Thereafter, respondents have moved application for certified copy of the amended order, however, the same has not been received yet, as a result of which the same could not be forwarded to the concerned authorities for implementation of the order. He further submitted that as soon the certified copy is received, the same will be forwarded to the concerned authorities for implementation. Thus, he sought four weeks time to make compliance of the order which is allowed.</p> <p>Registry is directed to provide certified copy of the order to the respondents by today itself.</p> <p style="text-align: center;">List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



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

**Ex. A. No. 187 of 2022 inre : O.A. No. 262 of 2020**

**Ex. Hav. Dhananjay Chaubey** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present.</p> <p>As prayed by the Ld. Counsel for the respondents four weeks further time is granted to make compliance of the order.</p> <p>List on <b>25.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 265 of 2022 Inre : O.A. No. 640 of 2021**

**Ex. Nk. Jagpal Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, 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><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>Ld. Counsel for the respondents submits that in compliance to the order Government Sanction has been accorded on 18.04.2023. A letter in this regard dated 19.04.2023 was also produced before us for perusal which shows that the Government Sanction has been accorded, however, PPO is still awaited.</p> <p>Let PPO be issued within four weeks from today and compliance report be filed.</p> <p>In view of the fact that Government Sanction has been accorded, physical presence of Director, PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is dispensed with.</p> <p>Respondents are directed to deposit the cost due against them by the next date fixed.</p> <p>List on <b>17.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 297 of 2022 Inre : O.A. No. 879 of 2021**

**Ex. L/Nk. Govind Pethe** Applicant  
By Legal Practitioner for the Applicant : Wg. Cdr. Ajit Kakkar (Retd.), Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Ms. Appoli Srivastava, Ld. Counsel appearing for the respondents, on the instructions received, states that case file of the applicant for financial concurrence is pending with the office of Principal Integrated Financial Advisor, Army Headquarters, New Delhi since 09.12.2022, hence, the order could not be complied with.</p> <p>In the circumstances Principal Integrated Financial Advisor, Army Headquarters, New Delhi is directed to grant her financial concurrence for implementation of the order within four weeks from today failing which she will appear in person in Tribunal on the next date fixed and file personal affidavit stating therein the reasons of non-compliance and also why action be not taken against her for the non-compliance.</p> <p>List on <b>14.07.2023</b>.</p> <p>Let a copy of this order be given to the AFT Legal Cell to serve the same to the officer concerned.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 20)**

**Ex. A. No. 315 of 2022 Inre : O.A. No. 634 of 2021**

**Ex. WO Shwet Ban Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Heard Shri R. Chandra, Advocate holding brief of Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents.</p> <p>In regard to compliance of order dated 21.05.2022 in Original Application No. 634 of 2021, the Ld. Counsel appearing for the respondents submits that order has not been complied with. He has produced the copy of letter dated 19.04.2023 issued by DAV Legal Cell, Subroto Park, New Delhi-10, which is taken on record.</p> <p>In para 2 of the said letter it is stated that <i>"Keeping in view judgement of the Hon'ble Supreme Court in Dharamvir Singh's case for grant of disability pension and its subsequent judgment in Narsingh Yadav's case, SHQ may take appropriate logical decision with regard to filing Appeal against the AFT's order or to implement the same under their delegated administrative powers."</i></p> <p>In para 4 of the said letter it is stated that <i>"Now, a case is being forwarded to obtain considered opinion of Learned Attorney General of India for filing of Civil Appeals or otherwise against the judgments/orders passed by various Courts in NANA cases."</i></p> <p>In para 5 of the said letter it is stated that <i>"In view of the above it is requested that additional time may be sought from the Hon'ble Tribunal accordingly and our correspondence of even reference as on date (16:51:43) to be treated as cancelled."</i></p> <p>From the above, it appears that now the respondents have written a letter seeking opinion of Learned Attorney General of India for filing Appeal against the decision dated 21.05.2022 of this Tribunal.</p> <p>Since the order passed by this Tribunal has not been complied with rather a letter has been written for seeking opinion of Learned Attorney</p>

General of India for filing Appeal after about a year from the date of passing of the order, this appears to be a case of defiance of the order. The officer responsible for implementation of the order is, therefore, directed to remain present in Tribunal on the next date fixed to explain the reason as to why necessary action be not taken against him for non-compliance of the order.

List on **14.07.2023**.

Let copy of this order be provided to the representative of Air Force to serve the same to the officer concerned.

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

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

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

**Ex. A. No. 349 of 2022 Inre : O.A. No. 48 of 2022**

**Ex. Nk. Shachche Lal Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Alok Kumar Mishra, Ld. Counsel for the respondents. Shri Alok Kumar Mishra, Ld. Counsel for the respondents submits that order has been complied with. First Appeal preferred by the applicant has been decided by the competent authority vide order dated 28.03.2023. In view of the above, the Execution Application has rendered infurctuous and is, therefore, <b>dismissed</b> as such.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 380 of 2022 Inre : O.A. No. 650 of 2021**

**Ex. L/Nk. Lalan Singh** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Shri Ashish Kumar Singh, Ld. Counsel for the respondents submits that case file of the applicant is pending implementation in the office of DSC Records.</p> <p style="text-align: center;">The order to be implemented is dated 05.05.2022.</p> <p style="text-align: center;">In the circumstances, four weeks further time is granted to make compliance of the order. It is directed that in the event of order being not complied the officer responsible for implementation of the order shall appear in person before the Tribunal on the next date fixed to explain the reasons for non-compliance and also why necessary action be not taken against him/her for the non-compliance of the order.</p> <p style="text-align: center;">List on <b>06.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A) <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>AKD/-</p>

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

**Ex. A. No. 8 of 2023 Inre : O.A. No. 202 of 2022**

**Col. Surya Prakash Singh (Retd.)** 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 : Dr. Gyan Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri R.K. Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that four weeks further time be granted to make compliance of the order which is allowed. It is directed that if the order is not complied with in the given time the officer responsible for implementation of the order shall file his personal affidavit stating therein the reason for non-compliance of the order by the next date fixed.</p> <p>List on <b>06.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 24)**

**O.A. No. 754 of 2022**

**Sep. (DSC GD) Monghyri Lal (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p>This application has been filed for the grant of service element of disability pension for the services rendered by the applicant in Defence Security Corps.</p> <p>Applicant is already in receipt of disability element of pension for the disabilities suffered by him in Defence Security Corps. As regards service element of pension, this point is pending adjudication before the Larger Bench, Armed Forces Tribunal, Principal Bench, New Delhi, hence case is adjourned <i>sine die</i>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 866 of 2022**

**Ex. HFO (MWO) Rajendra Prasad Agnihotri** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Mahendra Kumar Singh, Advocate holding brief of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 919 of 2022**

**JWO Umed Singh (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate  
Shri A.K. Chaudhary, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Heard Shri Ravi Kumar Yadav, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 1043 of 2022**

**Sgt. Santosh Kumar Dubey** Applicant  
By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 1097 of 2022**

**Air Cmde. T.P. Srivastava (Retd.)**

Applicant

By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Amit Asthana, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents states that Counter Affidavit is under preparation.</p> <p>Counter Affidavit may be filed within two weeks.</p> <p>List on <b>31.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 16 of 2023**

**Ex. L Nk Virendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Shyam Sunder Bajpai, Advocate  
Shri Dharam Raj 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><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. Original Application is <b>partly allowed</b>. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 184 of 2023**

**Ex. Sgt. Suresh Chandra Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. (A) No. 487 of 2021**

**Ex. Wg. Cdr. Sushil Bajpai** Applicant  
By Legal Practitioner for the Applicant : Shri S.G. Singh, Advocate  
Shri Anand Yadav, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Namit Sharma, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor Rejoinder Affidavit has been filed.</p> <p>Shri Namit Sharma, Ld. Counsel for the respondents is present.</p> <p>List on <b>20.07.2023</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 32)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Defects have not been removed.</p> <p>On the request of Ld. Counsel for the applicant a week further time is granted to remove the defects.</p> <p>List on <b>12.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**T.A. No. 149 of 2010**

**Virendra Kumar** Applicant  
By Legal Practitioner for the Applicant : Col. Ashok Kumar (Retd.), Advocate  
Shri Rohit Kumar, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri G.S. Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant list on <b>27.04.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A) <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 35)**

**T.A. No. 92 of 2016**

**Alopi Shanker Bajpae**

Applicant

By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

**The Commandant Rajput Regimental Centre, Fatehgarh & Others**

Respondents

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Original documents are not available today.</p> <p>Respondents are directed to produce original documents including ACRs for the year 1999, 2000, 2001, 2002 and 2003 on the next date fixed for perusal of the Bench.</p> <p>List on <b>17.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**T.A. No. 13 of 2022**

**Lt. Col. Joy Das Gupta, SM** Applicant  
By Legal Practitioner for the Applicant : 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><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Keshav Sharma, Advocate holding brief of Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>A request has been made to adjourned the case as Shri Raj Kumar Mishra, Ld. Counsel for the applicant is not available today.</p> <p>Accordingly, the case is adjourned.</p> <p>List on <b>06.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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

**T.A. No. 17 of 2023**

**Ex. HFO A.K. Chaudhary** Applicant  
By Legal Practitioner for the Applicant : Shri Shakti Chand Jaidwal, Advocate  
Shri Raj Kumar Mishra, Advocate  
Ms. Upasna Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents are taken on record.</p> <p>Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</p> <p>Transferred Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**M.A. No. 568 of 2023 Inre : O.A. No. 91 of 2023**

**Col. Vijay Narayan Shukla, VSM** Applicant  
By Legal Practitioner for the Applicant : Shri Veerendra Mohan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p><b><u>M.A. No. 568 of 2023</u></b></p> <p>Heard Shri Veerendra Mohan, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>This application has been filed for fixing an early date of hearing Original Application.</p> <p>The Original Application is listed for hearing on 10.05.2023.</p> <p>Ms. Appoli Srivastava, Ld. Counsel appearing for the respondents submits that Counter Affidavit in the case will be filed within ten days.</p> <p>Taking above submission of Ld. Counsel for the respondents into account we do not find any reason to allow the early hearing in Original Application. Therefore, the early hearing application is rejected.</p> <p><b><u>O.A. No. 91 of 2023</u></b></p> <p>Respondents are directed to file Counter Affidavit within ten days, as submitted.</p> <p>The case will be heard finally on the date fixed.</p> <p>List on the date fixed i.e. <b>10.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>