

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 47)**

**O.A. (A) No. 238 of 2023 with M.A. No. 246 of 2023**

**Sep Raj Kumar Yadav (Through Pairokar Dharmveer Singh)** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate  
Wg.Cdr. Pushpendra Kumar Dhaka (Retd.), Advocate,  
Shri Ramakant Gupta, Advocate,

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p><b><u>Misc. Application No. 246 of 2023 (Bail Application)</u></b></p> <p>1. Heard Shri Pushpendra Kumar Dhaka, Ld. Counsel appearing for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel appearing for the respondents.</p> <p>2. This application has been filed in Original Application (Appeal) No. 238 of 2023 praying for the grant of Bail during pendency of Original Application (Appeal).</p> <p>3. Briefly stated facts of the case are that applicant was tried under Section 64 (e) of the Army Act, 1950 on the charge of accepting bribe from the civilians for enrolment in the Army by the District Court Martial and on being found guilty has been sentenced to (i) to suffer one year rigorous imprisonment, (ii) reduction in rank and (iii) to be dismissed from service.</p> <p>4. Ld. Counsel for the applicant submits that applicant is innocent and has been falsely implicated in the case. Nothing has been recovered from the applicant to substantiate the charge. Applicant had taken a plea in bar before the District Court Martial that trial was barred by time being commenced after three years from the date of knowledge of the offence, as provided under Section 122 of the Army Act, 1950, but the same was not properly considered. There are material contradictions in the statements of witnesses examined by the prosecution. He further submits that no cogent evidence has been found during trial to hold the applicant guilty for the offence. He further submits that applicant was in military custody for the period 28.09.2022 to 15.11.2022 during course of trial and is in civil imprisonment since the date of sentence i.e. 15.11.2022 and thus has undergone more than eight months out of total one year rigorous imprisonment awarded to the applicant.</p>

5. Ld. Counsel for the respondents, on the other hand, submits that charge on which trial against the applicant has proceeded and on being found proved applicant has been convicted and sentenced being a case of accepting bribe from the civilians for enrolment in Army is grave and should be dealt with strictly. There is no contradiction in the statements of witnesses. He further submits that in a post conviction case bail should be granted in special circumstances only, and not in routine manner.

6. Having heard the submissions of Ld. Counsel of both sides and considering that out of one year rigorous imprisonment awarded to the applicant a period of about eight months has already undergone including military custody, we deem proper to enlarge the applicant on bail during pendency of Original Application (Appeal). Therefore, let applicant be enlarged on bail on his furnishing a personal bond of Rs.50,000/- and one surety of the like amount to the satisfaction of Registrar of this Tribunal.

7. Bail Application stands disposed off accordingly.

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

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

AKD/-

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**Court No. 1 (Sl. No. 47)**

**O.A. (A) No. 238 of 2023 with M.A. No. 246 of 2023**

**Sep Raj Kumar Yadav (Through Pairokar Dharmveer Singh)** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate  
Wg.Cdr. Pushpendra Kumar Dhaka (Retd.), Advocate,  
Shri Ramakant Gupta, Advocate,

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p><b><u>O.A. (A) No. 238 of 2023</u></b></p> <p>1. 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>2. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit.</p> <p>3. List on <b>19.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 641 of 2023 with M.A. No. 778 of 2023**

**Ex. Sgt. Pradeep Kumar Srivastava** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate  
Shri Sandeep Tripathi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri 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>2. Heard Shri Manoj Kumar Awasthi, Advocate holding brief of Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 04 years, 07 months and 08 days in filing of Original Application.</p> <p>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 641 of 2023</u></b></p> <p>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on <b>27.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 2)**  
**O.A. No.642 of 2023**

**Ex. Ris. Manoj Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Amit Kumar Singh, Advocate  
Shri Utkarsh Srivastava, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri 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.</li><li>2. Heard Shri Amit Kumar Singh and Shri Utkarsh Srivastava, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</li><li>5. Case needs adjudication.</li><li>6. Admit.</li><li>7. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>8. List on <b>27.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 646 of 2023 with M.A. No. 781 of 2023**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 11 months and 23 days in filing of Original Application.</p> <p>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 646 of 2023</u></b></p> <p>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on <b>27.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 4)**

**O.A. No. 647 of 2023 with M.A. No. 782 of 2023**

**Ex. MWO Jagdish Pratap Gupta** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate  
Shri Sandeep Tripathi, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Manoj Kumar Awasthi, Advocate holding brief of Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 08 months and 23 days in filing of Original Application.</p> <p>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 647 of 2023</u></b></p> <p>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on <b>27.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 5)**  
**O.A. No. 650 of 2023**

**Nk. Mukesh Kumar** Applicant  
By Legal Practitioner for the Applicant : Col. R.C. Jain (Vetran) , 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><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Pushpendra Mishra, Advocate on behalf of the respondents is taken on record.</li><li>2. Heard Col. R. C. Jain (Vetran), Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents.</li><li>3. Applicant has filed this Original Application for issuing direction to the respondents to consider his representation to pursue ITI (Civil) course in the Station he is posted or from any institution located in Lucknow region.</li><li>4. Ld. Counsel for the applicant submits that earlier in regard to prayer made in this Original Application applicant had filed Original Application No. 307 of 2021 in this Tribunal which was disposed off on 12.10.2021 with direction to the respondents to consider the case of the applicant to grant permission to pursue ITI Course from civil, in the station where the applicant is presently posted and not in any other place, if feasible, as per rules. Pursuant to this the representation made by the applicant was consideration and rejected on the ground that by the time representation came to reconsider the applicant was posted in Field Area where it was not possible to pursue ITI Course. Now the applicant has filed this Original Application on the premise that he has been posted in Peace area i.e. Hyderabad, therefore, respondents be directed to decide his application afresh.</li><li>5. From the order passed in Original Application No. 307 of 2021 itself it is clear that direction was issued to the respondents to consider the case of the applicant to grant permission to pursue ITI Course from Civil in the Station where he was then posted and not from any other place. Since the present place of posting of the applicant is in Hyderabad, therefore, if the applicant has any grievance and wants to get the same redressed by the respondents, he may file Original Application in this regard with the Registrar of the Tribunal where he is presently posted and not in this Tribunal (Regional Bench, Lucknow).</li><li>6. In view of the above, the Original Application is <b>dismissed</b> as not maintainable in this Tribunal with liberty to file afresh.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b>                      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>AKD/-</p>



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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 6)**

**O.A. No. 651 of 2023 with M.A. No. 784 of 2023**

**Ex. Hav. Chandran PE**

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 : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 784 of 2023</u></b></p> <p>3. This application has been filed for condoning delay of 22 years, 01 month and 09 days in filing of Original Application for the grant of disability element to the applicant.</p> <p>4. Ld. Counsel for the applicant submits that applicant was enrolled in the Indian Army on 14.03.1981 and was discharged from service in low medical category on 30.04.1998 after rendering 17 years, 01 month and 17 days of service. Applicant's disability "Primary Hypertension (401) V-67" was assessed @30% for two years as aggravated by military service, however, disability claim was denied by the Records, the respondent No. 4 vide order dated 29.10.1998 saying disability was neither attributable to nor aggravated by military service.</p> <p>5. Ld. Counsel for the respondents, on the other hand, submits that this Original Application being filed after 25 years from the date of discharge and delay in filing the Original Application being not explained on day-to-day basis, Original Application should be dismissed being barred by time.</p> <p>6. In regard to delay, the submission of the Ld. Counsel for the applicant is that denial of pensionary benefits is continuing wrong.</p> <p>7. Upon hearing submissions of Ld. Counsel of both sides and considering that pensionary benefits cannot be denied on the ground of delay, delay, if any, in filing the Original Application is <b>condoned</b>. Delay condonation application</p>

stands disposed off.

**O.A. No. 651 of 2023**

8. Case needs adjudication.

9. Admit.

10. 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.

11. List on **27.07.2023**.

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

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

AKD/-

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

**O.A. No. 652 of 2023 with M.A. No. 792 of 2023**

**Lt. Cdr. Sai Visawanth (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Gp. Capt. Y. Venugopal (Retd.) , Advocate  
Shri Amit Asthana, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri 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.</li><li>2. Heard Gp. Capt. Y. Venugopal (Retd.), Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</li><li>3. As per office note, there is no delay in filing of Original Application, however, an application for condonation delay has been filed which being not required is <b>dismissed</b>.</li><li>4. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</li><li>5. Case needs adjudication.</li><li>6. Admit.</li><li>7. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>8. List on <b>28.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 8)**

**O.A. No. 653 of 2023 with M.A. No. 788 of 2023**

**Ex. Sigmn Ashutosh Tripathi** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 05 months and 25 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 653 of 2023</u></b></p> <ol style="list-style-type: none"><li>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>28.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 9)**

**O.A. No. 654 of 2023 with M.A. No. 789 of 2023**

**Ex. Hav. Mahendra Singh Bisht** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri 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.</li><li>2. Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</li><li>3. This Original Application has been filed for the grant of disability pension to the applicant.</li><li>4. There is a delay of 01 month and 18 days in filing of Original Application.</li><li>5. Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 654 of 2023</u></b></p> <ol style="list-style-type: none"><li>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.</li><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>9. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</li><li>10. List on <b>28.07.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**O.A. No. 655 of 2023**

**Gp. Capt. A.K. Srivastava** Applicant  
By Legal Practitioner for the Applicant : Shri Gp. Capt. Y. Venugopal (Retd.) , Advocate  
Shri Amit Ashtana, Advocate  
**Versus**  
**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri 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.</li><li>2. Heard Gp. Capt. Y. Venugopal (Retd.), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</li><li>3. Applicant has filed this Original Application for issuing direction to the respondents to promote the applicant in the rank of Air Commodore w.e.f. 21.06.2021 and reinstate him in service with all consequential benefits including pay and allowances.</li><li>4. Ld. Counsel for the applicant submits that impugned order dated 30.05.2022 and 05.04.2023 are bad in law, various aspects relevant for promotion to the rank of Air Commodore were not taken into consideration by the Selection Board.</li><li>5. Ld. Counsel for the respondents prays for time to file Reply.</li><li>6. Case needs adjudication.</li><li>7. Admit.</li><li>8. Issue notice.</li><li>9. Shri Yogesh Kesarwani, Advocate has accepted notice on behalf of the respondents, hence service of notice is waived. He may file Counter Affidavit/Reply within four weeks. Thereafter, applicant will have two weeks time to file Rejoinder Affidavit, if any.</li><li>10. List on <b>03.08.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 138 of 2023 Inre O.A. No. 922 of 2022**

**Ex. Hav. Arvind Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Pushpendra 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.</li><li>2. Heard Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 23.01.2023 of this Tribunal in Original Application No. 922 of 2022.</li><li>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</li><li>5. List on <b>04.08.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 139 of 2023 Inre O.A. No. 906 of 2022**

**Ex. Hav. Tej Bahadur Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri 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.</li><li>2. Heard Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 21.12.2022 of this Tribunal in Original Application No. 906 of 2022.</li><li>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</li><li>5. List on <b>04.08.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



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

**Ex. A. No. 140 of 2023 Inre O.A. No. 329 of 2022**

**Ex. W/o Satyendra Pratap Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Memo of Appearance filed by Shri Somesh Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</li><li>2. Heard Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents.</li><li>3. This application has been filed for implementation of order dated 02.12.2022 of this Tribunal in Original Application No. 329 of 2022.</li><li>4. Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instructions regarding compliance.</li><li>5. List on <b>04.08.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**M.A. No.785 of 2023 with M.A. No. 786 of 2023 Inre O.A (A) No. 667 of 2020**

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

**Versus**

**Smt. Firoz Bano** Respondent  
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Ms. Appoli Srivastava, Ld. Counsel for the applicant- Union of India and 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 10.04.2023 of this Tribunal in Original Application (A) No. 667 of 2020.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India &amp; others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 15 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 <b>condoned</b>. 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 <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <span style="margin-left: 100px;"><b>(Justice Umesh Chandra Srivastava)</b></span> <b>Member (A)</b> <span style="margin-left: 100px;"><b>Member (J)</b></span></p> <p>AKD/-</p>

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

**M.A. No. 787 of 2023 Inre : O.A. No. 25 of 2023**

**Union of India & Others**

Applicants

By Legal Practitioner for the Applicants : Shri Ashish Kumar Singh, Advocate

**Versus**

**Ex. Sep. Manoj Yadav**

Respondent

By Legal Practitioner for Respondent : None

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicant-Union of India &amp; Others.</li><li>2. For the reasons stated in affidavit filed in support of correction application, correction application is <b>allowed</b>.</li><li>3. In the order dated 26.04.2023 in Original Application No. 25 of 2023 the name of the Counsel for the respondents be corrected as "<b>Ashish Kumar Singh</b>" in place of "Shri Adesh Kumar Gupta".</li><li>4. Further, name of "Shri Ashish Kumar Singh" be deleted from the side of Counsel for the applicant.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 73 of 2017 Inre T.A. No. 96 of 2016**

**Maj. Gen. DVS Rana** Applicant  
By Legal Practitioner for the Applicant : Shri K.C. Ghildiyal, Advocate  
Shri R. Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri R. Chandra, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Stay order granted by the Hon'ble Apex Court still holds good.</p> <p>3. List on <b>12.09.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**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 Kushwaha, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing no one is present on behalf of the applicant nor is there any mention to pass over the case.</li><li>2. Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</li><li>3. Affidavit of compliance has been filed by the respondents which is taken on record.</li><li>4. On perusal of affidavit shows that in compliance of order PPO has been issued wherein applicant has been granted disability element @Rs.9,461/- per month w.e.f. 01.05.2023. He has also been paid arrears for the period from 17.12.2016 to 30.04.2023. Thus, PPO issued is in terms of the order.</li><li>5. Order stands complied with.</li><li>6. Accordingly, Execution Application is <b>dismissed</b> being infructuous.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

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

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

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.</p> <p>2. As prayed by the Ld. Counsel for he respondents four weeks further time is granted to file affidavit of compliance.</p> <p>3. List on <b>02.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**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><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Mr. R. Chandra, Ld. Counsel for the applicant and Mr. Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Mr. Swajal, Branch Manager, Punjab National Bank, Dibiyapur Branch, Auraiya is present in person in Court and he offers unconditional apology for not complying with the order of this Tribunal. He undertakes that order of this Tribunal will be complied with without fail within 15 days from today.</p> <p>3. Let Affidavit of compliance be filed by the Branch Manager, Punjab National Bank, Dibiyapur Branch, Auraiya by the next date fixed.</p> <p>4. List on <b>12.07.2023</b> on which date Branch Manager, Punjab National Bank, Dibiyapur Branch, Auraiya shall remain present in Tribunal.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A No. 280 of 2022 Inre O.A. No. 331 of 2021**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri Himanshu Singh, Ld. Counsel for the applicant and Sqn. Ldr. Ashutosh Pandey, Departmental Representative for the respondents.</p> <p>2. Sqn. Ldr. Ashutosh Pandey, Departmental Representative for the respondents submits that respondents had filed Leave to Appeal against decision of this Tribunal which was dismissed on 22.03.2023. Thereafter, the respondents had written a letter to the Adjutant General to seek advise of Assistant Solicitor General of India in the matter. Thus, he has sought three weeks time to make compliance of the order which is allowed. It is directed that if the order is not complied with within the given time the officer responsible for implementation of the order shall appear in Tribunal on the next date fixed to explain why coercive measure be not taken against him for non-compliance of the order.</p> <p>3. List on <b>09.08.2023</b>.</p> <p>4. Let copy of this order be provided to the Departmental Representative of the respondents.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



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

**Ex. A No. 293 of 2022 Inrre O.A. No. 858 of 2021**

**Ex. Hav (Hony. Nb. Sub.) Narendra Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents are present.</li><li>2. Colonel Jagjot Singh, Director, AG/PS-4 (Pension and Legal), Defence Office Complex, KG Marg, Integrated Headquarters of Ministry of Defence (Army), New Delhi is present in person and files his personal affidavit which is taken on record.</li><li>3. In the affidavit it is stated that Director, PS-4 is the Sanction issuing authority in the matter. It is further stated that in view of Ministry of Defence letter dated 14.08.2001, sanction can be issued with financial concurrence of the Principal Integrated Financial Advisor (PIFA) (Q&amp;M) only. It is further stated that in matter in question the case file of the applicant was sent to the Office of PIFA on 04.10.2022 for financial concurrence and was received back on 11.11.2022 with some observations. Thereafter, the file was submitted for the second time on 09.12.2022 and was again sent back with some observations on 21.03.2023. Third time the file was sent to the PIFA (Q&amp;M) on 17.04.2023 and was again returned inactioned on 03.05.2023. The file has been submitted fourth time to PIFA on 19.05.2023. Thus it is stated that delay in granting Government Sanction for implementation of the order is not on the part of sanction issuing authority but due to inaction and non-cooperative attitude of the PIFA (Q&amp;M) who has returned the file every time on one or the other reasons.</li><li>4. From the above, it appears that PIFA is responsible for non-implementation of the order of this Tribunal by returning file time and again despite being no legal hurdle.</li><li>5. In the circumstances, we feel proper to issue notice to the Principal</li></ol>

Integrated Financial Advisor (Q&M), Army Headquarters, New Delhi to appear in person in Tribunal to explain the reasons for not granting financial concurrence.

6. Accordingly, Registrar is directed to issue notice to Integrated Financial Advisor (Q&M), Army Headquarters, New Delhi to appear in person before this Tribunal on the next date fixed to explain the reasons for not according financial concurrence and why contempt proceedings be not initiated against her for creating hurdle in compliance of order of this Tribunal.

7. List on **12.07.2023**.

8. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell, Lucknow to ensure service of the order for compliance.

**(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. 22)**

**Ex. A. No. 301 of 2022 Inre O.A. No. 792 of 2021**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p>2. PPO has been issued and it is in terms of order.</p> <p>3. Copy of PPO has been produced today in Court for perusal of the Bench.</p> <p>4. Copy of PPO has been shown to the Ld. Counsel for the applicant and he also submits that it is in terms of the order.</p> <p>5. Thus, order stands complied with. Accordingly, Execution Application is <b>dismissed</b> being infructuous.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 329 of 2022 Inre O.A. No. 652 of 2021**

**Hav. Navin Kumar (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. The order dated 18.02.2022 has not yet been complied with nor the cost is paid.</p> <p>3. Ld. Counsel appearing for the respondents states that case file of the applicant is pending with the Office of Principal Integrated Financial Advisor (Q&amp;M), Army Headquarters, New Delhi. Thus he has sought four weeks further time to make compliance of the order which is allowed. It is clarified that if the order is not implemented in lack of financial concurrence the Principal Integrated Financial Advisor, Army Headquarters (Q &amp; M), New Delhi shall appear in person before this Tribunal on the next date fixed to show cause why she is sitting over matter and coercive measure be not taken against her for non-compliance of the order.</p> <p>4. List on <b>03.08.2023</b>.</p> <p>5. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell, Lucknow for compliance.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

**Ex. A. No. 376 of 2022 Inre O.A. No. 762 of 2021**

**Ex. Sub. Maj (Hony. Capt.) Gaje Singh Rawat** Applicant  
By Legal Practitioner for the Applicant : Manoj Kumar Awasthi , Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Colonel Jagjot Singh, Director, AG/PS-4 (Pension and Legal), Defence Office Complex, KG Marg, Integrated Headquarters of Ministry of Defence (Army), New Delhi is present in person and files his personal affidavit which is taken on record.</p> <p>3. In the affidavit it is stated that Director, PS-4 is the Sanction issuing authority in the matter. It is further stated that in view of Ministry of Defence letter dated 14.08.2001, sanction can be issued with financial concurrence of the Principal Integrated Financial Advisor (PIFA) (Q&amp;M) only. It is further stated that in matter in question the case file of the applicant was sent to the Office of PIFA on 09.11.2022 for financial concurrence and was received back with some observations on 23.02.2023. Thereafter, the file was submitted for the second time on 20.03.2023 to PIFA (Q &amp;M) but has not been received back yet. Thus it is stated that delay in granting Government Sanction in implementation of the order is not on the part of sanction issuing authority but due to inaction and non-cooperative attitude of the PIFA (Q&amp;M).</p> <p>4. From the above, it appears that PIFA is acting as hurdle in the implementation of order of this Tribunal without there being any legal impediment.</p> <p>5. In the circumstances, we feel proper to issue notice to the Principal Integrated Financial Advisor (Q&amp;M), Army Headquarters, New Delhi to appear in person in Tribunal to explain the reasons for not granting financial concurrence and also why contempt proceedings be not drawn against her for creating obstacle in working of Tribunal.</p>

6. Accordingly, Registrar is directed to issue notice to Integrated Financial Advisor (Q&M), Army Headquarters, New Delhi to appear in person before this Tribunal on the next date fixed to explain the reasons for not giving financial concurrence and why contempt proceedings be not initiated against her for creating hurdle in implementation of order of this Tribunal.

7. List on **12.07.2023**.

8. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell, Lucknow to ensure service of the order for compliance.

**(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. 25)**

**Ex. A. No. 390 of 2022 Inre O.A. No. 846 of 2021**

**Ex. Sub. Maj. (Hony Capt.) Somveer Singh** Applicant  
By Legal Practitioner for the Applicant : Mohd. Zafar Khan , Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Md. Zafar Khan, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</li><li>2. The order has not yet been complied nor cost has been deposited.</li><li>3. Ld. Counsel for the respondents undertakes to deposit the cost by the next date fixed.</li><li>4. Let order be complied with within six weeks failing which the officer responsible for implementation of the order shall appear in person in Tribunal on the next date fixed to show cause why coercive measure be not taken against him/her for non-compliance of the order.</li><li>5. List on <b>04.08.2023</b>.</li><li>6. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell, Lucknow for compliance.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**Ex. A. No. 59 of 2023 Inre O.A. No. 107 of 2022**

**Ex. Sub (Hony. Lt.) Arvind Kumar Dubey** Applicant  
By Legal Practitioner for the Applicant : Mohd. Zafar Khan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Mohd. Zafar Khan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents four weeks further time is granted to make compliance of the order.</p> <p>3. List on <b>24.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 27)**

**Ex. A. No. 60 of 2023 Inrre O.A. No. 869 of 2021**

**Ex. Hav (MACP Nb. Sub.) Paramatma Mishra** Applicant  
By Legal Practitioner for the Applicant : Shri Mohd. Zafar Khan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents four weeks further time is granted to file affidavit of compliance.</p> <p>3. List on <b>24.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 28)**

**Ex. A. No. 65 of 2023 Inre O.A. No. 240 of 2022**

**Ex. JWO Nand Lal Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir 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><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri R. Chandra, Advocate holding brief of Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents four weeks further time is granted to file affidavit of compliance.</p> <p>3. List on <b>25.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 29)**

**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 Khana, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant, Shri Rajeev Naryan Pandey, Ld. Counsel for the respondent Nos. 1 to 4 and Shri Nitin Khana Ld. Counsel for the respondent No. 6 - Bank are present.</p> <p>2. Applicant has filed this application for the grant of arrears of disability element since 1992. He has stated that disability pension has not been paid to him for the period 1992 to 2005.</p> <p>3. An affidavit has been filed by the Branch Manager, State Bank of India, KUMS, Jhanjipur Branch, Ghazipur wherein he has stated that State Bank of India, KUMS Jhanjipur Branch, District – Ghazipur came into existence in the year 2007. Previously, the work of maintenance and disbursement of pension was done with the concerned Branches. The pension records of the applicant/pensioners have migrated to State Bank of India, KUMS Jhanjipur Branch in the year 2008 and there is no record of non payment of disability pension in the records received from the abovementioned Branch.</p> <p>4. In affidavit it has been further stated that State Bank of India, KUMS Jhanjipur Branch has already disbursed a sum of Rs.10,51,986/- as arrears of disability element from 2005 to 2021 on 19.06.2021 and thereafter disability element is being paid regularly. As regards arrears for the period 1992 till 2005, the Branch has already informed the Centralized Pension Processing Centre (CPPC), State Bank of India that details of payment of the applicant are not traceable with the Branch and applicant has also been asked to produce copy of pass-book or other documents in support of his pensionary claim so that the claim of the disability element may be settled.</p>

5. A copy of Pass-Book with effect from 19.07.2003 till 12.04.2005 has been produced today in Court with its copy to learned Counsel for the Bank also and it was informed that applicant has no other document with regard to claim.

6. Ld. Counsel appearing for the Bank stated that although documents regarding payment of pension are stated to be not available with either party but on the basis of copy of Pass-Book produced today the Bank will try to find out ways to reach correct position regarding payment of disability element to the applicant at earliest, preferably within a period of six weeks.

7. List on **04.08.2023**.

8. After the above order was dictated in open court, the Ld. Counsel for the Bank stated that in affidavit filed by the Branch Manager the year of coming into existence of the Branch is wrongly mentioned as 2007. The copy of Pass Book filed today shows that it was in existence in 1992, hence affidavit may be read as above.

**(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. 30)**

**O.A. No. 167 of 2022**

**Hony. Lt. Mahendra Nath Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Shashi Kant Chaturvedi, Advocate holding brief of Shri Vinay Pandey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents two weeks further time is granted to bring on record the facts regarding rejection of the Statutory Complaint.</p> <p>3. List on <b>18.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

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

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

**Ris Sheo Pratap Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing no one is present on behalf of the applicant nor Counter Affidavit has been filed by the respondents.</p> <p>2. Capt. Uma Yadav, Departmental Representative for the respondent Nos. 1 to 4 is present and she states that Counter Affidavit could not be filed due to non-receipt of para-wise comments. She has prayed for four weeks time which is allowed.</p> <p>3. List on <b>04.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 32)**

**O.A. No. 1087 of 2022**

**Ex. Cfn. Kuldeep Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing no one is present on behalf of the applicant.</li><li>2. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</li><li>3. As prayed by the Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</li><li>4. List on <b>07.08.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 33)**

**O.A. No. 1097 of 2022**

**Air Cmde T.P. Srivastava (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri Amit Asthana, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</li><li>2. Ld. Counsel appearing for the respondents states that Counter Affidavit was filed in registry on 19.05.2023.</li><li>3. Registry is directed to trace the Counter Affidavit and place the same on record.</li><li>4. List the matter tomorrow i.e. on <b>01.06.2023</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 34)**

**O.A. No. 1107 of 2022**

**Ex. POEL (P) Ajay Singh Chauhan** Applicant  
By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel appearing for the respondents states that Counter Affidavit has been prepared and sent for obtaining signature of the competent authority.</p> <p>3. List on <b>04.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 35)**

**O.A. No. 31 of 2023**

**Col. Brijendra Singh Bhaduria, SM (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri Sarvesh Kumar Verma, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</li><li>2. Ld. Counsel for the respondents submits that Counter Affidavit could not be filed due to non-receipt of para-wise comments.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. Leave to Appeal is also <b>dismissed</b>.</li><li>5. For orders, see our order passed on separate sheets.</li><li>6. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 36)**

**O.A. No. 104 of 2023**

**Col. Rakesh Chandra Jain (Retd.)**

Applicant

By Legal Practitioner for the Applicant : In person

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Col. Rakesh Chadnra Jain (Retd.), the applicant, in person and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.</li><li>2. Ld. Counsel for the respondents submits that para-wise comments have been received yesterday only, hence Counter Affidavit could not be filed earlier.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. Leave to Appeal is also <b>dismissed</b>.</li><li>5. For orders, see our order passed on separate sheets.</li><li>6. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 37)**

**O.A. No. 110 of 2023**

**Lt. Col. Ashok Kumar 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</li><li>2. Ld. Counsel for the respondents submits that Counter Affidavit could not be filed due to non-receipt of para-wise comments.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. Leave to Appeal is also <b>dismissed</b>.</li><li>5. For orders, see our order passed on separate sheets.</li><li>6. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 38)**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri Ajai Kumar Pandey, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 39)**  
**O.A. No. 113 of 2023**

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. Counter Affidavit filed by the respondents is taken on record.</li><li>2. Heard Shri R.K. Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</li><li>3. Original Application is <b>allowed</b>.</li><li>4. For orders, see our order passed on separate sheets.</li><li>5. Misc. Application(s), pending if any, shall be treated to have been disposed of.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 40)**

**O.A. No. 188 of 2023**

**Ex. Sub. (Hony. Lt.) Gajendra Singh** Applicant  
By Legal Practitioner for the Applicant : Col R.C. Jain (Vetran) , Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Col. R.C. Jain (Vetran), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</li><li>2. Pleadings filed by the parties are taken on record.</li><li>3. Original documents are required for perusal of the Bench.</li><li>4. List on <b>12.07.2023</b>.</li><li>5. Respondents are directed to produce original documents pertaining to the case on the next date fixed for perusal of the Bench.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 41)**

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

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

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>12.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 42)**

**O.A. No. 225 of 2023**

**Ex. Sub. Ash Mohammad Khan** 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 Bipin Kumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents submits that Counter Affidavit is ready and will be filed today in the registry during the course of the day.</p> <p>3. List tomorrow i.e. on <b>01.06.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. No. 226 of 2023**

**Ex. WO Shyam Ji singh** 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 : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal , Ld. Counsel for the respondents are present.</p> <p>2. List tomorrow i.e. on <b>01.06.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 44)**

**O.A. No. 230 of 2023**

**Ex. JWO Neelkanth Pandey** Applicant  
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate  
Ms. Upasna Mishra, Advocate  
Shri Kapil Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. As prayed by the Ld. Counsel for the respondents three weeks further time is granted to file Counter Affidavit.</p> <p>3. List on <b>13.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 45)**

**O.A. No. 243 of 2023**

**Air Cmde Sanjay Kumar Sharma (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate  
Gp. Capt. Y. Venugopal (Retd.), Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Heard Shri Amit Asthana and Gp. Capt. Y. Venugopal (Retd.), Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.</p> <p>2. Original Application is <b>allowed</b>.</p> <p>3. For orders, see our order passed on separate sheets.</p> <p>4. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 46)**

**O.A. (A) No. 79 of 2023 with M.A. No. 70 of 2023**

**Rifmn Tirath Ram**

Applicant

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

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Shri Yogesh Kesarwani, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Capt. Uma Yadav, Departmental Representative for the respondents are present.</p> <p>2. Capt. Uma Yadav, Departmental Representative for the respondents states that copy of order dated 23.09.2022 rejecting pre-conformation petition filed by the applicant is available with her and will be provided to the Ld. Counsel for the applicant by today itself. She also makes a request to fix the case on 02.06.2023 for hearing on Bail Application which is allowed.</p> <p>3. List on <b>02.06.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 48)**

**O.A. No. 164 of 2013 with M.A. No. 1406 of 2014**

**Warrant Officer Shashi Kant Chaturvedi**

Applicant

By Legal Practitioner for the Applicant : In person,

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Warrant Officer Shashi Kant Chaturvedi (Retd.), the applicant, in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Pleadings are complete and the case is ripe for hearing.</p> <p>3. List on <b>28.07.2023</b> for final hearing on which date the respondents shall produce the original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 49)**

**O.A. No. 230 of 2017**

**Smt. Urmila Devi Chauhan** 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 : Shri Yogesh Kesarwani, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri Pankaj Kumar Shukla and Shri Yashpal Singh, Ld. Counsel for the applicant and Capt. Uma Yadav, Departmental Representative for the respondents are present.</li><li>2. Capt. Uma Yadav, Departmental Representative for the respondents states that original documents are available for perusal of the Bench.</li><li>3. Ld. Counsel for the applicant makes a prayer to fix some other date which is allowed.</li><li>4. List on <b>10.07.2023</b>.</li><li>5. AFT Legal Cell, Lucknow shall retain the original documents till next date of hearing.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 50)**

**O.A. No. 65 of 2021 with M.A. No. 247 of 2022**

**Sep. Deepak Singh Chouhan** Applicant  
By Legal Practitioner for the Applicant : Shri Shiva Nand Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"><li>1. On the case being taken up for hearing Shri Shiva Nand Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</li><li>2. Original documents are not available.</li><li>3. List on <b>18.07.2023</b> for final hearing on which date the respondents shall ensure for production of original documents for perusal of the Bench.</li><li>4. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT Legal Cell, Lucknow for compliance.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 51)**

**O.A. No. 359 of 2022 with M.A. No. 139 of 2023**

**Hav/DMT Braj Kishor**

Applicant

By Legal Practitioner for the Applicant : Shri Shiva Nand Mishra, Advocate,  
Ms. Bandana Mishra, Advocate,  
Shri Chaudhary Amarpal Singh Bhatl, Advocate,  
Shri Nikhil 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><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Shiva Nand Mishra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. List on <b>09.08.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**O.A. (A) No. 663 of 2023 with M.A. No. 797 of 2023 and M.A. No. 798 of 2023**

**Ex. Sep. (L/Nk.) Rajendra Prasad (Through wife & pairokar Smt. Ravina)** Applicant  
By Legal Practitioner for the Applicant : Shri Pankaj Shrivastava, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Ms. Appoli Srivastava, Advocate appears on behalf of the respondent Nos. 1 to 4 and files Memo of Appearance which is taken on record. Her name be shown as Counsel for the respondent Nos. 1 to 4 when the case is listed next.</p> <p>2. Heard Mr. Pankaj Shrivastava, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondent Nos. 1 to 4.</p> <p>3. This Original Application (Appeal) has been filed under Section 15 of the Armed Forces Tribunal Act, 2007 against order dated 26.09.2022 by which applicant has been held guilty for the civil offence under Section 302 of Indian Penal Code and sentenced life imprisonment and dismissal from service.</p> <p>4. In the Original Application 16 persons have been arrayed including the JAG Officers.</p> <p>5. A preliminary objection has been raised by the Ld. Counsel for the respondent Nos. 1 to 4 regarding territorial jurisdiction of this Tribunal saying trail against the applicant was conducted at Lalipur in Tinsukia District, Assam and, therefore, this Tribunal has no territorial jurisdiction to entertain the Original Application. She has one more objection that JAG Officers have been unnecessarily arrayed as respondents in the Original Application. She wants time to file detailed objection in regard to above which is allowed.</p> <p>6. Objection may be filed within three weeks.</p> <p>7. List on <b>26.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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

**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><b><u>31.05.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Ms. Deepti Mishra, Advocate holding brief of Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. On the request made by Ms. Deepti Mishra, Advocate holding brief of Shri Shiv Kant Pandey, Ld. Counsel for the applicant the case is adjourned.</p> <p>3. List on <b>14.07.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>