

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

O.A. No. 1289 of 2023 with M.A. No. 1863 of 2023

Ex. Hav. Raj Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Gyan 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.2. Heard Shri Amit Asthana, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is no delay in filing of Original Application. However, delay condonation application has been filed by the applicant. Same is dismissed having been unwarranted. <p><u>O.A. No. 1289 of 2023</u></p> <ol style="list-style-type: none">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.5. Case needs adjudication.6. Admit.7. Ld. Counsel for the respondents seeks and is allowed six weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.8. List on 25.01.2024. <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(Suppl. No. 2)

O.A. No. 1291 of 2023 with M.A. No. 1867 of 2023

Hony. Capt. Shri Niwas Sharma Applicant
By Legal Practitioner for the Applicant : Col. H.M. Maheshwari (Veteran), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Anurag 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.2. Heard Shri Ravi Yadav holding brief for Col. H.M. Maheshwari (Veteran), Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 02 months and 15 days in filing of Original Application.4. Being a pensionary matter, delay is condoned.5. Delay condonation application stands disposed off. <p><u>O.A. No. 1291 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.7. Case needs adjudication.8. Admit.9. Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 25.01.2024. <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(Suppl. No. 3)

Ex-A. No. 424 of 2023 Inre: O.A. No. 801 of 2022

Col. Shyam Bihari Singh (Retd.)

Applicant

By Legal Practitioner for the Applicant : Shri V.P.Pandey, Advocate
Shri R.K. Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Shyam 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.2. Heard Shri V.P.Pandey and Shri R.K.Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.3. This application has been filed for implementation of order dated 29.03.2023 of this Tribunal in Original Application No. 801 of 2022.4. Ld. Counsel for the respondents seeks and is allowed four weeks' time to seek instructions regarding compliance.5. List on 05.01.2024. <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(Suppl. No. 4)

Ex-A. No. 425 of 2023 Inre: O.A. No. 171 of 2023

Ex. L/NK Jeewan Singh 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 : Dr.Gyan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Gyan 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.2. Heard Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents.3. This application has been filed for implementation of order dated 24.05.2023 of this Tribunal in Original Application No. 171 of 2023.4. Ld. Counsel for the respondents seeks and is allowed four weeks' time to seek instructions regarding compliance.5. List on 05.01.2024. <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(Suppl. No. 5)

M.A. No. 1808 of 2023 with M.A. No. 1809 of 2023
Inre: O.A. No.116 of 2023

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Ms. Prerna Singh, Advocate

Versus

Ex. Nb Sub/Clk (SD) Dinesh Singh Parihar

Respondent

By Legal Practitioner for Respondents : -

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Ms. Prerna Singh, Ld. Counsel for the applicants -Union of India & Others2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 29.03.2023 of this Tribunal in Original Application No. 116/2023.3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 05 months 19 days in filing of application be condoned.4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.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.6. Accordingly, Leave to Appeal is dismissed. <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(Suppl. No. 6)

M.A. No. 1819 of 2023 with M.A. No. 1820 of 2023
Inre: O.A. No. 494 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Dr. S.N. Pandey, Advocate

Versus

Ex. NK Laxman Saini Respondent
By Legal Practitioner for Respondent : -

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. Heard Dr. S.N. Pandey , Ld. Counsel for the applicants - Union of India & Others.</p> <p><u>M.A No. 1819 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 14.11.2022 of this Tribunal in Original Application No. 494 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 10 months and 04 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 10 months and 04 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1820 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

M.A. No. 1821 of 2023 with M.A. No. 1822 of 2023
Inre: O.A. No. 735 of 2021

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Dr. S.N.Pandey , Advocate

Versus

Ex.Nb Ris Ram Babu Respondent
By Legal Practitioner for Respondents : -

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. Heard Dr.S.N.Pandey, Ld. Counsel for the applicants-Union of India & Others.</p> <p><u>M.A No. 1821 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 09.03.2022 of this Tribunal in Original Application No. 735 of 2021.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 01 year, 06 months and 09 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 01 year, 06 months and 09 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1822 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

M.A. No. 1828 of 2023 Inre O.A. No. 318 of 2023

Ex. Sub TD Bhatt Applicant
By Legal Practitioner for the Applicant : Shri J L Joel, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by 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.2. Heard Shri J.L. Joel, Ld. Counsel for the applicant through video conferencing and Shri Arun Kumar Sahu, Ld. Counsel for the respondents physically.3. Through M.A No. 1828/2023 applicant has sought correction in judgement and order dated 12.10.2023 passed by this Tribunal in O.A No. 318 of 2023, Sub (YOS) T.D Bhatt (Retd.) Vs Uol.4. It has been submitted that applicant was granted disability element of the disability pension from 01.09.1994 to 31.08.1996 but in Para 11 and 13 of the judgement it has inadvertently been typed as '01.01.1996 to 31.08.1996' instead of '01.09.1994 to 31.08.1996'.5. Perusal of the file and judgement reveals that in Para 11, there is no error as the policy for rounding off is applicable wef 01.01.1996. However, in Para 13 it has inadvertently been typed as 01.09.1996 in place of 01.01.1996 which needs to be corrected as 01.01.1996. Accordingly in 8th and 11th line of Para 13, the date 01.09.1996 has been corrected as 01.01.1996. Necessary correction has been incorporated in the judgement dated 12.10.2023.6. Registry is directed to provide the corrected copy of the judgement to the Id. Counsel for the parties.7. M.A No. 1828/2023 stands disposed of accordingly. <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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(Suppl. No. 9)

M.A. No. 1864 of 2023 Inre : O.A. No. 22 of 2023

Ex. MACP Nb Sub Julias Robinson Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">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.2. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.3. Through M.A No. 1864/2023 applicant has sought correction in judgement and order dated 13.04.2023 passed by this Tribunal in O.A No. 22 of 2023, Ex. MACP Nb. Sub Julias Robinson Vs UoI.4. It has been submitted that in the Memo of the judgement and order dated 13.04.2023 due to typographical error the original application number has been wrongly mentioned as 'ORIGINAL APPLICATON NO. 23 of 2023' instead of 'ORIGINAL APPLICATION NO. 22 of 2023'.5. Perusal of the file and judgement reveals that it is a typographical error, hence, correction application is allowed. Necessary correction has been incorporated in the judgement dated 13.04.2023.6. Registry is directed to provide the corrected copy of the judgement to the Id. Counsel for the parties.7. M.A No. 1864/2023 stands disposed of accordingly. <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(Suppl. No. 10)

M.A. No. 1865 of 2023 with M.A. No. 1866 of 2023
Inre: O.A. No. 292 of 2022

Union of India & Others

Applicants

By Legal Practitioner for the Applicants : Shri R.C. Shukla, Advocate

Versus

Ex.Hav.Arvind Kumar Singh

Respondent

By Legal Practitioner for Respondent : -

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. Heard Shri R.C.Shukla, Ld. Counsel for the applicants -UoI&Ors.</p> <p><u>M.A No. 1865 of 2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 02.12.2022 of this Tribunal in Original Application No. 292 of 2022.</p> <p>3. It is submitted by the Ld. Counsel for the applicants - Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 09 months and 27 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 09 months and 27 days which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1866 of 2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</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. 1)

Ex- A No. 69 of 2019 Inre: O.A. 583 of 2017

Ex.Sep Ajay Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh Chauhan, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents submits that government sanction has been accorded and matter is under process for calculation. He further stated that the applicant may be directed to provide a copy of his bank passbook and a cancelled cheque so that order be implemented expeditiously.3. Ld. Counsel for the applicant is directed to provide the requisite documents/papers to the respondents within two weeks.4. List on 29.11.2023. <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. 2)

Ex- A. No. 184 of 2022 Inre: O.A. No. 733 of 2020

Ex. Rect/NA Hari Om Applicant
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. Objection against the compliance report has been filed by the applicant. Same is taken on record.</p> <p>3. List on 08.12.2023.</p> <p>(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)

Ex- A. No. 361 of 2022 Inrre: O.A. No. 32 of 2022

Ex. NK Prabhu Nath Tiwari Applicant
By Legal Practitioner for the Applicant : Shri K.P. Datta, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.P. Datta, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri R.K. Tiwari, Sr. Account Officer, PCDA(P), Prayagrajare present.2. Perusal of the file reveals that neither the compliance has been made nor the cost has been deposited by the respondents.3. Ld. Counsel for the respondents stated that matter is under process and is pending before PCDA (Pension) Allahabad. He seeks further four weeks time to file compliance affidavit. Time as prayed is allowed. It is made clear that if compliance affidavit is not filed by the next date, explanation/ clarification of the responsible officer (PCDA-Pension, Allahabad) for not implementing the order shall be filed by way of an affidavit.4. Respondents are further directed to deposit the cost imposed vide previous order(s) of this Tribunal.5. List on 07.12.2023.6. Copy of the order be provided to the respondents as per rules. <p>(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. 4)

Ex- A. No. 25 of 2023 Inre: O.A. No. 218 of 2021

Ex. Hav. Arvinda Singh Applicant
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents stated that PPO has been issued. He prays for and is granted further a week's time to file compliance affidavit.</p> <p>3. List on 24.11.2023.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) 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. 5)

Ex-A. No. 222 of 2023 Inre: O.A. No. 109 of 2023

Ex. Nb Sub Naresh Ram Dulari Bhagan Applicant
By Legal Practitioner for the Applicant : Shri K.P. Datta, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.P Datta, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents stated that matter is under process and is pending before PS-4/MoD. He seeks further four weeks time to file compliance affidavit. Time as prayed is allowed as a matter of last opportunity.3. List on 15.12.2023. <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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1(SI. No. 6)

Ex-A. No. 250 of 2023 Inre: O.A. No. 632 of 2022

Ex. WO Vikash Singh Applicant
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that part compliance has been done, PPO has been issued and compliance affidavit to this effect shall be filed within a week whereas the Id. Counsel for the applicant stated that disability element alongwith CAA was allowed by this Tribunal.3. Ld. Counsel for the respondents is directed to file compliance affidavit on both the points. Respondents may also issue corrigendum PPO, if required.4. List on 14.12.2023.5. Copy of the order be provided to the respondents as per rules. <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. 7)

Ex-A. No. 282 of 2023 Inre: O.A. No. 627 of 2022

Ex.Sgt. Ramesh Kumar Sharma Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file compliance affidavit.</p> <p>3. List on 13.12.2023.</p> <p>(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. 8)

Ex-A. No. 304 of 2023 Inre: O.A. No. 896 of 2022

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. Heard Shri R. Chandra holding brief for Shri R.K. Singh, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>2. Ld. Counsel for the respondents submitted that the matter is under process and is pending before the Line Directorate. She prays for and is granted further four weeks time to file compliance affidavit.</p> <p>3. List on 15.12.2023.</p> <p>(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. 9)

Ex-A. No. 313 of 2023 Inre: O.A. No. 1064 of 2022

Maj. Neha Akhoon (Retd.)

Applicant

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

Versus

Union of India & Others

Respondents

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri J.L. Joel, Ld. Counsel for the applicant is present through video conferencing and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents is present before the Court.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file compliance affidavit.</p> <p>3. List on 08.01.2024.</p> <p>(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. 10)

O.A. No. 847 of 2022

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents stated that comments have been received and he is inclined to file the counter affidavit. Two weeks time is granted to file the same.</p> <p>3. List on 21.11.2023.</p> <p>(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. 11)

O.A. No. 942 of 2022

Ex. Sep. Ravinder Kumar Applicant
By Legal Practitioner for the Applicant : Shri Pawan Bisht, Advocate
Ms. Priyanka Chaudhary, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none present for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.2. Last opportunity is granted to the applicant to file rejoinder affidavit.3. List on 04.01.2024. <p>(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. 12)

O.A. No. 1095 of 2022

Ex. Rect. Bolke Vijay Motiram Applicant
By Legal Practitioner for the Applicant : Shri Nand Kishore, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Nand Kishore, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>2. At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>3. List on 09.11.2023.</p> <p>(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. 13)

O.A. No. 68 of 2023

Ex.Sep Rajveer Singh

Applicant

By Legal Practitioner for the Applicant : Shri R. Chandra, Advocate

Versus

Union of India & Others

Respondents

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents through video conferencing.2. O.A is dismissed.3. Detailed order on separate sheets.4. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of. <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.14)

O.A. No. 235 of 2023

Ex.RisBishambhar Singh Nai Applicant
By Legal Practitioner for the Applicant : Shri Satender Kumar Singh, 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>02.11.2023</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>1. On the case being taken up for hearing Shri Satender Kumar Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 18.12.2023.</p> <p>(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.15)

O.A. No. 458 of 2023

Ex Nb Sub (TA) Vinod Kumar Yadav Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate
Shri Anshuman Srivastava, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri D.K.Pandey, Ld. Counsel for the respondents.2. Counter affidavit filed by the respondents is taken on record.3. Ld. Counsel for the applicant is not inclined to file rejoinder affidavit.4. O.A is allowed.5. Detailed order on separate sheets.6. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of. <p>(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.16)

O.A. No. 459 of 2023

Ex Sub Ratnesh Chandra Pandey Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate
Shri Anshuman Srivastava, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that comments have been received. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 16.11.2023. <p>(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 17)

O.A. No. 468 of 2023

Ex (Mess Keeper) Rohit Kumar Applicant
By Legal Practitioner for the Applicant: Ms. Priyanka Pal, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. This application has been filed by the applicant with the prayer to set aside Show Cause Notice dated 10.10.2022 and Dismissal Order dated 15.11.2022 and to reinstate him in service with all consequential benefits.</p> <p>2. Learned counsel for the respondents has raised preliminary objection on maintainability of the case and submitted that this O.A. is not maintainable before this Tribunal as the applicant has not availed alternate remedy as contained in Section 21 of the Armed Forces Tribunal Act, 2007 and Para 364 of Defence Service Regulations (Volume-1), Revised Edition 1987. He pleaded that applicant has directly approached this Tribunal, hence this O.A. is not maintainable. He pleaded for dismissal of O.A.</p> <p>3. Reply regarding availing alternate remedy has been filed by learned counsel for the applicant. In reply, applicant has stated that he has submitted reply to Show Cause Notice and in his reply to Show Cause Notice, he prayed for interview of Commandant but he was not permitted to meet him. He further submitted that he was dismissed from service and his reply to show cause notice was not considered by the respondents. He pleaded that in a similar matter in the case of O.A. NO 438 of 2023, <i>Ex Gnr Praveen Kumar Vs</i></p>

Union of India & Others, decided on 18.04.2023, the O.A. was admitted and objection raised by the respondents on maintainability of the case was rejected. He pleaded that in view of above, objection raised by the respondents on maintainability of the case be rejected and O.A. may be admitted.

4. Heard Ms. Priyanka Pal, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.

5. Section 21 of the Armed Forces Tribunal Act, 2007 being relevant for resolving controversy on maintainability of the cases reproduced as follows :-

“21. Application not to be admitted unless other remedies exhausted. —

(1) The Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of the remedies available to him under the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950), as the case may be, and respective rules and regulations made thereunder.

(2) For the purposes of sub-section (1), a person shall be deemed to have availed of all the remedies available to him under the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950), and respective rules and regulations :—

(a) if a final order has been made by the Central Government or other authority or officer or other person competent to pass such order under the said Acts, rules and regulations, rejecting any petition preferred or representation made by such person;

(b) where no final order has been made by the Central Government or other authority or officer or other person competent to pass such order with regard to the petition preferred or representation made by such person, if a period of six months from the date on which such

petition

was preferred or representation was made has expired.

6. Section 21 of AFT Act, 2007 restricts the applicant to approach the Tribunal unless he exhausts the statutory remedy provided to him under the Army Act.

7. Thus, there being remedies available to the applicant against discharge order and the same not being availed by him, the present Original Application is not maintainable under Section 21 of the AFT Act, 2007. It is pertinent to mention here that judgments relied upon by the applicant are not relevant in this case being based on different facts and circumstances, hence, applicant cannot be given the benefit of aforesaid judgments.

8. We find that applicant has preferred the present Original Application with a prayer to set aside Show Cause Notice and dismissal order and to reinstate him in service without availing the alternative remedy as provided under the provisions of Section 21 of the Armed Forces Tribunal Act, 2007. Therefore, the instant Original Application is not maintainable in this Tribunal and it is liable to be dismissed.

9. In view of the aforesaid, we do not find any good reason to bypass the statutory alternate remedy provided under the Armed Forces Tribunal Act, 2007. The instant Original Application is not maintainable and cannot be admitted for hearing. Accordingly, without entering into the merit of the case, the writ petition is **dismissed** on the ground of statutory alternative remedy available to him leaving it open to the applicant to file an appeal before the appropriate authority in accordance with the provisions of the Armed Forces Tribunal Act, 2007.

10. No order as to costs.

11. All pending Misc Applications are also disposed off.

(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar)

Member (A) Member (J)

UKT/-

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

O.A. No. 482 of 2023

Ex Sgt Ashish Prakash Singh Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that CA is ready and has been sent for vetting. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 21.11.2023. <p>(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.19)

O.A. No. 483 of 2023

Ex Nk Ranjeet Kumar Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Amendment application filed by the applicant is taken on record to which the objection, if any, may be filed by the respondents within a week.</p> <p>3. Ld. Counsel for the respondents stated that inquiry report has been received to her and sought a week's time to file the same. Time as prayed is allowed.</p> <p>4. List on 24.11.2023.</p> <p>(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.20)

O.A. No. 485 of 2023

Ex HFL Bachcha Lal 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 Alok Kumar Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents stated that CA is ready and the same shall be filed shortly. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.</p> <p>3. List on 20.11.2023.</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.21)

O.A. No. 538 of 2023

Ex WO Anil Kumar Singh

Applicant

By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents stated that CA is ready and the same shall be filed shortly. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 08.11.2023. <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.22)

O.A. No. 539 of 2023

Ex Sgt Jitendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents stated that CA is ready and the same shall be filed shortly. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 08.11.2023. <p>(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.23)

O.A. No. 540 of 2023

Ex WO Kamlesh Prasad Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.2. Ld. Counsel for the respondents stated that CA is ready and the same shall be filed shortly. He prays for further a week's time to file counter affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed counter affidavit. As a last opportunity a week's time is granted to the respondents to file the same on the condition that if counter affidavit is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.3. List on 08.11.2023. <p>(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.24)

O.A. No. 704 of 2023

Ex Sgt Alok Kumar Dubey Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.2. Counter affidavit filed by the respondents is taken on record.3. Ld. Counsel for the applicant is not inclined to file rejoinder affidavit.4. O.A is partly allowed.5. Detailed order on separate sheets.6. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of. <p>(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.25)

O.A. No. 962 of 2023 with M.A. No. 1280 of 2023

Ex Sgt Vishweshwar Kumar Gautam Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Gopal Dwivedi, 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>02.11.2023</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>1. On the case being taken up for hearing Shri Keshav Sharma holding brief for Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the applicant prays for further time to file reply to the objections on maintainability raised by the respondents. Two weeks time is allowed for the same.</p> <p>3. List on 08.12.2023.</p> <p>(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.26)

O.A. No. 1007 of 2023

Ex Sgt Devendra Singh Chandel Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate
Shri Atul Mohan Pathak, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted a week's time to file counter affidavit.</p> <p>3. List on 08.11.2023.</p> <p>(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.27)

O.A. No. 1018 of 2023

Lt Col Asoke Kumar Saha (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Ajai Kumar Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Ajai Kumar Pandey, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 12.12.2023.</p> <p>(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.28)

O.A. No. 1019 of 2023

Ex Ris Narendra Singh

Applicant

By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 15.01.2024.</p> <p>(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.29)

O.A. No. 1021 of 2023

Ex Sub Mohan Chandra

Applicant

By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p>3. List on 16.01.2024.</p> <p>(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.30)

O.A. No. 328 of 2017

Smt. Babita Verma W/o Late Ex Hav Pradeep Kumar Applicant
By Legal Practitioner for the Applicant : Shri RK 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><u>02.11.2023</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>1. On the case being taken up for hearing Shri RK Srivastava, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>3. List on 19.12.2023.</p> <p>(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.32)

O.A. No. 81 of 2022

Cpl RS Deo Applicant
By Legal Practitioner for the Applicant : Shri Ajeet Yadav, Advocate
Shri Ravi Kumar Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents.2. Pleadings have been exchanged.3. Ld. Counsel for the respondents prays for further time to file some policy by way of an affidavit to which the Ld. Counsel for the applicant vehemently objects and stated that many opportunities have already been granted but the same has not been filed.4. In the interest of justice, last opportunity of two weeks time is granted to the respondents to comply with the previous order and to file the policy on the condition that if same is not filed by the next date fixed, respondents shall have to pay cost of Rs. 10,000/- which shall be remitted to the applicant.5. List on 23.11.2023.6. Copy of the order be provided to the respondents as per rules. <p>(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. 33)

O.A. (A) No. 39 of 2017 with M.A. No. 1237 of 2018

Smt. Sunita Singh W/O Abhishek Kumar Singh Applicant
(In Custody)

By Legal Practitioner for the Applicant : Shri Ashish Asthana, Advocate
Shri Shailendra Kumar Singh, Advocate
Shri Jitendar Saksena, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents : Dr. Gyan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.11.2023</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>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>2. This is a Part Heard matter of the Bench consisting of Hon'ble Mr. Justice R.N Kakkar, Member-J and Hon'ble Maj Gen Sanjay Singh, Member-A.</p> <p>3. List on 21.11.2023 before the appropriate Bench.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>