

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

O.A. No. 239 of 2023 with M.A. No. 249 of 2023, M.A. No. 250 of 2023
and M.A. No. 251 of 2023

Nb. Sub. Vijay Pal Applicant
By Legal Practitioner for the Applicant : Shri D.S. Kauntae, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri D.S. Kauntae, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for quashing warning letter dated 27.05.2022 issued to the applicant, setting aside Statutory Complaint dated 18.05.2022 and declaring the Statutory Complaint dated 20.03.2022 as valid, genuine, sustainable, actionable and maintainable in law.</p> <p>4. Dr. Shailendra Sharma, Ld. Counsel appearing for the respondents submits that he has not received the copy of Original Application.</p> <p>5. Let copy of Original Application be served to the Ld. Counsel for the respondents today itself and thereafter the matter be listed for hearing tomorrow i.e. on 28.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 492 of 2023 with M.A. No. 584 of 2023

Ex. WO Dinesh Chandra Gaur Applicant
By Legal Practitioner for the Applicant : Shri Rama Kant, Advocate
Shri Shiv Narain Kaushal, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri Rama Kant and Shri Shiv Kant Kaushal, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 02 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 492 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 28.07.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>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. 497 of 2023 with M.A. No. 592 of 2023

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Kaushik Chatterjee, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 17 years, 03 months and 25 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 497 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 28.07.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 590 of 2023 with M.A. No. 591 of 2023 Inre O.A. No. 575 of 2022

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Shri Shyam Singh, Advocate

Versus

Col. Bibhash Chandra Singh (Retd.)

Respondent

By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Shyam Singh, Ld. Counsel for the applicants herein -Union of India & Others.</p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 11.01.2023 of this Tribunal in Original Application No. 575 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 01 month and 12 days in filing of application be condoned.</p> <p>4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p>5. Upon hearing submission of Ld. Counsel for the applicants, we find that no point of law of general public importance is involved so that leave may be granted.</p> <p>6. Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 593 of 2023 with M.A. No. 594 of 2023 Inre : O.A. No. 601 of 2021

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Dr. S. N. Pandey, Advocate

Versus

Ex. Hav. Ashok Kumar

Respondent

By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Dr. S.N. Pandey, Ld. Counsel for the applicants herein - Union of India and Others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 28.02.2022 of this Tribunal in Original Application No. 601 of 2021.3. There is a delay of 01 year and 25 days in filing of leave to application.4. Submission of Ld. Counsel for the applicants – Union of India & Others is that delay in filing leave to appeal is not deliberate. His further submission is that after obtaining the copy of Judgment the case was referred for obtaining legal opinion. After obtaining legal opinion, it has been decided to file Special Leave to Appeal. His further submission is that in the process of decision making in the matter at various levels some delay occurred in preferring application. Thus, his submission is that delay is not deliberate, but for the reasons stated above.5. Having heard the submission of Ld. Counsel for the applicants – Union of India & 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.6. In the result, we find that delay is not condonable.7. Accordingly, delay condonation application is dismissed.8. Leave to Appeal is also dismissed being time barred as well on merit. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 6)

Ex. A. No. 95 of 2021 Inre : O.A. No. 111 of 2020

Ex. Sub Ram Sarup Applicant
By Legal Practitioner for the Applicant : Shri Om Prakash Kushawaha, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case is being taken up for hearing Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj is present and he submits that PPO is at the verge of issue.</p> <p>2. In view of the above, two weeks time is granted to file affidavit of compliance annexing therewith copy of PPO.</p> <p>3. List on 31.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 112 of 2022 with M.A. No. 45 of 2023 Inre O.A. No. 253 of 2021

Ex. Sep Sunder Lal Applicant
By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case is being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant, Shri Amit Jaiswal, Ld. Counsel for the respondent Nos. 1 to 4 assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj and Shri Saket Srivastava, Ld. Counsel for the respondent Nos. 5 and 6 are present.</p> <p>2. On the last date i.e. 15.03.2023 the Pension Disbursing Authority i.e. respondent Nos. 5 and 6 were directed to release disability element of pension forthwith and file affidavit of compliance. Despite the same disability element of pension has not been released yet.</p> <p>3. Shri Saket Srivastava, Ld. Counsel appearing for the respondent Nos. 5 and 6 submits that disability element of pension could not be released to the applicant for the want of descriptive roll.</p> <p>4. It seems that he is not aware about the order dated 15.03.2023 passed by this Tribunal wherein it has been made clear that after PPO being received to the Bank the release of pension cannot be withheld for want of descriptive roll. The act of concerned Bank not releasing the disability element to the applicant is defiance of the order. The Branch Manager, Punjab National Bank, Dibiyapur, Auraiya (U.P.) is, therefore, directed to remain physically present in Tribunal on the next date fixed as to why necessary action be not taken against him for non-compliance of the order.</p> <p>5. List on 31.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 316 of 2022 Inre O.A. No. 476 of 2021

Ex. MEI Anuj Kumar Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Raj Kumar Mishra, Advocate holding brief for Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.2. An affidavit of compliance has been filed today by the respondents which is taken on record.3. No calculation sheet has been annexed along with affidavit.4. Let it be filed within two weeks.5. List on 02.06.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 9)

M.A. No. 424 of 2023 Inre : O.A. No. 67 of 2015

Ex. Rect. Mohd. Soharab
In Person

Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Namit Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p><u>M.A. No. 424 of 2023</u></p> <p>1. Heard Ex. Rect. Mohd. Soharab, the applicant, in person who has filed this application for modifying the order dated 24.09.2020 in Original Application No. 67 of 2015.</p> <p>2. The applicant had filed Original Application for setting aside his order of discharge dated 22.12.2011 from the Army service which was heard and dismissed on merit on 08.09.2021. It appears that during the pendency of Original Application respondents had sought time for filing Counter Affidavit which was allowed vide order dated 24.09.2020 subject to payment of Rs.10,000/- as cost.</p> <p>3. This application has been filed for modifying the order to the extent the cost awarded vide order dated 24.09.2020 be paid to the applicant.</p> <p>4. Keeping in view that Original Application has been dismissed on merit without imposing any cost on the applicant, the cost awarded against the respondents for not filing Counter Affidavit on time cannot be allowed to be given to the applicant, more so when the order of discharged has been held valid. Therefore, modification application is dismissed being devoid of merit.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 68 of 2019

Ex. Sub Nand Lal Gupta

Applicant

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

Versus

Union of India & Others

Respondents

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri K.K. Misra , Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. List on 25.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 542 of 2021

Ex. Hav. Dev Nath Singh Yadav Applicant
By Legal Practitioner for the Applicant : Shri V.P.Pandey, Advocate
Shri R.K. Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey, Advocate
Shri D.C. Lohumi, Advocate
Shri Nitin Khanna, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondent Nos. 1 to 4 are present.</p> <p>2. Shri Adarsh Kumar Singh, Branch Manager, State Bank of India, KUMS Jangipur Branch, Ghazipur is also present in person. He has filed affidavit stating therein that in regard to payment of disability element of pension to the applicant for the period 1992-2005 no record is available in the Bank. He has further stated that a letter in this regard has been written to the applicant asking him to produce pass-book for the period 1992 to 2005, but he has not produced the same.</p> <p>3. Shri Nitin Khanna, Ld. Counsel for the respondent No. 6 Bank is not present today as he said to have been met with accident.</p> <p>4. List this matter on 31.05.2023 on which date Shri Adarsh Kumar Singh, Branch Manager, State Bank of India, KUMS Jangipur Branch, Ghazipur will remain present in the Tribunal during hearing.</p> <p>5. Applicant is directed to produce pass-book of his pension account for the period 1992-2005 on the next date fixed for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 50 of 2022 with M.A. No. 1340 of 2022 & M.A. No. 1341 of 2022

Ex. WO Vijai Pratap Narain Mishra 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 : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. No reply to the recall application has been filed by the respondents.</p> <p>3. Reply may be filed within two weeks.</p> <p>4. List on 30.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 795 of 2022

Ex. Rect. Barun Kumar Yadav Applicant
By Legal Practitioner for the Applicant : Shri Om Prakash, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri D.K.Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri Om Prakash, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents.3. Original Application is dismissed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 1064 of 2022

Maj. Neha Akhoon (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri J.L. Joel, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Deepti Prasad Bajpai, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri Raj Kumar Mishra, Advocate holding brief of Shri J.L. Joel, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.3. Original Application is allowed.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 20 of 2023

Ex. Sub Ram Pal Singh Applicant
By Legal Practitioner for the Applicant : Shri S.N. Singh Gaherwar, Advocate
Shri Ajit Singh Gaherwar, Advocate
Shir Dinesh Kumar Upadhyay, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri S.N. Singh Gaherwar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents.2. Original Application is dismissed.3. For orders, see our order passed on separate sheets.4. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 112 of 2023

Lt. Col. Bagadhi Chandra Shekhar (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Ajai Kumar Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ajai Kumar Pandey, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit as a last chance.</p> <p>3. List on 31.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 197 of 2023

Ex. Hav. Jeeva Lal Bhandrari 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 Bipin Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed by the respondents is taken on record.2. Heard Shri V.P. Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.3. Original Application is partly allowed in respect of second and third disabilities.4. For orders, see our order passed on separate sheets.5. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 393 of 2019

Col. Dinesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Veerendra Mohan, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Veerendra Mohan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. List on 17.05.2023.</p> <p>3. Respondents are directed to produce original documents pertaining to the applicant on the next date fixed for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 276 of 2020

Ex. Sigmn. Pramesh Applicant
By Legal Practitioner for the Applicant : Shri Om Prakash Kushwaha, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p>2. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>3. On the last date i.e. 15.03.2023 the applicant was present in person and he was asked to engage another Counsel in his case as the Counsel he had engaged was not appearing in Tribunal since long due to his illness. Despite this, neither the applicant is present nor he has engaged another Counsel which shows that he has lost interest in prosecuting his case.</p> <p>4. In the circumstances stated above, Original Application is dismissed for non-prosecution.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 459 of 2020

Sub. Raeesul Hasan (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kuamr 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><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal , Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the applicant list on 02.06.2023.</p> <p>3. Original documents be retained with the AFT Legal Cell for production on the next date fixed for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. (A) No. 3 of 2013

Shyambir Singh Applicant
By Legal Practitioner for the Applicant : Shri D.S. Kauntae, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri D.S. Kauntae, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the applicant list on 02.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

T.A. No. 149 of 2010

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>2. List on 28.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

T.A. No. 77 of 2022

JWO Harikeshwar Lal Srivastava (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Shri A.K. Chaudhary, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.2. Transferred Application is dismissed.3. For orders, see our order passed on separate sheets.4. Misc. Application(s), pending if any, shall be treated to have been disposed of. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 500 of 2023 with M.A. No. 599 of 2023

Ex. HFO Kamal Chandra Das Applicant
By Legal Practitioner for the Applicant : Shri Shiv Kant Pandey, Advocate
Ms. Nisha Pandey, Advocate
Shri Amit Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. 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.2. Heard Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 07 months and 23 days in filing of Original Application.5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 500 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 28.07.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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. 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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>2. This Original Application has been filed for setting aside letters dated 07.01.2022 and 07.06.2022, Annexure Nos. 1 and 2, by which disability suffered by the applicant on United Nations Mission has been treated as Physical Casualty instead of Battle Casualty. In the Original Application it has been pleaded that applicant suffered disability while he was posted on United Nations Mission which is a Battle Casualty in view of Policy letter No.17(21)/2006/D(GS-I) dated 24.08.2009 issued by the Government of India, Ministry of Defence, New Delhi. The applicant had made a Statutory Complaint for treating the disability as Battle Casualty in view of the aforesaid Policy, but the same was not properly considered and Statutory Complaint was dismissed saying applicant's case is not covered under Army Order 1/2003. It is further pleaded that since the applicant's case is covered under the Policy dated 24.08.2009 being on United Nations Mission the Statutory Complaint preferred by the applicant ought to have been considered under the said Policy and not under Army Order 1/2003.</p> <p>3. No Counter Affidavit has been filed by the respondents despite sufficient opportunities being given.</p> <p>4. In the circumstances, respondents are granted three weeks further time to file Counter Affidavit failing which opportunity will be closed and case will be decided on the basis of material available on record.</p> <p>5. List on 28.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 600 of 2023 Inre : Ex. A. No. 147 of 2022 & O.A. No. 60 of 2016

Lt. Col. Mukesh Baboo through Gulnaz Hussain Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>27.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p><u>M.A. No. 600 of 2023</u></p> <p>1. On the case being taken up for hearing Lt. Col. Mukesh Baboo, the applicant, in person and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. This application has been filed for fixing an early date in hearing in Execution Application No. 147 of 2022.</p> <p>3. The Execution Application is listed on 04.05.2023 which has been declared as Public Holiday under Negotiable Instrument Act. Considering the same, let this matter be listed on 10.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>