

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

**O.A. No. 329 of 2023 with M.A. No. 372 of 2023**

**Ex. L/NK Shambhu Prasad Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate  
Shri Girish Tiwari, Advocate  
Shri Dheerendra Kumar Agnihotri, Advocate  
Shri Vishnu Kant Awasthi, Advocate.

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, 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 and 29 days in filing of Original Application. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 329 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the respondents 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>07.07.2023</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. 2)**

**O.A. No. 336 of 2023 with M.A. No. 379 of 2023**

**Ex. Gnr. Namo Narayan Shukla** Applicant  
By Legal Practitioner for the Applicant : Shri S.K. Singh, 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>23.03.2023</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 S.K. Singh, Ld. Counsel for the applicant and Shri Ashish Kumar 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 being a delay of 36 years and 10 months in filing of Original Application an application for condonation of delay has been filed.</p> <p>Submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate. His further submission is that since the matter involved in the instant case is relating to the pensionary benefits, which accrue from month to month and therefore continuing cause of action. Thus, his submission is that delay is neither deliberate nor intentional, but for the reasons stated above.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 36 years has not been properly and satisfactorily explained.</p> <p>Having heard the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.</p> <p>In the result, we find that delay is not condonable.</p> <p>Accordingly, delay condonation application is <b>rejected</b>.</p> <p>Original Application being time barred is also <b>rejected</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. 338 of 2023 with M.A. No. 382 of 2023**

**Ex. SWA/APP Tribhuwan Prasad Bahuguna** Applicant  
By Legal Practitioner for the Applicant: Shri Prakhar Kankan, Advocate  
Shri K.K. Singh Bisht, Advocate  
**Versus**

**Union of India & 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>23.03.2023</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 D.K. Pandey, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Prakhar Kankan and Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri D.K. 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 being a delay of 37 years, 09 months and 19 days in filing of Original Application an application for condonation of delay has been filed.</p> <p>Submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate. His further submission is that the claim of pension never gets time-barred being recurring in nature. The ground of delay and latches is not a rule of law but it is a rule of produce which may not be used to defeat the substantial ends of justice. In the case of pension the cause of action actually continues from month to month. Thus, his submission is that delay is neither deliberate nor intentional, but for the reasons stated above.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 36 years has not been properly and satisfactorily explained.</p> <p>Having heard the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.</p> <p>In the result, we find that delay is not condonable.</p> <p>Accordingly, delay condonation application is <b>rejected</b>.</p> <p>Original Application being time barred is also <b>rejected</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. 4)**

**O.A. No. 339 of 2023**

**Ex. WO Virendra Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri R.Chandra, Advocate

**Versus**

**Union of India & 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>23.03.2023</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 D.K. 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 D.K. 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>It is submitted by the Ld. Counsel for the respondents 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>07.07.2023</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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**Court No. 1 (Sl. No. 5)**

**O.A. No. 342 of 2023 with M.A. No. 390 of 2023**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Mahendra Kumar Singh, 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 and 08 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. 342 of 2023</u></b></p> <p>It is submitted by the Ld. Counsel for the respondents 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>07.07.2023</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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**Court No. 1 (Sl. No. 6)**

**Ex. No. 68 of 2023 Inre O.A. No. 239 of 2022**

**Ex. L/NK Sanjay Kumar Patel** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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>23.03.2023</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. Chet Narayan Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 14.07.2022 in Original Application No. 239 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>10.07.2023</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)**

**Ex. A No. 69 of 2023 Inre O.A. No. 207 of 2022**

**Ex. Hony. Sub. Maj. Lal Bachan** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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. Preeti Mala, 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 17.11.2022 in Original Application No. 207 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>10.07.2023</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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**Court No. 1 (Sl. No. 8)**

**Ex. A. No. 71 of 2023 Inre O.A. No. 291 of 2022**

**Ex. Sub. Jamaluddin Ansari** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>23.03.2023</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 03.08.2022 in Original Application No. 291 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>10.07.2023</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. 9)**

**Ex. A. No. 72 of 2023 Inre O.A. No. 608 of 2021**

**Lt. Cdr. Vineet Walia (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 Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 19.05.2022 in Original Application No. 608 of 2021.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>09.05.2023</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**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 10)**

**Ex. A. No. 73 of 2023 Inre O.A. No. 588 of 2022**

**Ex. Hav. Cik. (SD) Lalit Narayan Thakur** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Narayan 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 Narayan Pandey, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 02.11.2022 in Original Application No. 588 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>11.07.2023</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. 11)**

**Ex. A. No. 74 of 2023 Inre O.A. No. 589 of 2022**

**Ex. WO Shibi Prosad Bandhyopadhyay** 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>23.03.2023</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 application has been filed for implementation of order dated 02.11.2022 in Original Application No. 589 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>11.07.2023</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.12)**

**Ex. A. No. 75 of 2023 Inre T.A. No. 11 of 2022**

**MWO Tripti Kumar Mishra (Retd.)** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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. 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 Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 31.10.2022 in Transferred Application No. 11 of 2022.</p> <p>Ld. Counsel for the applicant submits that order has not been complied yet.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>11.07.2023</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. 13)**

**M.A. No. 369 of 2023 Inre O.A. No. 646 of 2022**

**Lt. Col. Krishna Murari Rai (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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>23.03.2023</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. 369 of 2023</u></b></p> <p>Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>For the reasons stated in affidavit filed in support of correction application, correction application is <b>allowed</b>.</p> <p>In the order dated 08.03.2023 in Original Application No. 646 of 2022 the rank of the applicant be corrected as '<b>IC</b>' in place of '<b>JC</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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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 14)**

**M.A. No. 386 of 2023 with M.A. No. 387 of 2023 Inre O.A. No. 75 of 2022**

**Union of India & Others**

Applicants

By Legal Practitioner for the Applicants : Shri Pushpendra Mishra, Advocate

**Versus**

**Ex. Sgt. Shrawan Kumar**

Respondents

By Legal Practitioner for Respondents : None

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.03.2023</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 Pushpendra Mishra, Ld. Counsel for the applicants –Union of India.</p> <p style="text-align: center;">This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated .... of this Tribunal in Original Application No. 75 of 2022.</p> <p style="text-align: center;">There is a delay of 07 months and 12 days in filing of leave to application.</p> <p style="text-align: center;">Submission of Ld. Counsel for the applicants – Union of India &amp; Others is that delay in filing leave to appeal is not deliberate. His further submission is that due to involvement of various agencies of the Government and perhaps lack of time management the delay has occurred. Thus, his submission is that delay is not deliberate, but for the reasons stated above.</p> <p style="text-align: center;">Having heard the submission of Ld. Counsel for the applicants – Union of India &amp; others and considering the facts and circumstances of the case, we find that explanation offered by the applicants for delay in filing Leave to Appeal is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case. We further find that no point of law of general public importance is involved so that leave may be granted.</p> <p style="text-align: center;">In the result, we find that delay is not condonable.</p> <p style="text-align: center;">Accordingly, delay condonation application is <b>dismissed</b> being barred by time as well as on merit.</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. 15)**

**Ex. A. No. 69 of 2019 Inre O.A. No. 583 of 2017**

**Ex. Sep. Ajay Kumar Singh** 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 Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.03.2023</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 Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents submits that in regard to payment of back-wages to the applicant from 29.01.2019 to 23.09.2020 Government Sanction is still awaited, four weeks further time has been sought to file affidavit of compliance which is allowed. It is made clear that in the event of order being not complied with in the given time respondents will be liable to pay cost.</p> <p style="text-align: center;">List on <b>30.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A) <span style="margin-left: 150px;"><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. 16)**

**Ex. A. No. 108 of 2022 Inre O.A. No. 260 of 2021 along with R.A. No. 48 of 2022**

**Col. (TS) Nagendra Singh (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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. Chandra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>Seen the report of the registry.</p> <p>Fresh notice be issued to Principal Integrated Financial Advisor, Army Headquarters, New Delhi to appear in person before the Tribunal on the next date fixed to show cause why coercive action be not taken against her for non-compliance of the order.</p> <p>List on <b>18.05.2023</b>.</p> <p>A copy of the order may be given to the AFT Legal Cell to serve the same on the officer concerned and to file affidavit of compliance.</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. 174 of 2022 Inre O.A. No. 754 of 2020**

**Smt. Amarwati W/o Late Ex. Gnr. Mahesh Chandra** Applicant  
By Legal Practitioner for the Applicant : Shri Ashok Kumar, 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>23.03.2023</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>In regard to compliance of the order Ld. Counsel for the respondents submits that PPO for the grant of family pension has been issued on 22.03.2023.</p> <p>Let PPO be brought on record within two weeks.</p> <p>List on <b>26.04.2023</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. 18)**

**Ex. A. No. 239 of 2022 Inre O.A. No. 618 of 2021**

**Ex. Hav. Sanjai Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 V.P. Pandey, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents are present.</p> <p>Capt. Aneesh T.S. from EME Records is also present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Government Sanction is still awaited. File is pending with Principal Integrated Financial Advisor, Army Headquarters, New Delhi since 12.01.2023.</p> <p>We are informed that AG PS (Pension/Legal), Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case. He is directed to remain present in person in Tribunal on the next date fixed to explain the actions taken by him till date.</p> <p>List on <b>10.05.2023</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. 19)**

**Ex. A. No. 258 of 2022 Inre O.A. No. 533 of 2021**

**Ex. Sgt. Bramha Lal Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, 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>23.03.2023</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 Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>After going through the PPO filed by the respondents Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj has fairly admitted that basic pension of the applicant mentioned in the PPO is incorrect. In 2017 applicant was in receipt of pension Rs.10,352/- which if multiplied by 2.57 to work out pension in 7<sup>th</sup> CPC the amount comes to Rs.26,605/- and not Rs.25,050/- as mentioned in the PPO dated 18.07.2020.</p> <p>In view of the above, respondents are required to issue a Corrigendum PPO mentioning therein the pension of the applicant as Rs.26,605/- in place of Rs.25,050/- for calculating disability element of applicant.</p> <p>Corrigendum PPO may be issued within four weeks.</p> <p>List on <b>30.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/representative of the Air Force within two days for compliance.</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. 20)**

**Ex. A. No. 271 of 2022 Inre O.A. No. 351 of 2021**

**Ex. Nk. (TS) Ranjan Lal Vishwakarma** Applicant  
By Legal Practitioner for the Applicant : Shri K.P. Datta, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 K.P.Datta, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>An affidavit of compliance has been filed by the respondents which is taken on record.</p> <p>On perusal of affidavit it appears that in compliance to order Government Sanction has been accorded.</p> <p>PPO is yet to be issued.</p> <p>Respondents are, therefore, directed to issue PPO and file the same be brought on record by way of affidavit within four weeks.</p> <p>List on <b>30.05.2023</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. 21)**

**Ex. A. No. 278 of 2022 Inre O.A. No. 646 of 2021**

**Ex. Rect. Sudhakar Singh** Applicant  
By Legal Practitioner for the Applicant : Col.Ashok Kumar (Retd.), Advocate  
Shri Rohit Kumar, Advocate

**Versus**

**Chief of Army Staff & Others** Respondents  
By Legal Practitioner for Respondents : Ms. Anju Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Rohit Kumar, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Government Sanction is still awaited. The file is pending with Director, PS-4, Integrated Headquarters of Ministry of Defence, New Delhi, thus, four weeks further has been sought which is allowed and it is made clear that in the event of order being not complied with in the given time the Director, PS-4, Integrated Headquarters of Ministry of Defence, New Delhi shall remain physically present in Tribunal on the next date fixed to explain the reasons for non-compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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. 301 of 2022 Inre O.A. No. 792 of 2021**

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

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri R.K.S. Chauhan, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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. Chandra, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>PPO is still awaited.</p> <p>Four weeks further time is granted to bring the PPO on record.</p> <p>List on <b>18.05.2023</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. 23)**

**Ex. A. No. 320 of 2022 Inre O.A. No. 607 of 2021**

**Ex. MWO Rajesh Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, 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>23.03.2023</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 Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted that PPO in the matter was already issued, but applicant's account being migrated to SPARSH fresh PPO is required to be issued, four weeks further time be granted which is allowed.</p> <p>Respondents are directed to deposit the cost, if any, due against them by the next date fixed.</p> <p>List on <b>19.05.2023</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. 24)**

**Ex. A. No. 322 of 2022 Inre O.A. No. 827 of 2021**

**Ex. Nb. Sub. Sheo Khelawan** Applicant  
By Legal Practitioner for the Applicant : Shri Dharam Raj Singh, 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>23.03.2023</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 Dharam Raj Singh, Ld. Counsel for the applicant and Shri Bipin Kumr Singh, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Government Sanction in the matter the file is pending with the Principal Integrated Financial Advisor, Army Headquarters, New Delhi since 26.12.2022.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 10.05.2023.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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)**

**Ex. A. No. 324 of 2022 Inre O.A. No. 793 of 2021**

**Ex. Sub. Pyar Chand** Applicant  
By Legal Practitioner for the Applicant: Shri K. P. Datta, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 K.P. Datta, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 21.11.2022.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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)**

**Ex. A. No. 325 of 2022 Inre O.A. No. 585 of 2019**

**Nb. Ris. (RT) Rakesh Kumar Tripathi** Applicant  
By Legal Practitioner for the Applicant : Shri K.P. Datta, 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>23.03.2023</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 K.P. Datta, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Order has not yet been complied with rather further four weeks time has been sought to file affidavit of compliance which is allowed subject to payment of Rs.5,000/- as cost of the applicant.</p> <p>List on <b>29.05.2023</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. 27)**

**Ex. A. No. 332 of 2022 with M.A. No. 72 of 2023 Inre O.A. No. 473 of 2021**

**Ex. HFO Bhubneshwar Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Shiv Kant Pandey, Advocate  
Shri Amit Pandey, Advocate  
Ms. Nisha Pandey, 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>23.03.2023</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 Shiv Kant Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p><b><u>M.A. No. 72 of 2023</u></b></p> <p>This application has been filed to implead Pension Disbursing Authorities as party in the Execution Application, which is allowed.</p> <p>Let impleadment in Execution Application be made and thereafter notices be issued to the Pension Disbursing Authorities calling upon their response within four weeks.</p> <p>Steps for notice be taken within a week.</p> <p>List on <b>19.05.2023</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. 28)**

**Ex. A. No. 355 of 2022 Inre O.A. No. 864 of 2021**

**Ex. Hav. Tekawade Santosh Bapurao** Applicant  
By Legal Practitioner for the Applicant : Shri K.K.Singh Bisht, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 K.K.Singh Bisht, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 09.12.2022.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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)**

**Ex. A. No. 377 of 2022 Inre O.A. No. 763 of 2021**

**Ex. Nb. Sub. Randhir Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Vinay Pandey, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 19.02.2022.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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. 30)**

**Ex. A. No. 378 of 2022 Inre O.A. No. 556 of 2021**

**Ex. MWO (HFO) Devendra Singh Janmeda** Applicant  
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Rohitash Kumar Sharma, Ld. Counsel for the applicant and Ms. Amrita Chakraborty, Ld. Counsel for the respondents are present.</p> <p>Order has not yet been complied with rather a submission has been made today that since Principal Integrated Financial Advisor has advised to prefer Appeal against the decision of this Tribunal, the case file of this case has been sent to Ministry of Defence for seeking concurrence of the same. Thus, an adjournment has been sought which being not based on valid ground cannot be accepted.</p> <p>Adjournment is, therefore, refused and respondents are directed to make compliance of the order without fail within four weeks from today failing which they will be liable to pay Rs.20,000/- as cost to the applicant.</p> <p>List on <b>04.07.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/representative of Air Force within two days for compliance.</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)**

**Ex. A. No. 385 of 2022 Inre O.A. No. 452 of 2021**

**Ex. Sep. Shrawan Kumar Tripathi** Applicant  
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri R.K.S. Chauhan, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Ashok Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 01.12.2022.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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. 32)**

**Ex. A. No. 22 of 2023 Inre O.A. No. 830 of 2021**

**Ex. Nb. Ris. Pradeep Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awashti, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Awashti, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents three weeks further time is granted to make compliance of the order.</p> <p>List on <b>09.05.2023</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. 33)**

**Ex. A. No. 23 of 2023 Inre O.A. No. 5 of 2022**

**Ex. Hav. (ACP Nb. Sub.) Sanjeev Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>It is further submitted that Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is monitoring the case, who is appearing in the Tribunal on 19.01.2023.</p> <p>Director, AG/PS-4, Integrated Headquarters of Ministry of Defence, New Delhi is directed to appear in the Tribunal in this case also on the next date fixed to show the steps taken by him for compliance of the order.</p> <p>List on <b>10.05.2023</b>.</p> <p>Let copy of the order be provided to the Ld. Counsel for the respondents/AFT Legal Cell within two days for compliance.</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. 34)**

**Ex. A. No. 28 of 2023 Inre O.A. No. 183 of 2022**

**Ex. Nb. Sub. Gajadhar Prasad** Applicant  
By Legal Practitioner for the Applicant : 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><b><u>23.03.2023</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 Dharam Raj Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents three weeks further time is granted to file affidavit of compliance.</p> <p>List on <b>16.05.2023</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. 35)**

**O.A. No. 457 of 2022**

**Ex. Sep. Kishor Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal 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><b><u>23.03.2023</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.</p> <p style="text-align: center;">Heard Shri R. Chandra, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original 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)</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)**

**O.A. No. 526 of 2022**

**Ex. L/NK Indra Kant Jha** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awashti, Advocate  
Shri Anshuman Srivastava, 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>23.03.2023</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 Awashti, Ld. Counsel for the applicant and Shri Shyam Singh, 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. 37)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Keshav Sharma, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents. Original Application is <b>dismissed</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. 38)**

**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><b><u>23.03.2023</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 Keshav Sharma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original 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. 39)**  
**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Dharam Raj Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents a week further time is granted to file Counter Affidavit.</p> <p>List on <b>05.04.2023</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. 40)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents a week further time is granted to file Counter Affidavit as a last chance.</p> <p>List on <b>12.04.2023</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. 41)**

**O.A. No. 671 of 2022**

**Sgt. Vijay 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents a week further time is granted to file Counter Affidavit.</p> <p>List on <b>05.04.2023</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. 42)**

**O.A. No. 731 of 2022**

**JWO Mukesh Kumar Singh Bisht (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Bipin Kumar Sharma, Advocate  
Shri Kapil Sharma, Advocate  
Shri Raj Kumar Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Raj Kumar Mishra, Ld. Counsel for the applicant and Sqn. Ldr. Ashutosh Pandey, Departmental Representative for the respondents are present.</p> <p>Sqn. Ldr. Ashutosh Pandey, Departmental Representative prays for a week time on the ground that the para-wise comments have already been forwarded to the Ld. Counsel for the respondents.</p> <p>In the circumstances a week time is granted, as prayed. It is made clear that in the event Counter Affidavit being not filed within the given time the case will be decided on the basis of material available on record without waiting Counter Affidavit.</p> <p style="text-align: center;">List on <b>06.04.2023</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. 43)**

**O.A. No. 775 of 2022**

**Ex. Sub. Sujeet Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, 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>23.03.2023</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 Ms. Appoli Srivastava, Ld. Counsel for the respondents is present.</p> <p>An affidavit has been filed by the applicant stating that he had engaged Shri Pankaj Kumar Shukla, Advocate to conduct his case, who is now feeling difficulty to conduct the case.</p> <p>It is submitted that in the circumstances applicant has engaged Shri Yashpal Singh, Advocate to conduct his case and has also filed Vakalatnama which is taken on record. Name of Shri Yashpal Singh, Advocate be shown as Counsel for the applicant when the case is listed next.</p> <p>Counter Affidavit in the case has not been filed. It must be filed within three weeks failing which opportunity will be closed.</p> <p>List on <b>26.04.2023</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. 44)**

**O.A. No. 948 of 2022**

**Ex. JWO Raghbir Prasad** Applicant  
By Legal Practitioner for the Applicant : Shri K.P. Datta, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 K.P. Datta, Ld. Counsel for the applicant and Dr. S.N. Pandey, 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. 45)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 Virat Anand Singh, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to re-grant Disability Pension to the applicant from 01.01.1991 with rounding off benefit (06-10% to 50%) as applicable, along with arrears of pension with interest of 12% p.a.</p> <p>Briefly stated facts of the case are that the applicant was enrolled in the Corps of Signals of Indian Army on 05.11.1971 and discharged from service on 14.06.1987 (AN) in Low Medical Category under Rule 13(3) Item III (v) of the Army Rules, 1954 read in conjunction with Rule 13(2A) of the Army Rules, 1954. At the time of discharge from service, the Release Medical Board held at Base Hospital, Barrackpore on 10.02.1987 assessed the applicant's disability "<b>FRACTURE BASE OF 2<sup>ND</sup>, 3<sup>RD</sup> AND 4<sup>TH</sup> METATARSEL (LT FOOT) @20%</b> for two years as attributable to and connected with service due to injury sustained during organised Unit games. Accordingly, applicant was granted Disability Element of pension with effect from 15.06.1987 to 09.02.1990 vide PPO dated 28.08.1987. The Re-Survey Medical Board held at Military Hospital, Allahabad on 08.11.1989 assessed the applicant disability @6-10% (less than 20%) for ten years. Accordingly, the Disability Element of pension has been discontinued by the respondents vide letter dated 20.01.1990 which was communicated 06.04.1990. The applicant preferred an Appeal dated 05.07.1990 which too was rejected vide letter dated 30.12.1991. Thereafter, Re-Survey Medical Boards were held from time to time and applicant was not granted disability element of pension vide letter dated</p>

12.07.2003. It is in this perspective the Original Application has been filed.

In reply, Ld. Counsel for the respondents submitted that since the Re-Survey Medical Boards assessed the applicant disability less than 20%, hence as per Regulation 173 of the Pension Regulations for the Army, 1961 the applicant's disability element of pension has been discontinued. He pleaded for dismissal of the Original Application.

During the course of hearing Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to conduct Re-Survey Medical Board of the applicant to assess his disability for further entitlement of disability pension.

Upon hearing submission of Ld. Counsel of both the parties and considering the facts and circumstances of the case, we **dispose of** the Original Application finally with the direction to the respondents to conduct Re-Survey Medical Board (RSMB) of the applicant to assess his disability for deciding entitlement of disability element of disability pension. Respondents are further directed to give effect to the order within four months from the date of receipt of a certified copy of this order.

Let copy of this order be provided to the learned Counsel for the parties.

**(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. 46)**

**O.A. No. 1083 of 2022**

**Ex. Sgt. Santosh Kumar Chudhary** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate  
Shri Mahendra Kumar Singh, 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>23.03.2023</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 Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri J.N. 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. 47)**

**O.A. No. 126 of 2023**

**Ex. WO Manoj Kumar Sah** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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><b><u>23.03.2023</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, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents a week further time is granted to file Counter Affidavit as a last chance.</p> <p>List on <b>05.04.2023</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. 48)**

**O.A. No. 127 of 2023**

**Ex. WO Vinod Kumar Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents a week further time is granted to file Counter Affidavit as a last chance.</p> <p>List on <b>05.04.2023</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. 49)**

**R.A. No. 2 of 2023 Inre O.A. No. 236 of 2022**

**Sanjay Singh Grandson of late NK Nathu Lal**

Applicant

By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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>23.03.2023</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 Manoj Kumar Awasthi , Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This application has been filed under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 to review and setting aside the judgement and order dated <b>12.10.2022</b> of this Tribunal in Original Application No. <b>236 of 2022</b> by means of which Original Application has been dismissed.</p> <p style="text-align: center;">The order of which review has been sought was passed by the Bench comprising of (Hon'ble Mr. Umesh Chandra Srivastava, Member (J) and Hon'ble Vice Admiral Abhay Raghunath Karvey, Member (A) (since transferred to AFT, Regional Bench, Mumbai).</p> <p style="text-align: center;">It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.</p> <p style="text-align: center;">For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p> <p style="text-align: center;"><i>“1. Application for review of judgment.- (1) any person considering himself aggrieved-</i></p> <p style="text-align: center;"><i>(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,</i></p> <p style="text-align: center;"><i>(b) by a decree or order from which no appeal is allowed, or</i></p> <p style="text-align: center;"><i>(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record , or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.”</i></p> <p style="text-align: center;">In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9</p>

of its judgment in the case of **Parsion Devi and others vs. Sumitri Devi and others**, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

*“9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."*

Further, the Hon'ble Supreme Court in Para 26 of its judgment in the case of **S. Madhusudhan Reddy Versus V. Narayana Reddy and Others**, Civil Appeal Nos. 5503-04 of 2022, decided on 18.08.2022, has observed as under :-

*“26. As can be seen from the above exposition of law, it has been consistently held by this Court in several judicial pronouncements that the Court's jurisdiction of review, is not the same as that of an appeal. A judgment can be open to review if there is a mistake or an error apparent on the face of the record, but an error that has to be detected by a process of reasoning, cannot be described as an error apparent on the face of the record for the Court to exercise its powers of review under Order XLVII Rule 1 CPC. In the guise of exercising powers of review, the Court can correct a mistake but not substitute the view taken earlier merely because there is a possibility of taking two views in a matter. A judgment may also be open to review when any new or important matter of evidence has emerged after passing of the judgment, subject to the condition that such evidence was not within the knowledge of the party seeking review or could not be produced by it when the order was made despite undertaking an exercise of due diligence. There is a clear distinction between an erroneous decision as against an error apparent on the face of the record. An erroneous decision can be corrected by the Superior Court, however an error apparent on the face of the record can only be corrected by exercising review jurisdiction. Yet another circumstance referred to in Order XLVII Rule 1 for reviewing a judgment has been described as “for any other sufficient reason”. The said phrase has been explained to mean “a reason sufficient on grounds, at least analogous to those specified in the rule”*

In the light of the legal position crystalized above, we have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is **rejected**.

(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. 50)**  
**R.A. No. 5 of 2023 Inre O.A. No. 116 of 2022**

**Ex. MCEAP-1 Umesh Katiyar** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri R.K. Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.03.2023</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 V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>This application has been filed under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 to review and setting aside the judgement and order dated 09.12.2022 of this Tribunal in Original Application No. 116 of 2022 by means of which Original Application has been allowed and respondents have been directed to grant disability element of pension to the applicant. However, due to law of limitations the applicant was held entitled to disability element of pension w.e.f. three preceding years from the date of filing of Original Application which was filed on 15.02.222.</p> <p>The order of which review has been sought was passed by the Bench comprising of (Hon'ble Mr. Umesh Chandra Srivastava, Member (J) and Hon'ble Lt. Gen. Rakesh Kumar Anand, Member (A) (since resigned).</p> <p>It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed.</p> <p>For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p> <p><i>"1. Application for review of judgment.- (1) any person considering himself aggrieved-</i></p> <ul style="list-style-type: none"><li><i>(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,</i></li><li><i>(b) by a decree or order from which no appeal is allowed, or</i></li><li><i>(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record , or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order."</i></li></ul>

In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of ***Parsion Devi and others vs. Sumitri Devi and others***, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

*"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."*

Further, the Hon'ble Supreme Court in Para 26 of its judgment in the case of ***S. Madhusudhan Reddy Versus V. Narayana Reddy and Others***, Civil Appeal Nos. 5503-04 of 2022, decided on 18.08.2022, has observed as under :-

*"26. As can be seen from the above exposition of law, it has been consistently held by this Court in several judicial pronouncements that the Court's jurisdiction of review, is not the same as that of an appeal. A judgment can be open to review if there is a mistake or an error apparent on the face of the record, but an error that has to be detected by a process of reasoning, cannot be described as an error apparent on the face of the record for the Court to exercise its powers of review under Order XLVII Rule 1 CPC. In the guise of exercising powers of review, the Court can correct a mistake but not substitute the view taken earlier merely because there is a possibility of taking two views in a matter. A judgment may also be open to review when any new or important matter of evidence has emerged after passing of the judgment, subject to the condition that such evidence was not within the knowledge of the party seeking review or could not be produced by it when the order was made despite undertaking an exercise of due diligence. There is a clear distinction between an erroneous decision as against an error apparent on the face of the record. An erroneous decision can be corrected by the Superior Court, however an error apparent on the face of the record can only be corrected by exercising review jurisdiction. Yet another circumstance referred to in Order XLVII Rule 1 for reviewing a judgment has been described as "for any other sufficient reason". The said phrase has been explained to mean "a reason sufficient on grounds, at least analogous to those specified in the rule"*

In the light of the legal position crystalized above, we have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is **rejected**.

(Vice Admiral Atul Kumar Jain)  
Member (A)

(Justice Umesh Chandra Srivastava)  
Member (J)

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 52)**  
**Dairy No. 693 of 2023**

**Ex. Sgt. Rajesh Kumar Dwivedi** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, 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>23.03.2023</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 Ram Saran Awasthi, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Seen the notes made by the registry.</p> <p style="text-align: center;">In the notes the registry has pointed out following defects :-</p> <ol style="list-style-type: none"><li>1. Annexure No. 3 of the Original Application filed by the applicant is not legible.</li><li>2. Advocate Welfare ticket has not been affixed on Vakalatnama.</li></ol> <p style="text-align: center;">As regard defect No. 1, Ld. Counsel for the applicant submits that same order was received to the applicant in envelope, a copy whereof has been filed as Annexure No. 3. The original copy is available with the respondents.</p> <p style="text-align: center;">In regard to Advocate Welfare ticket he submits that he will affix the same today on Vakalatnama.</p> <p style="text-align: center;">Subject to affixing Advocate Welfare ticket on Vakalatnama defects stand removed.</p> <p style="text-align: center;">This application has been filed for the grant of disability pension to the applicant after condoning delay of 08 years, 03 months and 10 days.</p> <p style="text-align: center;">It is submitted that delay in filing the Original Application is not deliberate. It is further submitted that disability claim cannot be denied on the ground of delay.</p> <p style="text-align: center;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: center;">Considering that law of limitation is not applicable in pensionary matter, delay, if any, in filing the Original Application is condoned. Delay condonation application stands disposed off accordingly.</p> <p><b><u>Original Application</u></b></p> <p style="text-align: center;">Case needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List on <b>04.07.2023</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 style="text-align: left;">AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 53)**

**O.A. No. 254 of 2021**

**Sigmn. Yogesh Kumar**

Applicant

By Legal Practitioner for the Applicant : Shri Subham Gupta, Advocate  
Shri Ajit Verma, 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><b><u>23.03.2023</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 Ajit Verma, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Original documents are not available today.</p> <p>List on <b>12.05.2023</b>.</p> <p>Respondents are directed to produce the original documents on the next date fixed for perusal of the Bench.</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. 54)**

**O.A.(A) No. 175 of 2019**

**Shankar Dutt Bhatt** Applicant  
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate  
Shri S.K. Anand, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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 V.P. Pandey, Advocate holding brief of Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the applicant the case is adjourned.</p> <p>List on <b>15.05.2023</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. 55)**

**O.A. (A) No. 1103 of 2022 with M.A. No. 1315 of 2022**

**Hav. Clk. Swapnil Santosh Suryavanshi**  
**through Pairokar Smt. Varsha Swapnil** Applicant  
By Legal Practitioner for the Applicant : Wg. Cdr. Ajit Kakkar (Retd.), 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>23.03.2023</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 Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Bail Application of the applicant has been rejected.</p> <p>No Counter Affidavit has been filed in the case.</p> <p>Let it be filed within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.</p> <p>List on <b>04.07.2023</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. 56)**

**T.A. No. 6 of 2019**

**Ex. NK Bishram Singh Rajput** Applicant  
By Legal Practitioner for the Applicant : Shri Om Prakasah Kuswaha, 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>23.03.2023</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 no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p style="text-align: center;">Heard Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Transferred Application is <b>dismissed on merit</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: 150px;"><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 (Suppl. No. 1)**

**Ex. A. No. 79 of 2023 Inre O.A. No. 211 of 2020**

**Ex. MWO Satyendra Tiwari** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.03.2023</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. 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 Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant submits that PPO in the case was issued on 11.01.2022, however, payment in account is still awaited.</p> <p>Ld. Counsel for the respondents seeks and is allowed two weeks time to seek instruction.</p> <p>List on <b>09.05.2023</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 (Suppl. No. 2)**

**M.A. No. 322 of 2023 with M.A. No. 323 of 2022 Inre : Ex. A. No. 340 of 2022**  
**Inre : O.A. No. 171 of 2022**

**Lt. Col. Param Pal Singh Dhillon (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar 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><b><u>23.03.2023</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>This application has been filed for recall of order dated 16.12.2022 in Execution Application No. 340 of 2022 by which Execution Application has been dismissed being infructuous.</p> <p>Ld. Counsel for the applicant submits that Counsel for the applicant was not present in the Tribunal on the date fixed to apprise that Rs.3,06,614/- has not been credited in applicant's account rather only Rs.2,98,182/- has been credited. He further submits that from the payment received in applicant's account it appears that arrears have not been correctly paid to the applicant i.e. disability element @30% to be rounded off to 50% for life from the next date of his retirement as per order of the Tribunal. Therefore, the order be recalled and Execution Application be decided afresh after considering objection to the compliance report filed by the applicant.</p> <p>Applicant has not filed any calculation sheet along with the objection to show as to what amount is payable him as per order of the Tribunal and why the amount credited in his account is incorrect. He may file calculation sheet within two weeks.</p> <p style="text-align: center;">List on <b>03.05. 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 (Suppl. No. 3)**

**O.A. No. 91 of 2023 with M.A. No. 401 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>23.03.2023</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 Veerendra Mohan, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 401 of 2023</u></b></p> <p style="text-align: center;">This application has been made in Original Application No. 91 of 2023 seeking change in address of respondent Nos. 2, 7 and 10.</p> <p style="text-align: center;">Amendments being formal in nature are <b>allowed</b>.</p> <p style="text-align: center;">Let amendments be incorporated and thereafter notices be issued to respondent Nos. 2, 7 and 10 returnable within four weeks.</p> <p style="text-align: center;">Steps for notice be taken within a week.</p> <p style="text-align: center;">Respondent Nos. 1 and 2 may also file Reply/Counter Affidavit within the aforesaid period. Applicant will have two weeks time to file Rejoinder Affidavit, if any.</p> <p style="text-align: center;">List on <b>10.05.2023</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>