

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (Sl. No. 1)

O.A. No. 88 of 2023 with M.A. No. 80 of 2023

Ex. Hav. Om Prakash

Applicant

By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>Memo of Appearance filed by Shri Arvind Kumar 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 Rohitash Kumar Sharma, Ld. Counsel appearing for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel appearing 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 03 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><u>O.A. No. 88 of 2023</u></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 27.03.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) 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. 2)

Ex. A. No. 100 of 2021 Inre : O.A. No. 104 of 2020

Ex. Nb. Sub. Shiv Shanker Chaubey Applicant
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>Ld. Counsel for the applicant submits that in compliance of the order PPO has been generated wherein applicant has been granted disability element of pension @30% for a period of two years. He further submits that in R.S.M.B. held on the applicant he has been found suffering with the same disability with same percentage, however, no PPO in this regard has been issued yet.</p> <p>Let a Corrigendum PPO be issued by the respondents within a period of four weeks from today.</p> <p>List on 22.03.2023.</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>AKD/-</p>

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

Ex. A. No. 112 of 2021 Inre : O.A. No. 436 of 2020

Ex. Sep. Hanumant Singh Sengar

Applicant

By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, 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>23.01.2023</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>On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p>Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>On perusal of compliance affidavit filed by the respondents it appears that PPO has been generated in respect of disability suffered by the applicant. The PPO is in terms of order. Thus, order seems to have been complied with.</p> <p>Accordingly, Execution Application is dismissed being rendered infructuous.</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>AKD/-</p>

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

Ex. A. No. 84 of 2022 Inre : O.A. No. 170 of 2019

Ex. Sailor Sohan 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 Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>A perusal of the PPO shows that applicant has been granted disability pension @40% for life from the date of discharge, however, arrears have been restricted to three years prior to the filing of the Original Application i.e. 01.09.2015. In order dated 06.10.2022 it has been specifically directed that applicant is entitled to disability pension from the date of discharge. There is nothing in the order that arrears would be restricted to three years prior to the filing of Original Application. Respondents are, therefore, directed to issue a Corrigendum PPO entitling applicant to draw arrears from the date of discharge and not from three years prior to the date of filing of Original Application. Corrigendum PPO may be filed within four weeks.</p> <p style="text-align: center;">List on 15.03.2023.</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>AKD/-</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. 112 of 2022 with M.A. No. 45 of 2023 Inre : O.A. No. 253 of 2021

Ex. Sep. Sunder Lal Applicant

By Legal Practitioner for the Applicant : Shri R. Chandra, 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>23.01.2023</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><u>M.A. No. 45 of 2023</u></p> <p>Heard Shri R. Chandra, Ld. Counsel appearing for the applicant and Shri Amit Jaiswal, Ld. Counsel appearing for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>This application has been to implead Chief Manager, CPPC, Punjab National Bank, PCDA (P), Campus, Draupadi Ghat, Allahabad-211014 and Branch Manager, Punjab National Bank, Dibiyapur, Auraiya (UP) as respondent Nos. 5 and 6 in the Execution Application which is allowed.</p> <p>Let impleadment be made and notices be issued to the newly made respondents returnable within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>List on 15.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) 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. 6)

O.A. No. 113 of 2022 Inre : O.A. No. 294 of 2021

Ex. Nk. Ram Suresh Yadav

Applicant

By Legal Practitioner for the Applicant : Mohd. Zafar Khan, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Somesh Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>Shri Rajiv Tiwari, Account Officer, PCDA (P), Prayagraj submits that in compliance of the order PPO has been generated on 30.12.2022.</p> <p>Let PPO be brought on record within two weeks.</p> <p>List on 15.02.2023.</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>AKD/-</p>

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

Ex. A. No. 140 of 2022 Inre : O.A. No. 420 of 2021

Ex. Sub. Rajiv Kumar Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Rahul, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that Government Sanction is still awaited.</p> <p>Affidavit of compliance annexing therewith copy of PPO may be filed within four weeks.</p> <p>List on 15.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) 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. 8)

Ex. A. No. 193 of 2022 Inre : O.A. No. 638 of 2020

Ex. LAC Amit Kumar Applicant
By Legal Practitioner for the Applicant : Shri Satendra Kumarm Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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 style="text-align: center;">Heard Shri Rahul, Advocate holding brief of Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: center;">Affidavit of compliance is taken on record.</p> <p style="text-align: center;">Objection, if any, may be filed within two weeks.</p> <p style="text-align: center;">List on 20.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) 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. 9)

Ex. A. No. 280 of 2022 Inre : O.A. No. 331 of 2021
Along with
M.A. No. 1192 of 2022 Inre : R.A. No. 83 of 2022 with M.A. No. 962 of 2022
Inre : O.A. No. 331 of 2021

Ex. Cpl. Dharm Raj Applicant
By Legal Practitioner for the Applicant : Shri Himanshu Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Himanshu Singh, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that since the recall application has been dismissed today, reasonable time be granted for compliance of the order.</p> <p>Let compliance of the order be made within four weeks.</p> <p>List on 17.03.2023.</p> <p>Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) 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. 9)

M.A. No. 1192 of 2022 Inre : R.A. No. 83 of 2022 with M.A. No. 962 of 2022
Inre : O.A. No. 331 of 2021
Along with
Ex. A. No. 280 of 2022 Inre : O.A. No. 331 of 2021

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Ms. Preeti Mala, Advocate

Versus

Ex. Cpl. Dharm Raj

Respondent

By Legal Practitioner for Respondent : Shri Himanshu Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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><u>M.A. No. 1192 of 2022</u></p> <p>Heard Ms. Preeti Mala, Ld. Counsel appearing for the applicants herein – Union of India & Others and Shri Himanshu Singh, Ld. Counsel appearing for the respondents herein.</p> <p>This application has been filed to recall the order dated 20.09.2022 by which Review Application No. 83 of 2022 has been dismissed by circulation.</p> <p>It is submitted by the Ld. Counsel for the applicants – Union of India & Others that since the order in Review Application has been passed without hearing the applicants herein, the order be recalled and Review Application be heard and decided on merit after hearing the parties.</p> <p>We have gone through the order passed in the Original Application No. 331 of 2021 which has been passed after hearing submissions of Ld. Counsel of both parties and also in the Review Application. We find that there was no error apparent on the face of record in the order so that the same could be reviewed, hence the Review Application was decided by circulation as hearing in open Court was not required. Thus, no case for the recall of the order is made out. With the result, the Recall Application is dismissed.</p> <p>Let copy of this order be provided to the Ld. Counsel for the applicants/AFT Legal Cell, as prayed, within two days.</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>AKD/-</p>

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

Ex. A. No. 372 of 2022 Inre : O.A. No. 364 of 2021

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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 style="text-align: center;">On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the request of Ld. Counsel for the respondents three weeks further time is granted to file affidavit of compliance.</p> <p style="text-align: center;">List on 23.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) 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. 11)

Ex. A. No. 387 of 2022 Inre : O.A. No. 532 of 2021

Ex. MWO Awadhesh Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, 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>23.01.2023</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>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents assisted by Shri Rajiv Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>Ld. Counsel for the respondents states that PPO has been issued yesterday.</p> <p>Let PPO be brought on record within two weeks.</p> <p>List on 16.02.2023.</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>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. No. 554 of 2022 along with O.A. No. 335 of 2022

Lt. Col. Nidhikant Dhyani

Applicant

By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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><u>Recall Application</u></p> <p>Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>This application has been filed to recall the order dated 14.09.2022 which was passed on the statement made by the learned counsel for the respondents that applicant's claim for the grant of disability element of pension had been admitted by the AG and records had been transmitted for issuance of the PPO.</p> <p>Learned counsel for the respondents submits that in view of disciplinary proceedings pending against the applicant, PPO can't be issued, hence, order dated 19.09.2022 be recalled.</p> <p>On the other hand, learned counsel for the applicant submits that disciplinary proceedings against the applicant have been closed by the GOC-in-Chief vide letter No. D/5601003/Gen/27/2020/DV-4 dated 29.03.2022 due to applicant being superannuated. Thus, he submits that since disciplinary proceedings against applicant have been closed, question of recall of the order does not arise.</p> <p>A copy of the letter referred to above has been filed at page no 17 of the objection filed against the recall application and it shows that disciplinary proceedings against the applicant are no longer pending, they are closed due to applicant being superannuated. Thus, there is no hurdle in grant of disability element.</p> <p>Recall application being devoid of merit is dismissed. Respondents are directed to issue PPO for the grant of disability element of pension to the</p>

applicant within four weeks from today.

List on **14.03.2023**.

Let copy of this order be provided to the AFT Legal Cell, as prayed, to ensure compliance of the order.

(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. 13)

O.A. No. 590 of 2022

Nk. (Musician) Kishan Kumar Applicant
By Legal Practitioner for the Applicant : Shri Rohit Kumar, 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>23.01.2023</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>On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Rejoinder Affidavit has been filed today by the respondents in Court which is taken on record.</p> <p>List on 02.02.2023.</p> <p>Till then, if any promotion is made in the trade of applicant in the rank of Havildar, the same should be subject to decision of this case.</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>AKD/-</p>

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

O.A. No. 660 of 2022

Vijay Kumar Shukla, MCERA I (Hon SLT) (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Lt. Cdr. Prakash Agarwal, OI/C Legal Cell AFT is also present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 21.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) 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. 15)

O.A. No. 661 of 2022

Gdmn. Birendra Upadhyay (Retd.)

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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 style="text-align: center;">On the case being taken up for hearing Sarvesh Kumar Verma, Advocate holding brief of Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List on 20.02.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 666 of 2022

Ex. JWO Rajesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 667 of 2022

Ex. Sgt. Ashish Misra Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>23.01.2023</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>On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 669 of 2022

Nk. Birendra Singh (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri Lalit Kumar, Advocate
Dr. Ashish Asthana, Advocate
Shri Dharam Raj 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>23.01.2023</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>On the case being taken up for hearing Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</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>AKD/-</p>

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

O.A. No. 670 of 2022

JWO Kamal Kumar Omar (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>23.01.2023</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>On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</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>AKD/-</p>

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

O.A. No. 671 of 2022

Sgt. Vinay Kumar Tiwari (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>23.01.2023</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>On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</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>AKD/-</p>

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

O.A. No. 756 of 2022

Col. Arun Shukla (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri S.G. Singh, 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><u>23.01.2023</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>On the case being taken up for hearing Shri S.G. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 22.03.2023.</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>AKD/-</p>

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

O.A. No. 760 of 2022

Ex. Hony. Nb. Sub. Shyam Narayan Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar 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>23.01.2023</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 style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Vijay Kumar Pandey, Ld. Counsel appearing for the applicant and Shri R.C. Shukla, Ld. Counsel appearing for the respondents. Original Application is allowed. 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;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 922 of 2022

Ex. Hav. Arvind Kumar Pandey Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel appearing for the applicant and Shri Pushpendra Mishra, Ld. Counsel appearing for the respondents.</p> <p>Original Application is allowed.</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;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 1078 of 2022 with M.A. No. 1283 of 2022

Ex. Nk. Lal Chand Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, 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>23.01.2023</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>On the case being taken up for hearing Ms. Prerna Singh, Ld. Counsel for the respondents is present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>List on 23.03.2023.</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>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. 51 of 2023 with M.A. No. 44 of 2023

Nk. (Amb. Asst) Hari Prakash Applicant
By Legal Practitioner for the Applicant : Shri Shyam Sunder Bajpai, 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>23.01.2023</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>On the case being taken up for hearing Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant submits that in regard to maintainability of Original Application in respect of the punishment "severe reprimand" the matter is pending decision before the Division Bench of Lucknow Bench of the Hon'ble Allahabad High Court. The said matter is pending for hearing today.</p> <p>In view of the above, list this matter on 16.02.2023.</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>AKD/-</p>

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

Diary No. 2962 of 2022

Ex. Nk. Ranjeet Kumar Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, 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>23.01.2023</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>On the case being taken up for hearing no one is present on behalf of the applicant nor defects have been removed.</p> <p>Ms. Kavita Mishra, Ld. Counsel for the respondents is present.</p> <p>A Counter Affidavit has been filed today in Court by the respondents which is taken on record.</p> <p>In view of the fact that defects have not been removed which is indicative of the fact that the applicant is not interested in prosecution of the case, the Original Application is dismissed for non-prosecution.</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>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. 475 of 2021

Sub/Int (GD) Gagan Chand

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajesh Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.01.2023</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>On the case being taken up for hearing Shri R.K. Singh, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>List on 17.03.2023.</p> <p>On the next date fixed respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) 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. 1)

Ex. A. No. 359 of 2022 Inre : O.A. No. 559 of 2021

Ex. MWO (HFO) Surendra Prasad Rai Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, 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>23.01.2023</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 style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that Execution Application may be dismissed being infructuous as order has been complied with.</p> <p style="text-align: center;">Accordingly, Execution Application is dismissed being infructuous.</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>AKD/-</p>