

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 196 of 2015 With M.A. No. 2086 of 2015 & M.A. No. 10 of 2016

Smt Sangita Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Dr Shesh Narain Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>On call of the case, Shri R Chandra, Advocate, appeared and states that Shri Ashok Kumar and Shri Rohit Kumar, learned counsel for the applicant are out of station; as such he prays that the case be adjourned for the day. Accordingly, the case is adjourned.</p> <p>List this case for orders on 17.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 296 of 2015 With M.A. No. 570 of 2016

Prakash Rai

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Maj (Retd) R D Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p><u>M.A. No. 570 of 2016</u></p> <p>This is an application for condonation of delay in filing the counter reply moved by the respondents. The delay is condoned. Counter reply is taken on record.</p> <p>The application stands finally disposed of.</p> <p>List this case for orders on 03.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 33 of 2016 With M.A. No. 810 & 836 of 2016

Raghvendra Pratap Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Dr SK Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>On call of the case, Shri Bhanu Pratap Singh, learned counsel appearing for the respondents prays for and is granted, as a matter of last opportunity, three weeks and no more time to file the affidavit in terms of our order dated 16.05.2016.</p> <p>List this case for orders on 26.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 48 of 2011

Taj Mohd Sheikh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>On call of the case, Shri R. Chandra, learned counsel is not present; rather a person in civil dress claiming himself to be applicant Taj Mohd Sheikh appeared and states that his counsel Shri R.Chandra is busy in Court No 2, as such he prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for hearing on 19.09.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 211 of 2015

Bhola Dutt Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Wing Cdr (Retd) A K Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Counter and rejoinder affidavit have been exchanged.</p> <p>List this case for hearing on 16.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 947 of 2010

Vinod Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Col (Retd) Y R Sharma, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>As prayed by Col (Retd) YR Sharma, learned counsel for the applicant, list this case again for hearing on 27.09.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 1194 of 2010

Sri Ram Singh Pradhan
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>As prayed by Shri R Chandra, learned counsel for the applicant, list this case again for hearing on 24.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 1288 of 2010

Chandra Bhushan Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri M S Yadav, learned counsel for the applicant and Shri Md Zafar Khan, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Shri MS Yadav, learned counsel for the applicant appeared and prayed for adjournment of the case. He states that he is going to Kolkatta for treatment and would be available only after December 15, 2016. In the exceptional circumstances, therefore, the case is adjourned.</p> <p>List this case for hearing on 22.12.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

CA No. 10 of 2016
(Inre: O.A. No. 60 of 2016)

Lt Col Mukesh Baboo
By Legal Practitioner for Applicant

Applicant

Versus

Brig SK Chaturvedi, Chief Engineer Bareilly Zone
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Lt Col Mukesh Baboo, in person and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard applicant Lt Col Mukesh Baboo on this contempt application.</p> <p>It is submitted by applicant Lt Col Mukesh Baboo that while passing the order 09.06.2016, Brig S.K.Chaturvedi, the present Chief Engineer, Bareilly Zone, has fluted the order of this Court dated 5.4.2016, by means of which, it was directed that when a litigant, who has appeared to attend a case pending in the Tribunal, he or she cannot be arrested under the garb of any administrative order. The submission of the applicant is that under the garb of aforesaid administrative orders, Apprehension Roll for arrest of the applicant has been issued to the District Magistrate, Agra and the Senior Superintendent of Police, Agra, which is in violation of order of this Court dated 5.4.2016, as such contempt of aforesaid Court's order has been committed.</p> <p>It comes out from the pleadings and the arguments of applicant Lt. Col Mukesh Baboo that since the applicant absconded initially with effect from 5.12.2015 and was arrested on 5.4.2016, and later on he applied for 30 days PAL from 26.4.2016 to 25.5.2016, but he did not join till date, the order dated 9.6.2016 was issued by Brig Chief Engineer S.K.Chaturvedi, which was addressed to the District Magistrate, Agra and the Senior</p>

Superintendent of Police, Agra, by means of which a request was made to take early steps for arrest the applicant and to arrange for his dispatch under police escort to Station Headquarter/Regimental Centre/Unit.

The argument of applicant Lt Col Mukesh Baboo is that the issuance of aforesaid order dated 9.6.2016 by Brig Chief Engineer S.K.Chaturvedi is contemptuous to the order of this Court dated 5.4.2016. We have carefully gone through the Court's order dated 5.4.2016, by means of which it was only directed that when a litigant, who has appeared to attend a case pending in the Tribunal, he or she cannot be arrested under the garb of any administrative order. There was no stay on arrest of the applicant or proceedings against him as per law. We do not find that any contempt of Court's order has been committed by the respondent while passing the order dated 9.6.2016.

Accordingly, this contempt application being misconceived is hereby dismissed.

(Lt Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

LN/

Form No. 4
[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 70 of 2016
(Inre: O.A. No. 261 of 2015)

Col Ran Singh Dudee
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Harshvardhan, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>This execution application was filed by the applicant with the grievance that the judgment of this Court dated 7.12.2015 passed in O.A.No. 261 of 2015, wherein direction was issued to the respondents with respect to payment of interest on pay and allowances due to the applicant from 24.10.2005 to 12.1.2014 considering the judgment and order of the Hon'ble Supreme Court passed in the case of <i>Alok Shanker Pandey versus Union of India and others</i>, reported in AIR 2007 SC 1198, has not been complied with.</p> <p>Since payment of interest on pay and allowances due to the applicant from 24.10.2005 to 12.1.2014 was refused, as such this Court on 11.5.2016 had issued notice to Shri M. Sampurna Kumar, Deputy Director PS-3A. In pursuance of the said order of this Court dated 11.5.2016, Shri M. Sampurna Kumar, Deputy Director PS-3A is present in Court today. He states that he is only the communicating authority and the claim of payment of interest on pay and allowances due to the applicant from 24.10.2005 to 12.1.2014 has been rejected by the Joint Secretary, Establishment, Ministry of Defence, New Delhi.</p> <p>Let notice be issued the Joint Secretary, Establishment, Ministry of Defence, New Delhi to show cause as to why the payment of interest on pay and allowances due to the applicant from 24.10.2005 to 12.1.2014 in pursuance of the Court's order dated 7.12.2015 passed in O.A.No. 261 of 2015 and in the light of judgment of Apex Court in the case of <i>Alok Shanker Pandey versus Union of India and others</i>, reported in AIR 2007 SC 1198,</p>

referred to in the said order of this Court, has been rejected by him and why the proceedings under Section 19 of the Armed Forces Tribunal Act, 2007 be not initiated against him for contempt of the Court's order. We request the Defence Secretary, Government of India, New Delhi to look into the matter and whosoever is responsible for rejecting the claim of the applicant as aforesaid, be directed to be present in Court on the next date.

Shri M. Sampurna Kumar, Deputy Director PS-3A, who is present in Court today, shall also appear on the next date alongwith the record.

It is made clear that as directed by this Court vide judgment and order 7.12.2015 passed in O.A.No. 261 of 2015 and in the light of the judgment of the Hon'ble Supreme Court rendered in the case of *Alok Shanker Pandey* (supra), if payment of interest at the rate of 12% per annum on pay and allowances due to the applicant from 24.10.2005 to 12.1.2014 is made to the applicant, the officers, as directed above, need not appear on the next date.

List this case for orders on **31.08.2016** before the appropriate court having jurisdiction as per roster of that date.

(Lt Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

LN/

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 826 of 2013

Ranjit Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri V K Pandey, learned counsel for the applicant and Shri A K Gupta, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Major Soma John, Departmental Representative states that she will be depositing costs of Rs.10000/- through cheque in the name of the Registrar, Armed Forces Tribunal, Regional Bench, Lucknow during the course of the day. If the same is deposited, the applicant shall be at liberty to withdraw the amount of costs aforesaid from the Registry. As prayed, the respondents are granted a week's time to file objection to the delay condonation application.</p> <p>List this case for orders on 01.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 189 of 2015 With M.A. No. 2196 of 2015 & M.A. No. 865 of 2016

Hav Pramod Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri S K Verma, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Case called out. No one appears for respondent No. 7, although name of Ms. Pushpila Bisht has been shown as counsel for respondent No.7. The matter pertains to grant of maintenance to respondents No. 7 and 8, who happen to be the wife and the daughter of applicant Hav Pramod Kumar.</p> <p>Since no counter affidavit on behalf of respondent No. 7 has been filed, we direct that notice be issued to respondent No. 7 to inform as to whether she intends to contest this case or not, and if she wants to contest it, she may file reply by 26.09.2016.</p> <p>List this case for admission on 26.09.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 60 of 2016 With M.A. No. 1343 & 1357 of 2016

Lt Col Mukesh Baboo

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Lt Col Mukesh Baboo, applicant in person and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p><u>M.A.No. 1357 of 2016</u></p> <p>This is an application for taking HQ Chief Engineer, Bareilly Zone, Letter dated 30.5.2016 on record, which is taken on record.</p> <p>The application stands disposed of.</p> <p><u>M.A.No. 1343 of 2016</u></p> <p>This is an application for taking on record the events which have taken place on 5.4.2016, which is taken on record.</p> <p>The application stands disposed of.</p> <p>Shri Asheesh Agnihotri, learned Standing Counsel appearing for the respondents states that counter affidavit is almost ready and he would be filing the same after serving a copy thereof on the applicant within a week. If the counter affidavit is filed, the applicant may file rejoinder affidavit thereafter within three weeks.</p> <p>List this case for orders on 22.09.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

R.A. No. 23 of 2016
(Inre: O.A. No. 60 of 2016)

Lt Col Mukesh Baboo
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Lt Col Mukesh Baboo, applicant in person and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>On call of the case, applicant Lt Col Mukesh Baboo states that this Review Application is rendered infructuous and the same may be dismissed.</p> <p>Accordingly, this Review Application is dismissed as infructuous.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 78 of 2016
(Inre: T.A. No. 395 of 2010)

Jitendra Kumar Yadav
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
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18.07.2016

Hon'ble Mr. Justice Abdul Mateen, Member (J)

Hon'ble Lt Gen A.M. Verma, Member (A)

Present: Shri RN Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Major Soma John, Departmental representative.

On the basis of instructions received, Shri Yogesh Kesarwani, learned Standing Counsel appearing for the respondents states that the judgment under execution has already been implemented and he would be filing an affidavit to this effect within a week.

As prayed, list this case for orders on **26.07.2016** before the appropriate court having jurisdiction as per roster of that date.

(Lt Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

LN/

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 133 of 2016
(Inre: T.A. No. 486 of 2010)

Lalit Singh Chawada
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Dr. Chet Narayan Singh, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Dr. Chiet Narayan Singh be shown as counsel for the respondents.</p> <p>Present: Shri Col (Retd) Y R Sharma, learned counsel for the applicant and Dr. Chet Narayan Singh, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>On the basis of instructions received, Dr. Chet Narayan Singh, learned Standing Counsel appearing for the respondents states that the compliance of the judgment under execution is in process and it is likely to take a month's time to fully comply with the same. He further states that he would be filing an affidavit of compliance.</p> <p>Let the respondents file an affidavit of compliance within a month, as prayed. We hope that the judgment under execution would be complied with within a month.</p> <p>List this case for orders on 24.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 134 of 2016
(Inre: O.A. No. 73 of 2013)

Badri Nath Shukla
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p>18.07.2016 <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Shri D K Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>This application has been moved for execution of our judgment and order dated 23.07.2014, passed in Original Application No. 73 of 2014 whereby this Court had granted disability pension to the applicant observing that “.....<i>the petitioner is granted disability pension at the rate of 50% disability with effect from 1.1.2001 for two years. This amount shall thus be paid to the petitioner with 9% simple interest within three months from the date of receipt of this order.</i>” It is a sad part of affair that instead of complying with the directions made in the aforesaid judgment within the time specified, about two years are going to pass and the said judgment is still awaiting implementation by the respondents. It appears that the respondents are reluctant in making compliance of the said judgment.</p> <p>Let notice be issued to the Officer-in-Charge, Signal Records, Jabalpur-908770, C/o 56 APO to appear before this Court on 17.08.2016 and show cause as to why the aforesaid judgment has not been implemented so far and why exemplary costs be not imposed on him, which shall be recovered from his salary, and why proceedings under Section 19 of the Armed Forces Tribunal Act, 2007 be not initiated against him.</p> <p>List this case for orders on 17.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 2 of 2016

Ranjeet Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard Shri Rohit Kumar, learned counsel for the applicant on this T.A, which was initially filed as Writ Petition No. 2565 of 1999 in Hon'ble Allahabad High Court with the prayer that a writ, order or direction be issued to Respondent No. 1 to dispose of the statutory petition of the petitioner dated 26.08.1998 (Annexure-1 to the petition) within a specified time.</p> <p>Learned counsel for the applicant has submitted that the statutory petition of the applicant has already been decided and this petition requires amendment. He, however, says that instead of amending the petition drastically, he be permitted to withdraw this petition with liberty to file a fresh.</p> <p>As prayed by Shri Rohit Kumar, learned counsel for the applicant, this T.A. is dismissed as withdrawn with liberty to file a fresh, if so advised.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 21 of 2012

Ram Naresh Dubey
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard Shri P.N.Chaturvedi, learned counsel for the applicant, who submits that the applicant is being provided partial pension and he intends to bring on record the order under which partial pension has been granted to the applicant.</p> <p>Let the said order be brought on record within a month. On the next date, Shri Chaturvedi shall also place before the Court the judgments of Apex Court and the Hon'ble High Court in cases where a convicted person has been allowed to get pension.</p> <p>List this case for further hearing on 01.09.2016.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 78 of 2016
(Inre: T.A. No. 395 of 2010)

Jitendra Kumar Yadav
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p data-bbox="402 303 553 338"><u>18.07.2016</u></p> <p data-bbox="402 338 1060 376"><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></p> <p data-bbox="402 376 987 413"><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p data-bbox="402 478 1390 626">Present: Shri RN Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p data-bbox="402 672 1390 870">On the basis of instructions received, Shri Yogesh Kesarwani, learned Standing Counsel appearing for the respondents states that the judgment under execution has already been implemented and he would be filing an affidavit to this effect within a week.</p> <p data-bbox="402 916 1390 1010">As prayed, list this case for orders on 26.07.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p data-bbox="443 1166 743 1239">(Lt Gen A.M. Verma) Member (A)</p> <p data-bbox="1040 1166 1365 1239">(Justice Abdul Mateen) Member (J)</p> <p data-bbox="402 1274 459 1309">LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 133 of 2016
(Inre: T.A. No. 486 of 2010)

Lalit Singh Chawada
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Dr. Chet Narayan Singh, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Dr. Chiet Narayan Singh be shown as counsel for the respondents.</p> <p>Present: Shri Col (Retd) Y R Sharma, learned counsel for the applicant and Dr. Chet Narayan Singh, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>On the basis of instructions received, Dr. Chet Narayan Singh, learned Standing Counsel appearing for the respondents states that the compliance of the judgment under execution is in process and it is likely to take a month's time to fully comply with the same. He further states that he would be filing an affidavit of compliance.</p> <p>Let the respondents file an affidavit of compliance within a month, as prayed. We hope that the judgment under execution would be complied with within a month.</p> <p>List this case for orders on 24.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A No. 134 of 2016
(Inre: O.A. No. 73 of 2013)

Badri Nath Shukla
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p>18.07.2016 <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Shri D K Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>This application has been moved for execution of our judgment and order dated 23.07.2014, passed in Original Application No. 73 of 2014 whereby this Court had granted disability pension to the applicant observing that “.....<i>the petitioner is granted disability pension at the rate of 50% disability with effect from 1.1.2001 for two years. This amount shall thus be paid to the petitioner with 9% simple interest within three months from the date of receipt of this order.</i>” It is a sad part of affair that instead of complying with the directions made in the aforesaid judgment within the time specified, about two years are going to pass and the said judgment is still awaiting implementation by the respondents. It appears that the respondents are reluctant in making compliance of the said judgment.</p> <p>Let notice be issued to the Officer-in-Charge, Signal Records, Jabalpur-908770, C/o 56 APO to appear before this Court on 17.08.2016 and show cause as to why the aforesaid judgment has not been implemented so far and why exemplary costs be not imposed on him, which shall be recovered from his salary, and why proceedings under Section 19 of the Armed Forces Tribunal Act, 2007 be not initiated against him.</p> <p>List this case for orders on 17.08.2016 before the appropriate court having jurisdiction as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 2 of 2016

Ranjeet Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard Shri Rohit Kumar, learned counsel for the applicant on this T.A, which was initially filed as Writ Petition No. 2565 of 1999 in Hon'ble Allahabad High Court with the prayer that a writ, order or direction be issued to Respondent No. 1 to dispose of the statutory petition of the petitioner dated 26.08.1998 (Annexure-1 to the petition) within a specified time.</p> <p>Learned counsel for the applicant has submitted that the statutory petition of the applicant has already been decided and this petition requires amendment. He, however, says that instead of amending the petition drastically, he be permitted to withdraw this petition with liberty to file a fresh.</p> <p>As prayed by Shri Rohit Kumar, learned counsel for the applicant, this T.A. is dismissed as withdrawn with liberty to file a fresh, if so advised.</p> <p style="text-align: center;">(Lt Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 21 of 2012

Ram Naresh Dubey
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.07.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Major Soma John, Departmental representative.</p> <p>Heard Shri P.N.Chaturvedi, learned counsel for the applicant, who submits that the applicant is being provided partial pension and he intends to bring on record the order under which partial pension has been granted to the applicant.</p> <p>Let the said order be brought on record within a month. On the next date, Shri Chaturvedi shall also place before the Court the judgments of Apex Court and the Hon'ble High Court in cases where a convicted person has been allowed to get pension.</p> <p>List this case for further hearing on 01.09.2016.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>