

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 346 of 2015

Mahangoo Prasad Vishwakarma
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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>O.A. No. 346 of 2015, Mahangoo Prasad Vishwakarma vs. Union of India and others is allowed.</p> <p>For order see our judgment passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2540 of 2016 Inre O.A. No. Nil of 2016

Pushpa Devi Pandey W/o Suresh Chand Pandey

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh on behalf of respondents is taken on record. Let his name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri P.K. Shukla, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>The case is wrongly listed and matter pertains to setting aside of the order of desertion.</p> <p>List this case for orders on 02.12.2016 before court concerned dealing with the matter of desertion.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 263 of 2016

Jagpat 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant, within two weeks, thereafter.</p> <p>List this case for orders on 03.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 360 of 2010

Nepal 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri K.K. Mishra, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant states that amendment application is ready and he will be filing the same in the Registry within a week. Objection, if any, may be filed by learned counsel for the respondents within two weeks, thereafter.</p> <p>List this case for orders on 23.12.2016 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 63 of 2013 Inre O.A. No. 179 of 2012

Ram Kishore 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Mrs Kavita Belaura holding brief of Shri Parijaat Belaura, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, Mrs Kavita Belaura very fairly states that all the applicants in the application under execution have received PPO in pursuance to execution of judgment and order dated 07.05.2012 passed O.A. No 179 of 2012.</p> <p>Accordingly, this execution application has become infructuous and is hereby dismissed.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 30 of 2016 Inre O.A. No. 2 of 2015

Shyamu Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents and Shri RKP Pandey, Director AG PS – 4, (2nd Appeal), Integrated Headquarters of MoD, (Army), New Delhi..</p> <p>As prayed by learned counsel for the respondents, list this case for orders on 24.11.2016 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 153 of 2016 Inre M.A. No. 156 of 2016

Ramesh 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Case called out. No one appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 08.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 182 of 2016 Inre O.A. No. 12 of 2013

Dinesh Pal Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Dinesh Pal Singh applicant in person and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>On call of the case, a person in civil dress claiming himself as Shri Dinesh Pal Singh applicant, appears and states that Shri P.N. Chaturvedi is suffering from Chikungunia and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 14.03.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 192 of 2016 Inre O.A. No. 12 of 2016

Badri Prasad Sharma

Applicant

By Legal Practitioner for Applicant

Versus

First Appellate Committee & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case for orders on 24.11.2016 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 195 of 2016 Inre O.A. No. 32 of 2013

Surendra Singh Sengar

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri V.K. Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents assisted by Maj Salen Xaxa, Departmental Representative.</p> <p>In pursuance to order dated 21.09.2016 of this Court, Departmental Representative, on the basis of instructions, informs that matter with respect to grant of pension of Hony Nb Sub to the applicant w.e.f. 01.01.2006 is still pending for consideration before M.I.-20, Integrated Headquarters of MoD (Army), New Delhi.</p> <p>Let notice be issued to Director M.I.– 20, Integrated Headquarters of MoD (Army), New Delhi, as to why judgment and order dated 08.01.2016 passed in O.A. No 32 of 2013 for grant of pension of Hony Nb Sub to the applicant is pending before him. Since the same has not been complied with by him, why heavy cost not be imposed on him, to be deducted from his salary and why contempt proceedings under Section 19 of Armed Forces Tribunal Act, 2007 not be initiated against him for non compliance of judgment of this Court. On the date fixed, he shall appear in the Court in person to clarify his position.</p> <p>List this case for orders on 28.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>It is clarified that if the aforesaid judgment is complied with by the date fixed, he need not to appear in the Court.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 156 of 2013 with M.A. No. 631 of 2016

Faquir Baksh Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Yash Pal Singh, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents prays for and is granted two weeks further time to file counter affidavit.</p> <p>List this case for orders on 19.01.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 851 of 2016 With M.A. No. 2070 & 2482 of 2016
(Inre: O.A. No. Nil of 2016)

Rajiv Tondon

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p><u>M.A.No.851 of 2016</u></p> <p>This is an application for condonation of delay in filing O.A., which as per office report is delayed by 29 years 07 months and 29 days. Objection to this application has been filed by the Union of India vide M.A.No.2070 of 2016.</p> <p>We have gone through the application for condonation of delay and the reasons given in the affidavit filed in support of the application and it comes out from a bare reading of O.A., as well as application for condonation of delay alongwith the affidavit that this O.A. has been filed by Ex Sub Lt Rajiv Tandon, wherein the affidavit has been sworn by his sister Smt. Suman Mehrotra, being pairakar. Since the allegations so levelled in the application for condonation of delay as well as the O.A. are to the effect that the applicant Ex Sub Lt Rajiv Tandon had developed the disease of psychological de motivation and mental depression, for which he was discharged from service on the ground of aforesaid ailment on 16th October 1985. Against the said action, the applicant preferred an appeal before the Ministry of Defence by his father Late KN Tandon, but the same was rejected on 17th February 1986. Subsequently, another appeal was preferred before his Excellency, Hon'ble the President of India on 14th July 1986,</p>

which, as per averment in paragraph 4.12 of the petition, is still pending.

Apart from it, it has also been pleaded that during the said period since the parents of Ex Sub Lt Rajiv Tandon had expired due to agony of his son and mental condition of Ex Sub Lt Rajiv Tandon deteriorated, as such he could not approach the Court in time.

It has been argued by Shri KK Mishra, learned counsel for the applicant that since the matter relates to grant of disability pension, it will not effect the limitation as since it is a continuous cause of action and in the circumstances, mentioned above, the delay is to be condoned.

We find substance in the arguments of Shri KK Mishra, learned counsel for the applicant. Accordingly, M.A.No.851 of 2016 is allowed and the delay in filing the OA is hereby condoned and the objection (M.A.2070 of 2016) is hereby rejected.

Let the O.A. be registered.

Learned counsel for the respondents is directed to file counter affidavit within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.

List this case for admission on **15.03.2017** before the appropriate Court having jurisdiction as per roster of that date.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

PKG/

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 1067 of 2016
(Inre: O.A. No. Nil of 2016)

Pratap Singh Negi
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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashish Saxena, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, none appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case again for orders on 16.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

M.A. No. 1432 of 2016 With M.A. No. 1931 of 2016
(Inre: O.A. No. Nil of 2016)

Tejbir Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Mohd Zafar Khan, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri R.Chandra, learned counsel for the applicant prays for and is granted ten days' further time to file replication.</p> <p>List this case for orders on 25.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2026 of 2016 With M.A. 2325 & 2550 of 2016
(Inre: O.A. No. Nil of 2016)

Brijendra 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p><u>M.A.No.2026 of 2016</u></p> <p>This is an application for condonation of delay in filing the O.A., wherein prayer has been made by the applicant to set aside the order dated 08.11.2012 and the findings arrived at by the Release Medical Board and the respondents be directed to grant disability pension to the applicant.</p> <p>As per office report, there is a delay of 03 years 03 months and 28 days of filing the OA.</p> <p>The reasons given in the affidavit filed in support of the application for condonation of delay seems to be genuine.</p> <p>Accordingly, M.A.No.2026 of 2016 is allowed and the delay in filing the OA is hereby condoned and the objection (M.A.2325 of 2016) is hereby rejected.</p> <p>Let the O.A. be registered.</p> <p>Heard Shri R Chandra, learned counsel for the applicant on this O.A., wherein prayer has been made by the applicant to set aside the order dated 08.11.2012 and the findings arrived at by the Release Medical Board and the respondents be directed to grant disability</p>

pension to the applicant with effect from 1st of July 2012.

It has been conceded by Shri R. Chandra, learned counsel for the applicant that being aggrieved by the order dated 08.11.2012, the applicant has already preferred a second appeal before the authorities concerned, which is still pending for decision, as pleaded in paragraph 4.4 of the O.A.

It has been accepted by Shri Sunil Sharma, learned Standing Counsel that the second appeal preferred by the applicant has not yet been decided.

Since the second appeal preferred by the applicant is still pending for decision before the authorities concerned, the applicant cannot be permitted to sail on two boats simultaneously. Suffice it to say that the ends of justice would be served if a direction is issued to the authorities concerned to decide the second appeal within a reasonable time.

Accordingly, with the consent of the learned counsel for the parties, we dispose of this Original Application with the direction to the authorities concerned to decide the second appeal by a speaking and reasoned order within a period of three months from the date of receipt of a certified copy of this order, keeping in view the law laid down by the Apex Court in the cases **Dharamvir Singh vs. Union of India & others** reported in 2013 (7 SCC 2013) and **Sukhvinder Singh vs. Union of India** reported in 2014 STPL (WEB) 468 SC.

(Lt Gen Gyan Bhushan)

Member (A)

(Justice Abdul Mateen)

Member (J)

PKG/

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 267 of 2013

Kitab 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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri R.K.Singh, Advocate, who is representing one of the respondents in this case, is reported to be unwell and hospitalised. Prayer has been made on his behalf for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for orders on 20.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 253 of 2015 With M.A. No. 1937 of 2016

Smt Chanchala Devi

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, none appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case again for orders on 17.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 266 of 2015 With M.A. No. 1968 & 2377 of 2016

Hari Bahadur

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri V.P.Pandey, learned counsel for the applicant states that he could not file replication within the time allowed by this Court. He prays for and is granted ten days' further time to file the same.</p> <p>List this case for orders on 19.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 72 of 2016 With M.A. No. 1285 & 2011 of 2016

Abhay Kumar

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri DS Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental representative.</p> <p>Heard Shri DS Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents on this O.A. which has been preferred with a prayer to quash the rejection order dated 23.12.2011 annexed as Annexure 1 to the O.A. and also for a direction to the respondents to grant disability pension with effect from the date of discharge i.e. 21.10.2011 alongwith Board Banding to 50% and its arrears and interest thereon @ 18% per annum.</p> <p>Counter and rejoinder affidavits have been exchanged and it comes out from it that being aggrieved by the order of denial of grant of disability pension, the applicant had already preferred First Appeal before the authorities concerned which was dismissed on 17th March 2016.</p> <p>It is fairly conceded by Shri DS Tiwari, learned counsel for the applicant that the applicant has an efficacious and alternative remedy of filing a second appeal, which has yet not been preferred. Shri Tiwari, learned counsel for the applicant states if permission is granted by the Court, the same will be filed. There is no need of granting such permission to prefer a second appeal since it is provided in the Act itself.</p> <p>Accordingly, we dispose of O.A. No. 72 of 2016 with a liberty</p>

to the applicant to prefer a second appeal if so advised before the appropriate authorities within a period of three weeks from today and the same if filed shall be entertained and decided by the authorities concerned within a further period of three months thereafter with a detailed and reasoned order, in accordance with law, keeping in view the law laid down by the Apex Court in the cases **Dharamvir Singh vs. Union of India & others** reported in 2013 (7 SCC 2013) and **Sukhvinder Singh vs. Union of India** reported in 2014 STPL (WEB) 468 SC.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

PKG/

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 199 of 2016 With M.A. No. 2541 of 2016

Sanjeev Chakraborty

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental representative.</p> <p>Shri Pankaj Kumar Shukla, learned counsel for the applicant prays for and is granted three weeks further time to file the rejoinder affidavit.</p> <p>List this case for orders on 01.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 252 of 2016

Nar Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri AK Sahu, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, none appears for the applicant.</p> <p>Shri A.K.Sahu, learned Standing Counsel appearing for the respondents prays for and is granted three weeks' time to file counter affidavit.</p> <p>List this case for orders on 02.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 51 of 2016

Harendra Paswan

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Mrs Deepti P Bajpai, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri K.K.S.Bisht, learned counsel for the applicant prays for three weeks' further time to file rejoinder affidavit.</p> <p>List this case for orders on 03.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

M.A. No. 1820 of 2016
(Inre: T.A. No. 12 of 2014)

Somant Gupta
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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Abhishek Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Cost imposed by this Court has not been deposited by learned counsel for the applicant. He prays for and is granted a week's time for the purpose.</p> <p>List this case for hearing on 20.12.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 131 of 2016

Yogveer Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri Yogesh Kesarwani, learned Standing Counsel appearing for the respondents admits that the applicant is being granted disability pension, but so far as service pension is concerned, the same has not been granted. It has been admitted in para 19 of the counter affidavit that the case of the applicant for grant of service pension with effect from 1.1.1996 is being considered by the authorities concerned. Shri Kesarwani prays for and is granted two weeks' time to file status report.</p> <p>List this case for hearing on 03.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 249 of 2016

Shamsher Singh

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>23.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri DS Tiwari, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Counter and rejoinder affidavits have not been filed as yet. Wrongly listed for hearing.</p> <p>Learned counsel for the respondents prays for and is granted four week's further time to file counter affidavit. If counter affidavit is filed, the applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case again for orders on 06.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 251 of 2016

Smt. Kanta 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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on the admission of this Original Application which has been preferred by wife of late Hony Nb Sub Prem Ballabh Joshi for grant of revised pension from 01.01.2006 to 28.04.2014. Submission of learned counsel for the applicant is that her husband late Prem Ballabh Joshi was Hony Nb Sub and thus after his death, she is entitled to the benefit accrued to her husband as Hony Nb Sub for the aforesaid period. There seems to be substance in the argument advanced by learned counsel for the applicant.</p> <p>Accordingly, we admit the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case for orders on 01.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 262 of 2016

R.S. Gahlot

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Anand Sharan, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties. The matter pertains to rounding off of disability pension in view of the judgment of Hon'ble The Apex Court in the case of Union of India and Ors vs Ram Avtar & ors Civil Appeal No 418 of 2012 decided on 10th December 2014. The applicant has claimed disability pension and has also stressed that his pension which has been approved @ 20% should be rounded of to 50% w.e.f. 01.07.2006. It seems that the case of the applicant is covered by the judgment of Hon'ble The Apex Court, therefore we admit this Original Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant, within two weeks, thereafter.</p> <p>List this case for orders on 02.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 125 of 2016 Inre O.A. No. 220 of 2013

Sabhajeet 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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Case called out. No one appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 27.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 192 of 2016 Inre O.A. No. 12 of 2016

Badri Prasad Sharma

By Legal Practitioner for Applicant

Applicant

Versus

First Appellate Committee & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case for orders on 23.11.2016 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 903 of 2016 with M.A. No. 904 of 2016 Inre O.A. No. 237 of 2011

Vijay Shankar Yadav

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents.</p> <p>Case called out. No one appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 28.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 1113 of 2016 with M.A. No. 2414 of 2016 Inre O.A. No. Nil of 2016
Smt. Soni Sharma 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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Case called out. No one appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 03.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 1117 of 2016 with M.A. No. 2513 of 2016

Sudhir Kumar Singh

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Manish Soni holding brief of Shri Rudra Mani Shukla, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><u>M.A. No. 2513 of 2016</u></p> <p>The applicant has filed this affidavit claiming it to be better affidavit in support of application for condonation of delay but the averments made in the affidavit are not understandable.</p> <p>Accordingly, this application is rejected with liberty granted to the applicant to file another better affidavit, if he so desires.</p> <p>List this case for orders on 06.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 1482 of 2016 with M.A. No. 1483 of 2016 Inre T.A. No. 894 of 2010

Jitendra Kumar

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed, list this case for orders on 07.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 1535 of 2016 Inre O.A. No. Nil of 2016

Gajender Singh

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri K.K. Mishra, learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents states that objection on application for condonation of delay is ready and he will file the same in the Registry within a week.</p> <p>List this case for orders on 09.03.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2099 of 2016 Inre O.A. No. Nil of 2016

Rohit Kumar Singh

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Pushp Raj Singh, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks and no more time to file objection on application for condonation of delay.</p> <p>List this case for orders on 28.02.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2385 of 2016 Inre O.A. No. 149 of 2013

Smt. Munni Devi

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>Case called out. Neither applicant is present nor receipt of cost imposed for restoration of the case has been filed by learned counsel for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 09.03.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2497 of 2016 with M.A. No. 2498 of 2016 Inre O.A. No. 91 of 2016

Satendra Singh

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Jai Prakash Singh, holding brief of Shri D.K. Tripathi, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>On call of the case, Shri Jai Prakash Singh appears and states that Shri D.K. Tripathi has not come to the Court today being busy in High Court and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 10.03.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 164 of 2013 with M.A. No. 2035 of 2016

Warrant Officer Shashi Kant Chaturvedi

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, a person in civil dress claiming himself Warrant Officer Shashi Kant Chaturvedi appears and states that Shri P.N. Chaturvedi is suffering from Chikungunia and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 10.03.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 249 of 2015

J.C. Pandey

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Ved Prakash Pandey, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>From perusal of record, it transpires that counter and rejoinder affidavits have been exchanged and matter relates to grant of pensionary benefits.</p> <p>Accordingly, list this case for hearing on 14.03.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 329 of 2015 With M.A. No. 2365 of 2016

Lt Col Ram Raj Singh (Retd)
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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rajiv Pandey, learned counsel for the respondents alongwithMaj Salen Xaxa, Departmental representative.</p> <p>On call of the case, the Bench Secretary informs the Court that Shri Y.R.Sharma, learned counsel for the applicant has moved an application for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for orders on 15.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 330 of 2015 With M.A. No. 2366 of 2016

Lt Col (Retd.) P.S.Tripathi
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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, the Bench Secretary informs the Court that Shri Y.R.Sharma, learned counsel for the applicant has moved an application for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for orders on 16.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 26 of 2013

Rajendra Singh

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Case called out. No one appears for the applicant.</p> <p>This petition was received after transfer from Hon'ble Allahabad High Court and was registered as T.A.No. 26 of 2013 in this Tribunal. Notice was issued to Smt. Sunita Devi, wife of late Rajendra Singh, but the same has not been received back served or unserved. As per office report dated 21.11.2016, thirty days have elapsed from the date of issue of notice, hence as per AFT (Practice) Rules, 2009, service of notice is deemed to be sufficient. More so, applicant Rajendra Singh is said to be dead. Accordingly, this T.A stands abated.</p> <p>Consign to records.</p> <p>(Lt Gen Gyan Bhushan) 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

M.A. No. 1220 of 2016
(Inre: O.A. No. Nil of 2016)

Jitendra Singh Pal

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virendra Kumar Gupta, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>List all the pending applications for orders on 14.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 460 of 2012

K Kumaresan

Applicant

By Legal Practitioner for Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Dr Chet Narain Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, no one appears for the applicant. We have been informed by the Bench Secretary that Shri P.N.Chaturvedi, learned counsel for the applicant is suffering from Chikangunya and is hospitalised. Accordingly, the case is adjourned.</p> <p>List this case for orders on 15.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 261 of 2014

Lakshmi Narayain 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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental representative.</p> <p>On call of the case, no one appears for the applicant; rather a person in civil dress claiming himself to be the applicant Lakshmi Narayain Singh appeared. He states that his counsel Shri S.K.Pandey has not come to the Court being unwell and prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for hearing on 16.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 78 of 2016

Shiv Kumar

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SC Yadav, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental representative.</p> <p>Case called out. No one appears for the applicant nor is there any request to adjourn or pass over the case.</p> <p>Accordingly, O.A.No. 78 of 2016 is dismissed for non-prosecution.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 159 of 2016

Raj Kumar

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shyam Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, no one appears for the applicant, rather Shri VP Pandey, holding brief of Shri Nishant Kumar, learned counsel for the applicant states that Shri Nishant Kumar, learned counsel has not come to the Court today and has requested to adjourn the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 17.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 178 of 2009 With M.A. No. 161, 1536 & 2226 of 2016

Sri Ram Pandey

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>22.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A.No.2226 of 2016</u></p> <p>List this case for orders on application for condonation of delay as well as admission of this T.A.</p> <p>When the case is next listed, the name of Shri Yashpal Singh be shown as counsel for the applicant.</p> <p>List this case for orders on 20.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG//</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2510 of 2016 Inre O.A. No. Nil of 2016

Virupaxayya Hiremath

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Mrs. Anju Singh on behalf of respondents is taken on record. Let her name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri Manoj Kumar Pandey, learned counsel for the applicant and Mrs. Anju Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 2510 of 2016</u></p> <p>This is an application for condonation of delay in filing the Original Application which has been filed with the prayer for quashing of order dated 30.07.1999 by means of which request for grant of Invaliding disability pension made by the applicant has been rejected.</p> <p>As per office report, there is delay of 18 years, 09 months and 13 days in filing the Original Application. Copy of this application has been served upon learned counsel for the respondents on 15.11.2016.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection on the application for condonation of delay.</p> <p>List this case for orders on 21.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2526 of 2016 Inre O.A. No. Nil of 2016

Jyoti Sharan Gandhi
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p><u>M.A. No. 2526 of 2016</u></p> <p>This is an application for condonation of delay in filing the Original Application wherein the applicant has prayed for rounding off of disability pension which he is already getting after being discharge from service from 01.08.2012.</p> <p>Submission of learned counsel for the applicant is that in view of the judgment of Hon'ble The Apex Court in the case of Union of India and Ors vs Ram Avtar & ors Civil Appeal No 418 of 2012 decided on 10th December 2014, the applicant is entitled for rounding off of disability pension. The applicant has approached the respondents for rounding off of his disability pension but they have rejected his claim vide order dated 09.08.2016 (Annexure A-1). Learned counsel for the applicant submitted that since his case is fully covered by the aforesaid judgment of Hon'ble The Apex Court, the applicant is entitled for rounding off of disability pension. Since his case for rounding off of disability pension was rejected on 09.08.2016 by the respondents, hence there is no delay in filing the original application.</p> <p>Let the case be registered as O.A.</p> <p>Admit.</p> <p><u>O.A. No. 297 of 2016</u></p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant, within two weeks, thereafter.</p> <p>List this case for orders on 22.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2527 of 2016 Inre O.A. No. Nil of 2016

Lalji 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Namit Sharma on behalf of respondents is taken on record. Let his name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><u>M.A. No. 2527 of 2016</u></p> <p>This is an application for condonation of delay in filing the Original Application wherein applicant has prayed for rounding of disability pension which he is getting after being discharge from Army from 01.02.1997 in view of Govt. of India letter dated 31.01.2001. It is submitted by learned counsel for the applicant that as per law laid down in the case of Union of India and Ors vs Ram Avtar & ors Civil Appeal No 418 of 2012 decided on 10th December 2014 which came into existence in the year 2014, as such the applicant is entitled for rounding off of the disability pension from 20% to 50% and as such only in the month of Dec 2014, he has approached the respondents for rounding off the disability pension which was rejected by the respondents vide letter dated 22.07.2016.</p> <p>Submission of the learned counsel for the applicant is that law of land is equally applicable as such applicant is entitled for the same therefore there is no delay in filing the original application. Accordingly, the application for condonation of delay is allowed.</p> <p>Let the case be registered as O.A.</p> <p>Admit.</p> <p><u>O.A. No. 296 of 2016</u></p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant, within two weeks, thereafter.</p> <p>List this case for orders on 23.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 294 of 2016

Jwala Prasad Upadhyay
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri V.P.S. Vats on behalf of respondents is taken on record. Let his name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri P.K. Shukla, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>In this application, the relief claimed by the applicant is that he has served in Air Force as Airman for about 38 years 02 months and 28 days and after completing terms of engagement he was discharged from service on 30.06.2007 and has been granted service pension vide PPO dated 24.04.2007. Thereafter he re-presented his case for grant of disability pension by preferring an appeal dated 18.04.2016 to the authority concerned in the light of Govt. of India letter dated 31.01.2001. His appeal dated 18.04.2016 which ought to have been decided is still pending with the respondents. It is needless to say that inspite of applicant having been discharged on 30.06.2007, he had preferred appeal after gap of nine years on 18.04.2016 but in any case it is duty of the respondents to decide his appeal either by rejecting or by allowing the same with reasons but no action has yet been taken by the respondents.</p> <p>Accordingly, with the consent of learned counsel for the parties, we direct the respondents to decide the pending appeal of the applicant dated 18.04.2016 by a reasoned and speaking order within a period of three months and communicate the decision to the applicant.</p> <p>With the aforesaid direction, we dispose of the Original Application, finally.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 295 of 2016

Raj Kumar Verma
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri R.C. Shukla on behalf of respondents is taken on record. Let his name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri P.K. Shukla, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties on this Original Application which has been filed by the applicant with the prayer for grant of disability pension.</p> <p>From perusal of record, it transpires that the applicant has made prayer in the Original Application to decide his appeal dated 11.04.2016 regarding grant of disability pension.</p> <p>From perusal of record, it comes out that earlier applicant has preferred O.A. No. 287 of 2011 which was dismissed on 21.02.2013 by the Bench concerned with the direction to the respondents to carry out Review Medical Board of the applicant and assess his disability as a fresh case and take action according to Pension Regulations for the Army 1961 (Part-I).</p> <p>As admitted by the learned counsel for the applicant Review Medical Board was conducted on 30.05.2013 and thereafter now the applicant has approached this Court without application for condonation of delay.</p> <p>Since, Original Application is not supported with application for condonation of delay, it cannot be entertained and is hereby dismissed.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 224 of 2016 Inre O.A. No. 185 of 2013

Anil Kumar Rawat

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal on behalf of respondents is taken on record. Let his name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>This is an Execution Application moved by the applicant with respect to non implementation of judgment and order dated 04.11.2015 passed in O.A. No. 185 of 2013.</p> <p>Submission of the learned counsel for the applicant is that in compliance of aforesaid judgment, necessary PPO has been issued by Naval Authorities but the same is not being honoured by Respondent No. 8 (Bank). Copy of this Execution Application has been served upon learned counsel for the respondents on 17.11.2016</p> <p>Learned counsel for the respondents prays for and is granted three weeks time to seek instructions from the authority concerned as to why inspite of issuance of PPO, necessary payment has not been made to the applicant and file compliance report.</p> <p>List this case for orders on 23.02.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

Dy. No. 2283 of 2016 Inre Dy. No. 2216 of 2014

Bhupinder 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Maj R.D. Singh (Retd), learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p><u>Dy. No. 2283 of 2016</u></p> <p>This is an application moved by learned counsel for the applicant for presenting his case, Dy. No. 2216 of 2014 at this Regional Bench which after creation of Bench at Jabalpur, has been transferred to Jablapur. Submission of the learned counsel for the applicant is that jurisdiction of this case lies at Lucknow Bench for the reason that impugned order was passed at Agra. In any case, we do not have any power to transfer the case from Jabalpur Bench to this Tribunal, since it is already transferred and registered at Jabalpur Bench of AFT. The power to transfer this case is vested with Chairperson Armed Forces Tribunal, Principal Bench, New Delhi.</p> <p>As such, this application is misconceived and is hereby rejected.</p> <p>Learned counsel for the applicant may approach Chairperson, Armed Forces Tribunal, Principal Bench, New Delhi for transfer of his case from Jabalpur Bench to this Tribunal, if he so desires.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

DY. No. 2572 of 2016 Inre O.A. No. Nil of 2016

Ranjit Lal & Others

Applicants

By Legal Practitioner for Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri R.N. Tripathi, learned counsel for the applicant and Shri A.K. Gupta, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant submits that he has served copy of application for condonation of delay upon learned counsel for the respondents, today in the Court and will file the same in the Registry during course of the day.</p> <p>Learned counsel for the respondents prays for and is granted six weeks time to file objection on the application for condonation of delay.</p> <p>List this case for orders on 17.01.2017 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 50 of 2016 Inre O.A. No. 194 of 2013

Ashok Chakrabarti

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties on this Execution Application No. 50 of 2016 which has been filed by the applicant with respect to non execution of judgment and order dated 16.10.2015 passed in O.A. No. 194 of 2013. In pursuance of the execution of judgment and order, learned counsel for the respondents has supplied copy of PPO issued for payment of disability pension to the applicant. So far, Review Medical Board is concerned, an order dated 16.08.2016 has been placed before the Court showing that Review Medical Board of the applicant shall be done within a period of three months from the date of sanction of Govt. order to which learned counsel for the applicant submits that inspite of three months having been elapsed, but no Review Medical Board has been done.</p> <p>If that is so, it is expected that Review Medical Board will be initiated as early as possible within a period of one month from today. Learned counsel for the respondents shall ensure the same.</p> <p>With the aforesaid direction, Execution Application is disposed of finally.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 55 of 2016 Inre O.A. No. 192 of 2010

Surendra 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>Learned counsel for the respondents has filed an affidavit duly sworn by Col Hari Kripal Singh Bath, Director PS-4, Integrated HQ of MoD (Army), New Delhi, with respect to Show Cause Notice issued by this Court for non compliance of judgment and order dated 30.10.2015 passed in O.A. No. 192 of 2010. Vide order dated 23.09.2016 this Court has ordered to show cause as to why contempt proceedings not be initiated against him and a cost of Rs. 10,000/- was imposed on him which was ordered to be deducted from his salary.</p> <p>Now, in Para 7 of the affidavit filed by Director PS-4, Integrated HQ of MoD (Army), New Delhi, he has prayed for exemption of his personal appearance in the Court.</p> <p>Since the aforesaid judgment has been complied with and Govt. sanction has been issued on 09.11.2016 and copy of the same is annexed with the affidavit, attendance of Director PS-4, Integrated HQ of MoD (Army), New Delhi, is exempted and order of cost to deduct Rs. 10,000/- from his salary is also recalled.</p> <p>Learned counsel for the respondents submits that necessary PPO will be issued to the applicant within ten days from today.</p> <p>List this case for orders on 20.12.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>Let a copy of this order be supplied to learned counsel for the respondents free of cost.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 173 of 2016 Inre T.A. No. 1469 of 2010

Ram Harsh

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Col Rakesh Johri (Retd), learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents, on the basis of instructions, submits that in execution of judgment and order dated 21.04.2016 passed in T.A. No. 1469 of 2010, Govt. sanction has been issued on 24.10.2016 and directions have been issued to PCDA (P) Allahabad, to issue PPO within two weeks for making necessary payment to the applicant.</p> <p>As prayed by learned counsel for the respondents, list this case for orders on 21.12.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX.A. No. 212 of 2016 with M.A. No. 2459 of 2016 Inre O.A. No. 141 of 2013

Ajit Kumar Giri

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri P.K. Shukla, holding brief of Shri V.K. Pandey, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>On call of the case, Shri P.K. Shukla appears and states that Shri V.K. Pandey is out of station today and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 27.02.2017 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Ukt</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

EX-A. No. 222 of 2016
(Inre: O.A. No. 80 of 2010)

Dhan 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms Kavita Mishra, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental representative.</p> <p>Heard Ms Kavita Mishra, learned counsel for the applicant on the application for Execution No.222 of 2016 which has been filed with the grievance that the judgment of this Court dated 2nd March 2016 has not been complied with.</p> <p>We have gone through our judgment dated 2nd March 2016 and it is sad to say that the husband of the applicant, aged about 81 years, who had made supreme sacrifice of his life while fighting against Pakistani Army in Jammu and Kashmir operation in the year 1947-48 and inspite of the fact that the injury caused to the deceased husband of the applicant was attributable to Military Service, but her prayer for grant of Liberalised Family Pension with effect from Ist of February 1972 is not being considered and is not being paid to her.</p> <p>It is a case where the husband of the applicant had sacrificed his life while fighting against Pakistani Army in Jammu and Kashmir operation in the year 1947-48 and it was opined that he is entitled to Liberalised Family Pension, but after about nine months of passing of the said judgment, the same has not been complied with.</p> <p>Let the matter be brought to the notice to the Adjutant General, AG's Branch, IHQ (Army), South Block, New Delhi to see the manner the Officer/official concerned are working and widow of an</p>

Army personnel, who had sacrificed his life in the interest of the Country is being denied the Liberalised Family Pension.

It is important to note here that on 23rd August 2016 the Records The Kumaon Regiment, instead of complying with the judgment dated 2nd March 2016, have written a letter to the applicant ‘necessary action has been initiated for filing of Review Petition based on directions received from IHQ of MoD (Army). Further action will be taken on receipt of the judgment on Review Petition”, but till date the Review Petition has not been filed and today in the Court it has been mentioned that Review Petition is being filed. It clearly goes to show the conduct of the respondents, who are lingering the matter and have least interest in complying with the judgment dated 2nd March 2016.

Let a copy of this order alongwith the copy of the judgment dated 2nd March 2016 be sent to the Adjutant General, AG’s Branch, IHQ (Army), South Block, New Delhi by the Registry of this Court for necessary compliance.

List this case for orders on **25.01.2017** before the appropriate Court having jurisdiction as per roster of that date.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

PKG/

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 970 of 2015 With M.A. No. 2021 of 2015 & 1726 of 2016
(Inre: O.A. No. 98 of 2011)

Moti Lal Pandey
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SK Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri SK Pandey, learned counsel for the applicant prays for and is granted six weeks' time to bring on record the documents of heirs and comply with the order dated 08.09.2016.</p> <p>List this case for orders on 27.02.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 510 of 2016

Nagendra Singh Mamik
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>21.11.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Brig Anil Srivastava (Retd), learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p><u>M.A.No. 510 of 2016</u></p> <p>This is an application for condonation of delay in filing the O.A, by means of which prayer has been made by the applicant for grant of gratuity and pension, etc. as admissible to him.</p> <p>Learned counsel for the applicant submits that after permission having been granted, he had married a foreign national in the year 1976. The applicant had rendered 17 years of unblemished service and his services were dispensed with arbitrarily in the year 1979 on the ground that his wife, who is a foreign national, had not accepted the citizenship of India. The submission is that since 1979, the applicant is corresponding the matter with the respondents for release of gratuity and pension etc. treating him to be deemed in service until he completes a pensionable service in the rank of Lt Colonel, but it is falling in deaf ears, hence this O.A.</p> <p>We have gone through the contents of application and are of the view that the delay in filing the petition has been satisfactorily explained. Accordingly, the application is allowed and the delay in filing the O.A is hereby condoned.</p>

Let the O.A be registered.

List this case for admission on **27.01.2017** before the appropriate Court having jurisdiction as per roster of that date.

(Lt Gen Gyan Bhushan)
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. 1188 of 2016

Mahesh Chandra Singh Bisht
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Md Zafar Khan, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri Shailendra Kumar Singh, learned counsel for the applicant prays for and is granted ten days' time to file replication to the objection to the delay condonation application.</p> <p>List this case for orders on 20.12.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

M.A. No. 2274 of 2016
(Inre: O.A. No. Nil of 2016)

Bhanu 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant and Shri Mohd. Zafar Khan, learned counsel for the respondents alongwith Wg.Cdr Sardul Singh, Departmental representative.</p> <p>Shri Mohd. Zafar Khan, learned counsel for the respondents states that the objection to the delay condonation application is ready and he will be filing the same in the Registry during the course of the day.</p> <p>Learned counsel for the applicant is directed to file the replication to the objection within two weeks thereafter.</p> <p>List this case for orders on 28.02.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 315 of 2011 With M.A. No. 1531, 2191 & 2246 of 2016

Triveni Prasad 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><u>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri Namit Sharma, learned counsel for the respondents prays for and is granted, as a last opportunity, two weeks' time to comply with the order dated 27.9.2016.</p> <p>List this case for orders on 02.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 203 of 2012 With M.A. No. 1518 of 2016

Smt Sandhya Rai

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri AK Shahu, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, an application on behalf of Shri PN Chaturvedi, Advocate has been placed before the Court, wherein it has been mentioned that he has been admitted in Sahara Hospital, Gomti Nagar, Lucknow in emergency on advice where diaganose as "GB SYNDROME". He prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 28.02.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 135 of 2010

Smt Jyoti Singh

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>On call of the case, an application on behalf of Shri PN Chaturvedi, Advocate has been placed before the Court, wherein it has been mentioned that he has been admitted in Sahara Hospital, Gomti Nagar, Lucknow in emergency on advice where diaganose as "GB SYNDROME". He prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for hearing on 01.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PKG/</p>

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 240 of 2015

Vijay 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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col BP Singh (Retd), learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Wrongly listed for orders. List this case for hearing on 20.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 81 of 2016 With M.A. No. 1564 of 2016

Mahendra Sharma
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u> Present: Shri R Chandra, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>Ms Deepti P. Bajpai, learned Standing Counsel appearing for the respondents submits that the applicant has never applied or moved a representation before filing the instant Original Application for review of his medical category. The applicant has annexed with the O.A a copy of application with postal receipt as Annexure A-2, by means of which he had communicated that his disability has enhanced due to disease GLAUCOMA and caused complete blindness to him; as such, he is entitled for 100% disability with attendant allowance. Ms Deepti P. Bajpai, learned Standing Counsel states that the aforesaid application has not been received by the respondents.</p> <p>In any case, since the aforesaid application moved by the applicant is on record as Annexure A-2, which shows that the disease GLAUCOMA has enhanced and caused complete blindness to him, we direct the respondents to refer the case of the applicant to the concerned authority for reassessment of his disability as per Government of India, Ministry of Defence letter dated 7.2.2001 (Para 7) which has been annexed alongwith the CA, within two weeks from the date of receipt of a copy of this order.</p> <p>List this case for orders on 01.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) 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. 242 of 2016

Bireswar Kumar

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col BP Singh (Retd), learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri Shyam Singh, learned Standing Counsel appearing for the respondents prays for and is granted two weeks and no more further time to file counter affidavit.</p> <p>List case for orders on 02.03.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 31 of 2013 With M.A. No. 1796 of 2016

Chandrabhan Singh

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>Shri D.K.Pandey, learned Standing Counsel appearing for the respondents has served a copy of objection to the amendment application on Shri V.P.Pandey, learned counsel for the applicant in the Court and states that he will file it in the Registry during the course of the day. If the same is filed, list this case for orders on 25.01.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 254 of 2014

TS Negi

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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>As prayed, list this case for hearing on 15.02.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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

O.A. No. 36 of 2016

MK Chandrasekharan
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>As prayed by Shri Yashpal Singh, he is granted ten days further time to file rejoinder affidavit.</p> <p>List this case for orders on 16.02.2017 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) 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. 4 of 2015

Ankit Kumar Pandey (Minor)
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>21.11.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental representative.</p> <p>As prayed, list this case for hearing on 21.12.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>