

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

O.A. No. 343 of 2023 with M.A. No. 393 of 2023

Ex. Hav. (ACP Nb./Sub.) More Sandip Ramchandra Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate
Shri Dheerendra Kumar Agnihotri, Advocate
Shri Sandeep Tripathi, Advocate
Shri Vishnu Kant Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 01 year and 20 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 343 of 2023</u></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 26.05.2023.</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. 2)

O.A. No. 344 of 2023 with M.A. No. 394 of 2023

Ex. Sep. Ram Prakash Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate
Mohd. Murtaza Hasan, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Rajesh Kumar Singh Chauhan, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajesh Kumar Singh Chauhan, Ld. Counsel for the respondents.</p> <p>There is a delay of 38 years, 05 months and 22 days in filing of the Original Application.</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 38 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 rejected.</p> <p>Original Application being time barred is also rejected.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 345 of 2023 with M.A. No. 395 of 2023

Ex. GDSM Birendra Upadhyay Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, 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>29.03.2023</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>Shri Ashish Kumar Singh, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p>This application has been filed for condoning the delay of 17 years, 08 months and 03 days in filing of Original Application for the grant of disability element of pension.</p> <p>It is submitted by the Ld. Counsel for the applicant that disability claim of t heap has been wrongly denied by the respondents.</p> <p>Annexure 2 of the Original Application is the copy of letter dated 26.09.2022 issued by the Records, Brigade of Guards wherein it is stated that applicant's claim for the grant of disability element has not been denied rather it is stated that since applicant had filed Original Application No. 661 of 2022 in the Armed Forces Tribunal, Regional Bench, Lucknow and the same is pending decision and the matter of disability claim will be taken after the disposal of that Original Application.</p> <p>The copy of Original Application No. 661 of 2022 has not been filed by the applicant. He is, therefore, directed to file copy of Original Application No. 661 of 2022 within a week.</p> <p>List on 12.04.2023.</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. 4)

O.A. No. 346 of 2023 with M.A. No. 396 of 2023

Ex. POCOM (EW) Gavendra Pratap Singh Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri 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 Manish Kumar Rai, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 06 months and 18 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 346 of 2023</u></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 29.05.2023.</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. 5)

O.A. No. 347 of 2023 with M.A. No. 397 of 2023

Ex. POELP Pankaj 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Arun Kumar Sahu, 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 Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, 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 05 years, 07 months and 06 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 347 of 2023</u></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 29.05.2023.</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. 6)

O.A. No. 352 of 2023 with M.A. No. 407 of 2023

Ex. Hav. Akram Yadav Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Manu Kumar Srivastava, 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 Manish Kumar Rai, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, 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 18 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 352 of 2023</u></p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 29.05.2023.</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)

O.A. No. 353 of 2023

Ex. Gnr. Harijan Kirti Bhai Ajeshi Applicant
By Legal Practitioner for the Applicant : Shri Ashok Singh, Advocate
Shri Vikas Chauhan, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Ramesh Chandra Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Ramesh Chandra Shukla, 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 Ashok Singh and Shri Vikash Chauhan, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, 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 applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 29.05.2023.</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. 77 of 2023 Inre : O.A. No. 355 of 2021

Ex. Sgt. Birendra Kumar Gupta 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 Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri 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.</p> <p>Heard Shri Amit Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance to order PPO has been generated on 07.10.2022.</p> <p>Let PPO be brought on record within two weeks.</p> <p>List on 25.04.2023.</p> <p>In the meantime if the payment is not received in the applicant's account he may file application for impleadment of Pension Disbursing Authority.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 389 of 2023 Inre : O.A. No. 577 of 2022

Ex. WO Jai Shankar Panda 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>29.03.2023</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. 389 of 2023</u></p> <p>Memo of Appearance filed by Shri Amit Jaiswal , Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Amit Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>For the reasons stated in affidavit filed in support of application, correction application is allowed.</p> <p>In ninth line of para 11 of the order dated 09.02.2023 in Original Application No. 577 of 2022 the rounded off of disability element be corrected as "75%" in place of '50%'.</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)

M.A. No. 402 of 2023 with M.A. No. 403 of 2023 Inre : O.A. No. 190 of 2021

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

Versus

Lt. Col. Harish Sharma Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Dr. Shailendra Sharma Atal, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">Heard Shri Devesh Kumar, Ld. Counsel for the applicants – Union of India and Others.</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 13.01.2023 of this Tribunal in Original Application No. 190 of 2021.</p> <p style="text-align: center;">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 04 days in filing of application be condoned.</p> <p style="text-align: center;">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 style="text-align: center;">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 style="text-align: center;">Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 405 of 2023 with M.A. No. 406 of 2023 Inre : O.A. No. 656 of 2021

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

Versus

Ex. Hav. Sarabjeet Singh Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Kaushik Chatterjee, Ld. Counsel for the applicants – Union of India & Others.</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 11.03.2022 of this Tribunal in Original Application No. 656 of 2021.</p> <p style="text-align: center;">There is a delay of 11 months and 09 days in filing of leave to application.</p> <p style="text-align: center;">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 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 & 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 dismissed being barred by time as well as on 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.12)

R.A. No. 18 of 2023 with M.A. No. 411 of 2023 Inre : T.A. No. 24 of 2012

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri Namit Sharma, Advocate

Versus

Ex. Gnr. Yogendra Singh Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Namit Sharma, Ld. Counsel for the applicants – Union of India & Others.</p> <p><u>M.A. No. 411 of 2023</u></p> <p style="text-align: center;">For the reasons stated in affidavit filed in support of delay condonation application, delay of 05 months and 12 days in filing of Review Application is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>R.A. No. 18 of 2023</u></p> <p>The Review Applicants have filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants have prayed for review and setting aside the judgement and order dated 04.08.2022 of this Tribunal passed in Transferred Application No. 24 of 2012 by which Transferred Application has been allowed and the order of dismissal passed by the respondents has been set aside and respondents were directed to treat the applicant as discharged from service w.e.f. 29.08.1999. Respondents were directed to grant service pension and consequential benefits to the applicant from the next date of discharge from service, i.e. w.e.f. 30.08.1999 in the rank/post which he was holding at the time of discharge from service and the arrears of service pension was restricted to three years preceding the date of filing of the application.</p> <p>The order of which review has been sought was passed by the Bench comprising of (Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J) and Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A) (since transferred to AFT, Regional Bench, Mumbai).</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>

For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-

“1. Application for review of judgment.- (1) any person considering himself aggrieved-

(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,

(b) by a decree or order from which no appeal is allowed, or

(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.”

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)

AKD/-

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

Ex. A. No. 19 of 2019 Inre : T.A. No. 34 of 2010

Ex. Sep. Vinay Kumar Applicant
By Legal Practitioner for the Applicant : Shri Sachindra Pratap Singh, Advocate
Shri Yashpal 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>A calculation sheet has been filed by the applicant stating that respondents are required to make payment as per this sheet which they have not done so far.</p> <p>A copy of calculation sheet has been provided to the Ld. Counsel for the res who may get the same verified through their Agency/Chartered Account within four weeks.</p> <p>List on 03.05.2023.</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. 14)

Ex. A. No. 94 of 2021 Inre : O.A. No. 38 of 2020

Ex. Sub. (Hony. Capt. Paramhans Yadava) Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, 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 are present.</p> <p>At the very outset the Ld. Counsel for the applicant submits that order has been complied with. However, his submission is that cost awarded to the applicant has not been paid yet.</p> <p>Let cost be paid be paid within four weeks and thereafter record be consigned.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 339 of 2022 Inre : O.A. No. 308 of 2020

Ex. Hav. Abhimanyu Naik 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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Capt. Sandeep Tripathi from MRC Records is also present in person and he states that case file of the applicant was initially submitted to the Office of Principal Integrated Financial Advisor (PIFA), Army Headquarters, New Delhi for financial concurrence on 11.10.2002 and returned with observation by PIFA on 14.11.2022. Thereafter, the file has been re-submitted to the PIFA on 09.12.2022 duly clarifying the issues.</p> <p>In view of the above, four weeks further time has been sought for making compliance of the order which is allowed. It is directed that if the financial concurrence is not accorded within the above time, the Principal Integrated Financial Advisor, Army Headquarters, New Delhi shall remain physically present in Tribunal on the next date fixed to explain why coercive measure be not taken against her for non-compliance of the order.</p> <p>List on 04.05.2023.</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;">(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)

Ex. A. No. 352 of 2022 Inre : O.A. No. 523 of 2021

Ex. Nb. Sub./SKT Ramanand Singh Applicant
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</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>Heard Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>It is submitted by the Ld. Counsel for the respondents that in compliance to order Government Sanction has been accorded and file has been forwarded to Principal Controller of Defence Accounts (Pension), Prayagraj for issue of PPO. The R.S.M.B. of the heap has already been held.</p> <p>Let compliance report be filed annexing therewith copies of PPO and R.S.M.B. proceedings within four weeks.</p> <p>List on 11.05.2023.</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)

Ex. A. No. 35 of 2023 Inre : O.A. No. 313 of 2022

Ex. Hav. Surander Kumar Applicant
By Legal Practitioner for the Applicant : Shri Pushpendra Kumar Dhaka, Advocate
Shri Ramakant Gupta, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Pushpendra Kumar Dhaka and Shri Ramakant Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents three weeks further time is granted to file affidavit of compliance.</p> <p>List on 11.05.2023.</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. 18)

O.A. No. 851 of 2021

Ex. Hav. Ashok Kumar Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Nishit Mishra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor Rejoinder Affidavit has been filed.</p> <p>Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>Rejoinder Affidavit may be filed within two weeks failing which opportunity will be closed.</p> <p>List on 12.05.2023.</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. 19)

O.A. No. 730 of 2022

Sgt. Vindhyachal (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Abhay Kant Upadhyay, Advocate
Shri Neel Kant Upadhyay, Advocate
Shri Raj Kumar Mishra, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Shri Amit Jaiswal, Ld. Counsel appearing for the respondents states that Counter Affidavit is under preparation, two weeks further time be granted which is allowed.</p> <p>List on 18.04.2023.</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. 20)

O.A. No. 801 of 2022

Col. Shyam Bihari Singh (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate
Shri R.K. Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</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>Heard Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>Original Application is allowed.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 802 of 2022

Ex. Sgt. Dhupesh Gupta Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Gupta, Advocate
Shri Bipin Kumar Sharma, Advocate
Shri Kapil Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents. Original Application is dismissed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 819 of 2022

Lt. Col. Yashendra Pratap Singh Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate
Shri Mahendra 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><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>A perusal of Counter Affidavit/Reply filed by the respondents shows that it is incomplete as para 9 of the Counter Affidavit/Reply is completely missing whereas para 8 is incomplete.</p> <p>Respondents are, therefore, directed to file a fresh Counter Affidavit/Reply within three weeks.</p> <p>List 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>

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

O.A. No. 848 of 2022

Maj. J. Belwal (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajesh Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed.</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;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 868 of 2022

Cdr. Satish Kumar Applicant
By Legal Practitioner for the Applicant : Shri Veer Raghav Chaubey, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">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 style="text-align: center;">List on 10.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 933 of 2022

Ex. Maj. Ashish Shakya Applicant
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is allowed.</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;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 994 of 2022

Ex. Hony. Sub. Lt. MCAA (W) II Mohammad Saleem Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 18.04.2023.</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. 27)

O.A. No. 1055 of 2022

Ex. MWO Ombir Singh Upadhyay 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 R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri V.P. Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents. Original Application is allowed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) 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. 28)

O.A. No. 1065 of 2022

Ex. WO Chandra Bhusan Singh Applicant
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents. Original Application is allowed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) 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. 29)

O.A. No. 1136 of 2022

Ex. Gdr. Dheerendra Pratap Singh 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 Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents. Original Application is allowed for the first disability only. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) 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. 30)

O.A. No. 30 of 2023

Ex. Sub. Awadh Narain Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Shri Shashi Kant Chaturvedi, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record. Heard Shri Vinay Pandey Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents. Original Application is allowed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 76 of 2023

HFO Biswas Kumar Gupta (Retd.) Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. Ajit Kakkar, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg. Cdr. Ajit Kakkar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 17.04.2023.</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. 32)

O.A. No. 105 of 2023

Ex. Hav. A.N. Yadav Applicant
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate
Shri Rakesh Kumar Singh, Advocate
Maj. S.M. Mustafa, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 24.04.2023.</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. 33)

O.A. No. 107 of 2023

Ex. Nk. Kanhaiya 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 Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 25.04.2023.</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. 34)

O.A. No. 108 of 2023

Lt. Col. Prabhat Chaturvedi

Applicant

By Legal Practitioner for the Applicant : Shri B.N. Choubey, 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri B.N. Choubey, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 18.04.2023.</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. 35)

O.A. No. 109 of 2023

Ex. Sgt. Shatanjay 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 J.N. Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents. Original Application is allowed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) 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. 36)

O.A. No. 110 of 2023

Lt. Col. Ashok Kmar 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 Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 24.04.2023.</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. 37)

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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ajai Kumar Pandey, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 27.04.2023.</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. 38)

O.A. No. 113 of 2023

Ex. L/Nk. Rewadhar Chandola Applicant
By Legal Practitioner for the Applicant : Shri V.P. Pandey, Advocate
Sri R.K. Singh, Advocate
Shri Deepak Bhatt, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 25.04.2023.</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. 39)
O.A. No. 116 of 2023

Ex. Nb. Sub./Clk. (SD) Dinesh Singh Parihar Applicant
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri K.K. Singh Bisht, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents. Original Application is allowed. For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) 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. 40)

O.A. No. 117 of 2023

Ex. WO Bal Chand Yadav 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 Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 18.04.2023.</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. 41)

O.A. No. 118 of 2023

Cdr. Himant Hothi (Retd.) 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 : Ms. Anju Singh Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on 24.04.2023.</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. 42)

O.A. No. 120 of 2023

Ex. HFL Vijay Shanker Tiwari Applicant
By Legal Practitioner for the Applicant : Shri S.K. Mishra, Advocate
Shri Sudhir Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri R. Chandra, Advocate holding brief of Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents.</p> <p>Original Application is allowed.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 43)

O.A. No. 349 of 2023

Ex. Sep. Sayed Sahid Ali

Applicant

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

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents : Shri Devesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri K.K. Misra, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This application has been filed for condoning delay of 05 months and 18 days in filing of the Original Application for the grant of disability pension.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the applicant that delay in filing Original Application is not deliberate. He further submitted that law of limitation is not applicable in pensionary matters.</p> <p style="text-align: center;">Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p style="text-align: center;">Upon hearing submissions of Ld. Counsel of both sides and considering that law of limitation is not applicable in pensionary matter, delay in filing the Original Application is condoned.</p> <p><u>O.A. No. 349 of 2023</u></p> <p style="text-align: center;">Case needs adjudication. Admit. Issue notice.</p> <p style="text-align: center;">Shri Devesh Kumar, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived.</p> <p style="text-align: center;">Respondents may file Counter Affidavit within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List on 16.05.2023.</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. 44)

M.A. No. 349 of 2023 Inre : O.A. (A) No. 238 of 2023

Sep. Raj Kumar Yadav (through Pairokar Dharmveer Singh) Applicant
By Legal Practitioner for the Applicant : Shri Ramakant Gupta, Advocate
Shri Pushpendra Kumar Dhaka, 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>29.03.2023</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. 349 of 2023</u></p> <p>Heard Shri Pushpendra Kumar Dhaka, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This application has been filed for fixing an early date of hearing in Original Application (A) No. 238 of 2023.</p> <p>The Original Application (A) is listed for hearing on 10.04.2023.</p> <p>Keeping in view that date fixed in the Original Application (A) is not so far, early hearing application is rejected.</p> <p>List the Original Application (A) on the date fixed i.e. on 10.04.2023.</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. 45)

M.A. No. 413 of 2023 Inre : O.A. No. 573 of 2022
along with O.A. No. 880 of 2021 (Decided)

Hav. Baggu Mahesh Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand 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>29.03.2023</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. 413 of 2023</u></p> <p>On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>This application has been filed for fixing an early date of hearing in Original Application No. 573 of 2022.</p> <p>Shri Virat Anand Singh, Ld. Counsel for the applicant is said to be ill.</p> <p>List on 04.05.2023.</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. 46)

O.A. No. 487 of 2018

Col. Rajendra Kumar Singh Applicant
By Legal Practitioner for the Applicant : Col. H.M. Maheshwari (Retd.), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Col. H.M. Maheshwari (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is dismissed.</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;">(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. 47)

O.A. No. 583 of 2020

Ex. Sep. Karan Pal Singh Applicant
By Legal Practitioner for the Applicant : Col. B.P. Singh (Retd.), 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Col. B.P. Singh (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is dismissed.</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;">(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. 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>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Namit Sharma, 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>On the case being taken up for hearing no one is present on behalf of the applicant nor notice of Misc. Application has been served to Shri Namit Sharma, Ld. Counsel appearing for the respondents.</p> <p>Shri Namit Sharma, Ld. Counsel for the respondents is present.</p> <p>Notice may be served within three weeks.</p> <p>List on 27.04.2023.</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 (Suppl. Sl. No. 4)

M.A. No. 277 of 2023 Inre : O.A. No. 64 of 2019

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

Versus

Ex. Sgt. Om Prakash Ojha Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Yogesh Kesarwani, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">This application has been filed seeking the correction in para 7, 9 and 11 of the order dated 08.04.2021 in Original Application No. 64 of 2019 to the following effects :-</p> <p style="text-align: center;">(i) <i>In line six the word “next” with the word “date of discharge”.</i></p> <p style="text-align: center;">(ii) <i>In line seven and ten the date and year occurring as “31/11/94” be corrected to be read as “31/11/95”.</i></p> <p style="text-align: center;">(iii) <i>In line eight, ten and 11 the word “of two years” occurring after the word “to” be omitted.</i></p> <p style="text-align: center;">In view of the facts stated in affidavit filed in support of application, correction application is allowed. The above, corrections be carried out in the order.</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. 5)

Diary No. 518 of 2023 Inre : O.A. No. 524 of 2022

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Dr. Gyan Singh, Advocate

Versus

Col. Jai Prakash Singh (Retd.)

Respondent

By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>29.03.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Dr. Gyan Singh, Ld. Counsel for the applicants – Union of India & Others is present.</p> <p style="text-align: center;">Defects have not been removed.</p> <p style="text-align: center;">Let it be removed within ten days.</p> <p style="text-align: center;">List on 13.04.2023.</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>