

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

O.A. No. 240 of 2017

Sinhasan Singh Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order reserved.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</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. 382 of 2023 with M.A. No. 451 of 2023

Ex Sgt Amit Kumar Applicant
By Legal Practitioner for the Applicant : Shri Mahendra Kumar Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Mrs. Purna Singh , Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Mrs. Purna Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Mrs. Purna Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 06 months and 17 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being delay of more than six months in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p> <p><u>O.A. No. 382 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p>

Admit.

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.

List on **10.07.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK//-

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

O.A. No. 386 of 2023

Nb Sub (AA) Manoj Kumar Tripathi Applicant
By Legal Practitioner for the Applicant : Shri Gyanendra Kumar Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Gyanendra Kumar Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Matter pertains to grant of disability pension which is recurring cause of action. Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 29.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK//-</p>

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

O.A. (A) No. 377 of 2023

Ex L/NK Pramod Kumar Applicant
By Legal Practitioner for the Applicant : Col Ashok Kumar (Retd), Advocate
Shri Rohit Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p>Matter pertains to General Court Martial. It is a fit case of adjudication. Admit.</p> <p>List on 11.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. (A). No. 383 of 2023 with M.A. No. 464 of 2023

Ex Nk Durgesh Kumar Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate
Shri Rahul Dev Tripathi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' time to file objection to the delay condonation application.</p> <p>List on 08.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

M.A. No. 456 of 2023 with M.A. No. 457 of 2023
Inre: O.A. No. 493 of 2022

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

Versus

Ex Nb Sub Ram Singh Respondents
By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Bipin Kumar Singh, Ld. Counsel for the applicant /respondents.</p> <p style="text-align: center;"><u>M.A. No. 456 of 2023</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 14.11.2022, passed by this Court in O.A. No. 493 of 2022.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 03 months & 14 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>"Condonation of delay is an exception and should not be used as an anticipated benefit for government departments" and since "the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies</i></p>

being used and available. The law of limitation undoubtedly binds everybody including the Government.”

The Hon'ble Supreme Court further observed as under :

“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.

In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 457 of 2023

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the petitioner beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also **rejected**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RKM/-

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 6)

M.A. No. 458 of 2023 with M.A. No. 459 of 2023
Inre: O.A. No. 393 of 2022

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

Versus

Ex Sub Sudhansu Kumar Sahu Respondents
By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Ashish Kumar Singh, Ld. Counsel for the applicant respondents.</p> <p style="text-align: center;"><u>M.A. No. 458 of 2023</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 13.09.2022, passed by this Court in O.A. No. 393 of 2022.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 05 months & 15 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody</i></p>

including the Government.”

The Hon'ble Supreme Court further observed as under :

“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.

In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 459 of 2023

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the petitioner beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also **rejected**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

Rkm/-

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

M.A.No. 460 of 2023 with M.A No. 461 of 2023
Inre: O.A. (A) No. 292 of 2016

Ex Hav Shaik Shabber Applicant
By Legal Practitioner for the Applicant : Shri GK Gaur, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri GK Gaur, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the applicant has filed M.A. for recall of the order passed in O.A. (A) No. 292 of 2016 along with delay condonation application. Delay condonation application is allowed for the reasons stated in the affidavit and delay is condoned.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 30.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rkm/-</p>

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

M.A. No. 462 of 2023 with M.A. No. 463 of 2023
Inre: O.A. No. 417 of 2022

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

Versus

Ex Nk Sandeep Kumar Pandey Respondents
By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Bipin Kumar Singh, Ld. Counsel for the applicant /respondents.</p> <p style="text-align: center;"><u>M.A. No. 462 of 2023</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 08.12.2022, passed by this Court in O.A. No. 417 of 2022.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 02 months & 20 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

The Hon'ble Supreme Court further observed as under :

"Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings".

In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 463 of 2023

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the petitioner beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also **rejected**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK//-

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

M.A. No. 465 of 2023 with M.A. No. 466 of 2023
Inre: O.A. No. 39 of 2021

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

Versus

Ex Nk Ranjeet Yadav Respondents
By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Arun Kumar Sahu, Ld. Counsel for the applicant /respondents.</p> <p style="text-align: center;"><u>M.A. No. 465 of 2023</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 26.10.2021, passed by this Court in O.A. No. 39 of 2021.</p> <p>This application has been filed by the applicant after a period of limitation. As per stamp reporter's report, there is delay of 09 months & 03 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

The Hon'ble Supreme Court further observed as under :

"Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings".

In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 466 of 2023

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the petitioner beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also **rejected**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK//-

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

M.A. No. 470 of 2023 with M.a. No. 471 of 2023
Inre: O.A. No. 271 of 2019

Hav Abhijit Das Applicant
By Legal Practitioner for the Applicant : Shri Niteesh Kumar, Advocate

Versus

Union of India & Others Respondents

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Niteesh Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents on recall application.</p> <p>There is delay of 10 months and 18 days in filing the recall application.</p> <p>Ld. Counsel for the applicant has filed application for recall of the order dated 04.03.2022 alongwith delay condonation application. The reasons given in the application for condonation of delay seems to be sufficient. Delay is condoned.</p> <p>Accordingly, delay condonation application is disposed of and order dated 04.03.2022 is recalled.</p> <p>M.A No. 224 of 2022, modification application is restored to its original number.</p> <p>List on 16.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

EX-A. No. 134 of 2018 Inre: O.A. No. 123 of 2010

Smt Durgawati Singh Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant submits that he is filing written objection in the Registry during the course of the day.</p> <p style="text-align: center;">List on 24.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No.12)

EX-A. No. 100 of 2019 Inre: O.A. No. 144 of 2016

Sgt Rajendra Prasad Pal (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 Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks time to file revised compliance report alongwith revised PPO.</p> <p>List on 08.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</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. 132 of 2022 Inre: O.A. No. 234 of 2020

Ex Sgt Pradyumn Pathak Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents : Shri Vishwesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing none present for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents is present.</p> <p>Ld. Counsel for the respondents submits that PPO has been prepared and sought time to file the same.</p> <p>Two weeks time is allowed to file compliance report annexing PPO.</p> <p>List on 09.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

EX-A. No. 273 of 2022 Inre: O.A. No. 773 of 2021

Ex LD Mohan Lal Applicant
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>As per order of this Tribunal, Lt. Col. Vikas Kumar Sinha, AFMSD, Lucknow is present before the Court.</p> <p>Ld. Counsel for the respondents made statement before the Court that sanction order has been obtained and sought two weeks further time to file compliance report.</p> <p>Time as prayed is allowed as a last opportunity otherwise this Tribunal shall proceed according to law.</p> <p>List on 08.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

EX-A. No. 296 of 2022 Inre: O.A. No. 682 of 2021

Ex (HFO) Man Bahadur Singh Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.</p> <p>Compliance report has been filed, taken on record. Objection, if any, may be filed by the Ld. Counsel for the applicant by the next date fixed.</p> <p>List on 17.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</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. 341 of 2022 Inre: O.A. No. 330 of 2021

Nb Sub Dharmendra Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted as a last opportunity of two weeks to file compliance report failing which a cost of Rs. 10,000/- shall be imposed.</p> <p>List on 09.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 77 of 2016

Brig SK Sharma (Retd) Applicant
By Legal Practitioner for the Applicant : Shri SS Pandey, Advocate
Shri SS Rajawat, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Shailendra Kumar Singh, Advocate holding brief of Shri SS Rajawat, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">List on 11.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK//-</p>

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

O.A. No. 856 of 2021

Nb Sub Azad Singh Applicant
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the parties are directed to file their written submissions by the next date.</p> <p>List on 23.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 463 of 2022 with M.A. No. 525 of 2022

Ex Rect Kollati Kanaka Rao Applicant
By Legal Practitioner for the Applicant : Shri Dharam Raj Singh, Advocate
Shri Arvind K Tripathi, Advocate
Shri Satyendra K Tiwari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Heard Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents made statement that this application lacks territorial jurisdiction as the applicant is originally resident of Vishakhapatnam.</p> <p>Perusal of the order sheet reveals that several opportunities have been granted to the applicant to file rent agreement showing his residence as Mirzapur but the same has not been filed yet.</p> <p>In these circumstances, last opportunity is granted to the applicant to file the rent agreement otherwise this petition shall be disposed of in accordance with law.</p> <p>List on 15.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 520 of 2022

L/Hav Sant Ram Sharma Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing none is present for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents is present.</p> <p>Ld. Counsel for the respondents prays for and is granted one week's time to file counter reply as a last opportunity failing which a cost of Rs. 10,000/- shall be imposed.</p> <p>List on 24.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 868 of 2022

Cdr Satish Kumar Applicant
By Legal Practitioner for the Applicant : Shri Veer Raghav Chaubey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing none is present for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents is present.</p> <p>Ld. Counsel for the respondents prays for and is granted one week's time to file counter reply as a last opportunity failing which a cost of Rs. 10,000/- shall be imposed.</p> <p>List on 02.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 956 of 2022

Ex Sgt Satya Dev Verma Applicant
By Legal Practitioner for the Applicant : Wg Cdr Ajit Kakkar, (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Prateek Mishra, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed by the respondents, taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within two weeks by the applicant.</p> <p>List on 02.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 1013 of 2022

Ex POMA Parijat Mishra Applicant
By Legal Practitioner for the Applicant : Applicant in person

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Applicant in person, and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted four week's time to file counter reply as a last opportunity failing which a cost of Rs. 10,000/- shall be imposed.</p> <p>Copy of the order be given to the ld. Counsel for the respondents.</p> <p>List on 16.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 1022 of 2022

Hav Satish Kumar Applicant
By Legal Practitioner for the Applicant : Wg Cdr Ajit Kakkar (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Wg Cdr Ajit Kakkar, (Retd), Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed by the respondents, taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within two weeks by the applicant.</p> <p>List on 24.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 162 of 2023

Col (TS) Vinay Kumar Dixit (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted further four week's time to file counter reply as a last opportunity.</p> <p>List on 08.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Sl. No. 30)

O.A. No. 163 of 2023

Ex LEM (P) Govind Singh Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Mrs. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted further four week's time to file counter reply as a last opportunity.</p> <p>List on 08.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</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. 164 of 2023

MCERA I (Hony SLT) Paras Nath Pandey (Retd) Applicant

By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents : Shri Rajiv Panedey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On perusal of order sheet dated 14.02.2023, some discrepancy has been noticed. Hence, Order dated 14.02.2023 is recalled and fresh Order is passed as under:</p> <p>Memo of appearance filed by ShriRajiv Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 5 months and 04 days (Total 156 days). Regarding delay the submission of the Ld. Counsel for the applicant is that matter pertains to grant of Hony Commission. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there is delay of more than 05 months in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, the matter pertains to grant of Hony Commission. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p> <p><u>O.A. No. 164 of 2023</u></p>

Heard. It is a fit case for adjudication.

Admit. 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.

List this case on **16.05.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK//-

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

O.A. No. 362 of 2023 with M.A. No. 412 of 2023

Ex Nk Anirudh Pandey Applicant
By Legal Practitioner for the Applicant : Wg Cdr Ajit Kakkar (Retd), Advocate
Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri JN 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>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to file objection against the delay condonation application.</p> <p>List on 10.07.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

O.A. No. 363 of 2023 with M.A. No. 421 of 2023

Ex WO Piush Kant Applicant
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh, Advocate
Shri Abhishek Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri Ramesh Chandra Shukla, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents are present.</p> <p>The Original Application has been filed with delay of 06 months and 21 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p>

O.A. No. 363 of 2023

Heard. It is a fit case for adjudication.

Admit.

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.

List on **10.07.2023**.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK//-

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

O.A. (A). No. 975 of 2022

Nb Sub Birender Singh Rawat Applicant
(Through Pairokar Vinita Devi, wife)
By Legal Practitioner for the Applicant : Wg Cdr Ajit Kakkar (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Mrs. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has been filed by the respondents, taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within two weeks by the applicant.</p> <p>List on 04.07.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted further two week's time to file short counter reply as a last opportunity.</p> <p>List on 02.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

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)
Shri Ramakant Gupta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Objection on maintainability of the O.A has been filed by the respondents which is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the respondents sought adjournment.</p> <p style="text-align: center;">Adjourned.</p> <p style="text-align: center;">List on 24.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

T.A. No. 56 of 2022 with M.A. No. 283 of 2023 &
M.A. No. 284 of 2023

Dharam Nath Singh Applicant
By Legal Practitioner for the Applicant : Shri Anurag Singh, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents : Shri Ram Saran Awasthi, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Anurag Singh, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant is directed to provide substitution application alongwith delay condonation application to the respondents' counsel who may file objection(s), if any, within a week, thereafter.</p> <p>List on 17.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>

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

DY. No. 331 of 2023

Ex Nk Mahavir Singh Applicant
By Legal Practitioner for the Applicant : Applicant in person

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p style="text-align: center;">List revised.</p> <p>On call of the case neither the applicant nor his counsel is present nor there is any mention to adjourn the case. It appears that the applicant is not interested in pursuing his case.</p> <p style="text-align: center;">Accordingly, the instant petition is dismissed for want of prosecution.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

DY- No. 615 of 2023 Inre: M.A. No. 224 of 2022
Inre: O.A. No. 271 of 2019

Hav Abhijit Das Applicant
By Legal Practitioner for the Applicant : Shri Niteesh Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri Niteesh Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Applicant is directed to remove the defects as indicated by the Registry within two weeks.</p> <p>List on 16.05.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

DY. No. 625 of 2023

Ex Dfr Manoj Kumar Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Shri JN 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>On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant is directed to removed the defects as indicated by the Registry within a week.</p> <p>List this case on 18.04.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

DY. No. 956 of 2023 Inre: O.A. No. 791 of 2022

Ex JWO Pavan Kumar Sahu Applicant
By Legal Practitioner for the Applicant : Shri VP Pandey, Advocate
Shri DK Dixit, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Memo of Appearance filed by Ms. Perna Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>On the case being taken up for hearing Shri VP Pandey, Ld. Counsel for the applicant and Ms. Perna Singh, Ld. Counsel for the respondents are present.</p> <p>Application filed by Ld. Counsel for the applicant seeking extension of time for making necessary corrections, is allowed. Applicant's counsel is directed to make correction(s) during the course of the day.</p> <p>Correction application is accordingly disposed of.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

M.A. No. 481 of 2023 Inre: O.A. No. 294 of 2023

Lt Col Parsun Kanti Goswami Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>Early listing application filed by the Id. Counsel for the applicant is allowed.</p> <p>List on 11.04.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RKM</p>

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

T.A. No. 596 of 2010

Udai Veer Singh Applicant
By Legal Practitioner for the Applicant : Col BP Singh (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>On the case being taken up for hearing Col BP Singh (Retd), Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>At the request of Ld. Counsel for the applicant, matter is adjourned.</p> <p>List on 19.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RKM</p>

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

T.A. No. 82 of 2012

Mahavir Singh Rawat Applicant
By Legal Practitioner for the Applicant : Shri K.K. Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri RKS Chauhan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>10.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>Vakalatnama filed by Shri K.K. Mishra, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the applicant when the case is listed next.</p> <p>On the case being taken up for hearing Shri K.K. Shukla, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents are present.</p> <p>List on 30.05.2023.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK//-</p>