

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

**O.A. No. 486 of 2023 with M.A. No. 578 of 2023**

**Ex. Nk. Ram Gopal** Applicant  
By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Ms. Deepti Prasad Bajpai, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</li><li>3. This original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 03 years and 05 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 486 of 2023</u></b></p> <ol style="list-style-type: none"><li>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>27.07.2023</b>.</li></ol> <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. 487 of 2023 with M.A. No. 579 of 2023**

**Ex. Hav. Jitendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Ms. Prerna Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents.</li><li>3. This original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 04 months and 10 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 487 of 2023</u></b></p> <ol style="list-style-type: none"><li>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>27.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 3)**

**O.A. No. 489 of 2023 with M.A. No. 581 of 2023**

**Ex. Sgt. Arvind Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Ravi Kumar Gupta, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>3. This original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 03 months in filing of Original Application.</p> <p>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 489 of 2023</u></b></p> <p>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on <b>27.07.2023</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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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 4)**

**O.A. No. 493 of 2023 with M.A. No. 585 of 2023**

**Ex. Rect. Mukesh Kumar Tewari** Applicant  
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Pramod Kumar Khare, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed against the order dated 13.12.2015 passed by the respondents by which applicant has been declared deserter.</p> <p>4. It is submitted by the Ld. Counsel for the applicant that applicant was taken on the strength of Army on 05.12.2015 in view of order dated 03.11.2015 of this Tribunal in Original Application No. 225 of 2013. Thereafter, he was again declared deserter vide order dated 13.12.2015 and is not being allowed to join his duty.</p> <p>5. Per contra, Ld. Counsel for the respondents submitted that after the applicant being taken on the strength of Army on 05.12.2015 in pursuance of order dated 03.11.2015 in Original Application No. 225 of 2013. Applicant has again deserted the Army with effect from 12.12.2015.</p> <p>6. On query being made to the Ld. Counsel for the respondents about the current status of the applicant, the Ld. Counsel sought time to seek instructions in this regard, which is allowed.</p> <p>7. Let instructions be sought within two weeks and thereafter the matter be listed for hearing on admission on <b>24.05.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 5)**

**Ex. A. No. 105 of 2023 Inre : O.A. No. 52 of 2018**

**Mahtab Singh**

Applicant

By Legal Practitioner for the Applicant : Shri P.K. Khare, Advocate  
Shri R.K. Saxena, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Shri Amit Jaiswal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Pramod Kumar Khare a, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 25.03.2022 of this Tribunal in Original Application No. 52 of 2018 by which respondents have been directed to grant notional promotion to the applicant to the rank of Subedar with effect from 01.09.2001 and to grant regular increments to him till he retires from service within a period of four months from the date of production of certified copy of the order.</li><li>4. Ld. Counsel for the applicant submits that applicant had submitted a certified copy of the order to the respondents on 05.05.2022 but the order has not yet been complied with to which Ld. Counsel for the respondents seeks time to seek instructions regarding compliance.</li><li>5. Let instructions be sought within four weeks.</li><li>6. List on <b>07.07.2023</b>.</li></ol> <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. 6)**

**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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Pramod Kumar Khare, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</li><li>2. Vide order dated 23.03.2023, the respondents were directed to bring the PPO on record, however, the same has not yet been brought.</li><li>3. Let PPO be brought on record within two weeks.</li><li>4. A copy of the PPO has been handed over today to the Ld. Counsel for the applicant who may file objection, if any, by the next date fixed.</li><li>5. List on <b>24.05.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 753 of 2022**

**BHM (Gnr.) Ram Babu** Applicant  
By Legal Practitioner for the Applicant : Col. A.K. Srivastava (Retd.), Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</li><li>2. Rejoinder Affidavit filed by the respondents is taken on record.</li><li>3. Pleadings are now complete.</li><li>4. List on <b>05.07.2023</b> for final hearing</li><li>5. Respondents are directed to produce five years ACRs of the relevant period for perusal of the Bench on the next date fixed.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="margin-left: 100px;"><b>Member (J)</b></span></p> <p>AKD/-</p>

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

**O.A. No. 756 of 2022**

**Col. Arun Shukla (Retd.)**

Applicant

By Legal Practitioner for the Applicant : Shri S.G. Singh, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Shri G.S. Sikarwar, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri S.G. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents.</li><li>2. Original Application is <b>allowed</b>.</li><li>3. For orders, see our order passed on separate sheets.</li><li>4. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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)**

**O.A. No. 767 of 2022**

**Ex. Rect. Amit Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Om Prakash, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Om Prakash, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</li><li>2. Original Application is <b>dismissed</b>.</li><li>3. For orders, see our order passed on separate sheets.</li><li>4. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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. 10)**

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

**Ex. Sub. Sujeet Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate  
Shri Yashpal Singh, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Despite last opportunity being given to the respondents no Counter Affidavit has been filed. Therefore, opportunity to file Counter Affidavit is closed.</p> <p>3. List tomorrow i.e. on <b>27.04.2023</b> for final hearing.</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**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 11)**

**O.A. No. 847 of 2022**

**Ris. Sheo Pratap Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. 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.</li><li>2. Shri Sunil Sharma, Ld. Counsel for the respondents is present.</li><li>3. No Counter Affidavit has been filed.</li><li>4. Counter Affidavit must be filed within four weeks failing which opportunity will be closed.</li><li>5. List on <b>31.05.2023</b>.</li></ol> <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)**

**O.A. No. 955 of 2022**

**Lt. Col. Sanjeev Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</li><li>2. Counter Affidavit filed by the respondents is taken on record.</li><li>3. On the request of Ld. Counsel for the applicant three weeks time is granted to file Rejoinder Affidavit.</li><li>4. List on <b>05.07.2023</b>.</li><li>5. Respondents are directed to produce original documents for perusal of the Bench on the next date fixed.</li></ol> <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. 13)**

**O.A. No. 1092 of 2022**

**Ex. Sgt. Sanjiv Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Om Prakash Kushwaha, Advocate  
Shri Ashok Kumar, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Pramod Kumar Khare, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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. 14)**

**O.A. No. 1117 of 2022**

**Ex. Sgt. Dhani Ram** Applicant  
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate  
Shri Rakesh Kumar Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 15)**

**O.A. No. 1131 of 2022**

**Ex. Sub. Maj. Govind Singh Gautam** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 16)**

**O.A. No. 25 of 2023**

**Ex. Sep. Manoj Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate  
Shri Anshuman Srivastava, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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)**

**O.A. No. 172 of 2023**

**Ex. Hav. Anil Kumar Awasthi** 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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="float: right;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>AKD/-</p>

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

**O.A. No. 173 of 2023**

**Ex. JWO Kamal Kishor Singh** Applicant  
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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)**

**O.A. No. 189 of 2023**

**Ex. Hav. (Hony. Nb. Sub.) Roop Lal** Applicant  
By Legal Practitioner for the Applicant : Wg. Cdr. S.N. Dwivedi (Retd.), Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>31.05.2023</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. 20)**

**O.A. No. 193 of 2023**

**Ex. Sgt. Ram Pravesh Kumar Yadava** Applicant  
By Legal Practitioner for the Applicant : 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>partly allowed</b> for the first disability only.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <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. 21)**

**O.A. No. 684 of 2017**

**Col. Mukul Singhal** Applicant  
By Legal Practitioner for the Applicant : Shri Mohan Kumar, Advocate  
Shri R. Chandra, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</li><li>2. Original documents are not available today.</li><li>3. List on <b>06.07.2023</b> for final hearing.</li><li>4. Respondents are directed to produce original documents pertaining to case on the next date fixed for perusal of the Bench.</li></ol> <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. 22)**

**O.A. No. 20 of 2021**

**Lt. Col. Kapil Khandelwal** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate  
Shri Chandra Bhan Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. 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.</li><li>2. Shri Namit Sharma, Ld. Counsel for the respondents is present.</li><li>3. List on <b>05.07.2023</b>.</li><li>4. Respondents are directed to produce original documents pertaining to case on the next date fixed for perusal of the Bench</li></ol> <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)**

**O.A. (A) No. 375 of 2019**

**Ex. Sapper Ajay Kumar Shrivastava** Applicant  
By Legal Practitioner for the Applicant : Shri Gautav Gupta, Advocate  
Shri Yashpal Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. List on <b>18.07.2023</b>.</p> <p>3. Respondents are directed to produce original documents pertaining to case 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 (Suppl. Sl. No. 1)**

**O.A. No. 494 of 2023 with M.A. No. 588 of 2023**

**Ex. Nk. Ram Chandra Tripathi** Applicant  
By Legal Practitioner for the Applicant : Shri Rahul Pal, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Ms. Deepti Prasad Bajpai , Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Rahul Pal, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</li><li>3. This original Application has been filed for the grant of disability element of pension to the applicant and there being a delay of 30 years, 11 months and 02 days in filing of Original Application a delay condonation application has been filed.</li><li>4. It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Indian Army on 15.05.1973 and was discharged from service on 31.12.1989 in low medical category with disability "Tuberculosis (LT) Sacro Illiac Joint". The applicant is in receipt of service pension for the services rendered by the applicant in the Army, however, his claim for the grant of disability element was rejected on the ground that the disability suffered by the applicant is neither attributable to nor aggravated by service.</li><li>5. As regards delay, the Ld. Counsel appearing for the applicant submitted that disability claim cannot be denied on the ground of delay as it is continuing wrong.</li><li>6. Ld. Counsel for the respondents, on the other hand, opposed the prayer on the premise that long delay of about 31 years in filing the Original Application has not been properly and satisfactorily explained on day to day basis.</li><li>7. Upon hearing submissions of Ld. Counsel of both sides and considering that denial of disability element of pension is a continuing wrong which cannot be denied on the ground of delay we are of the view that delay is liable to</li></ol>



condoned. Accordingly, delay is **condoned**. Delay condonation application stands disposed off.

**O.A. No. 494 of 2023**

8. Case needs adjudication.
9. Admit.
10. Issue Notice.
11. Ms. Deepti Prasad Bajpai, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.
12. Respondents may file Counter Affidavit within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.
13. List on **27.07.2023**.

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

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

AKD/-

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

**O.A. No. 496 of 2023 with M.A. No. 589 of 2023**

**Ex. Sgt. Mahendra Kumar Kesharwani** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Ms. Prerna 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.</li><li>2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents.</li><li>3. This original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 09 years, 10 months and 12 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 496 of 2023</u></b></p> <ol style="list-style-type: none"><li>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>27.07.2023</b>.</li></ol> <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. Sl. No. 3)**

**Ex. A. No. 106 of 2023 Inre : O.A. No. 396 of 2022**

**Ex. Nk. Jai prakash** Applicant  
By Legal Practitioner for the Applicant : Shri Rahul Pal, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.04.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. 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.</li><li>2. On the case being taken up for hearing Shri Rahul Pal, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 12.10.2022 of this Tribunal in original Application No. 396 of 2022.</li><li>4. It is submitted by the Ld. Counsel for the applicant that order in question was to be implemented within four months from the date of production of certified copy of the order which has not been complied with.</li><li>5. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction regarding compliance.</li><li>6. List on <b>12.07.2023</b>.</li></ol> <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>