

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 192 of 2015**

**Rahmat Ullah Sheikh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 192 of 2015, Rahmat Ullah Sheikh 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)</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. 1479 of 2016**

**Shambhu Nath Yadav**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of respondents is taken on record.</p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1479 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the O.A. which relates to grant of disability pension. As per stamp reporter's report, it is delayed by 03 years, 02 months and 06 days. Since the matter relates to grant of disability pension, grounds taken in the application for condonation of delay seem to be genuine as also an humanitarian ground taking sympathetic view, we allow this application and condone the delay. We direct the office to register the O.A.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Sry</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 168 of 2016**

**Shambhu Nath Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents on admission of this O.A. which has been filed by the applicant having aggrieved by rejection of his claim for grant of disability pension contained in Annexure No. A-1 dated 05.11.2012.</p> <p>Learned counsel for the applicant also submits that the applicant has already preferred time barred appeal as at Annexure A-6 having been aggrieved with the order of rejection of disability pension to the appellate authority, but the same has not yet been decided, as he has not received any information, whether the said appeal has been decided or not.</p> <p>The second prayer made in this case is that the order dated 05.11.2012 (Annexure A-1) be quashed.</p> <p>In any case, learned counsel for the applicant confines his argument with respect to prayer No. 1 to the effect that respondents be commanded to decide the time barred appeal preferred by the applicant as at Annexure A-6, if not already decided.</p> <p>Accordingly with the consent of the parties, we dispose of the O.A. directing the appellate authority, to whom the appeal has been preferred, to decide the appeal of the applicant with regard to grant disability pension, if not already decided, within three months by means of a reasoned and speaking order and communicate the same to the appellant.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Sry</p>

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1484 of 2016**

**Bimal Kishor Charan**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Mrs. Deepti Prasad Bajpai 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 : Col Y.R. Sharma (Retd), learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1484 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the O.A. having aggrieved by rejection of his claim for grant of disability pension. As per stamp reporter's report there is delay of 08 months and 05 days in filing the O.A. Copy of this application has been served on learned standing counsel on 14.07.2016.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection to the application for condonation of delay, indicating the status of second appeal preferred by the applicant on 06.11.2015, after rejection of his first appeal.</p> <p>List this case on <b>08.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice Abdul Mateen) Member (J)</p>

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[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. 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><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></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 R. Chandra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1482 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the application No. 1483 of 2016 which relates to recall of order dated 20.04.2011 dismissing the T.A. for want of instructions. As per stamp reporter's report, there is delay of 05 years, 01 month and 11 days. Copy of this application has been served on learned standing counsel on 05.07.2016.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to the application for condonation of delay.</p> <p>List this case on <b>20.09.2016</b> for orders 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>Sry</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 93 of 2016 Inre T.A. No. 59 of 2013**

**Shyam Babu**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Rajat Pratap Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents states that the matter with respect to execution of judgment and order passed in T.A. No. 59 of 2013 is under process and it is likely to be implemented at an early date.</p> <p>Learned counsel for the respondents prays that as a matter of last opportunity, three weeks and no more time be granted to him to implement the judgment. If the judgment is not implemented by the next date, the respondents shall be prepared to bear heavy cost and also be ready to face contempt proceedings.</p> <p>List this case on <b>16.09.2016</b> for orders 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>Sry</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 809 of 2016 Inre O.A. No. Nil of 2016**

**Tej Bahadur Yadava**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Rakesh Kumar Yadav, learned counsel for the applicant and Shri Md Zafar Khan, learned counsel for the respondents.</p> <p>On call of the case learned counsel for the applicant states that he intends to amend the O.A. Although application for condonation of delay is pending but we grant time to the learned counsel for the applicant to move amendment application.</p> <p>As prayed, two weeks time is granted to move amendment application.</p> <p>List this case on <b>09.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 212 of 2015**

**Jugendra Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri K.K. Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he has not received copy of the counter affidavit, filed by the learned counsel for the respondents. Office report also shows that he has not received the copy of the counter affidavit.</p> <p>Learned counsel for the respondents states that he will be providing the copy of counter affidavit to learned counsel for the applicant within 24 hours to which, learned counsel for the applicant may file rejoinder affidavit within three weeks, thereafter.</p> <p>List this case on <b>13.09.2016</b> for orders 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>



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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 114 of 2016**

**Satish 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><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri A.K. Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted further two weeks' and no more time to file counter affidavit.</p> <p>List this case on <b>14.09.2016</b> for orders 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>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**T.A. No. 218 of 2010**

**Rajesh 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><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.N. Chaturvedi, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted further two weeks' time to move amendment application.</p> <p>List this case on <b>25.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice Abdul Mateen) Member (J)</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**T.A. No. 87 of 2013 with M.A. No. 1826 of 2015,  
M.A. No. 400 of 2016 & M.A. No. 823 of 2016**

**Mahindra Singh Bisht**

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><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Alam Singh, learned counsel for the applicant and Shri Ashish Kunar Singh, learned counsel for the respondents.</p> <p><b><u>Misc. Application No.1826 of 2015</u></b></p> <p>This is an application seeking amendment in the T.A., which was filed earlier, claiming disability pension. On receipt of counter affidavit filed on behalf of respondents, it came to the notice of the applicant that he was discharged as an undesirable soldier under Army Rule 13 (3) III (v).</p> <p>Objection to the aforesaid amendment application has been filed vide Application No. 823 of 2016 together with another Application No.400 of 2016 for dismissal of the T.A.</p> <p>While hearing the learned counsel for the parties, it comes out that originally, this case in the form of writ petition was filed before the Hon'ble High Court of Uttarakhand at Nainital, which after transfer to this Tribunal, has been registered as Transferred Application.</p> <p>Since it has come to the knowledge of the applicant that he has been discharged as undesirable soldier, as such he wants to challenge the same by means of amendment in the T.A. Since the applicant claims that he was not aware about the reasons for his discharge and Writ Petition was filed in the Hon'ble High Court of Uttarakhand at Nainital in 2001, we are also of the view that in case amendment in this T.A. is denied and the applicant is relegated to file new O.A. challenging his discharge, it will take considerably long time in imparting justice to the applicant.</p> <p>Accordingly, we allow the amendment application and reject the objection raised on behalf of the respondents.</p> <p>Learned counsel for the applicant is directed to incorporate the necessary amendments in the T.A. within two weeks and file amended</p>

copy of the T.A. along with Bench copy and also serve an amended copy of the T.A. on the learned counsel for the respondents, who may file counter affidavit to the amended T.A. after serving its copy on the learned counsel for the applicant.

List this case on **19.09.2016** for orders before court concerned having jurisdiction as per roster of that day.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

Sry

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 174 of 2011**

**Chandra Bhushan Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Raksha Mantri Appellate Committee & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Shailendra Kumar Singh, holding brief of Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri Shailendra Kumar Singh appears and states that Shri Rohit Kumar is out of station and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>Having gone through the record, we find that the instant O.A. is not admitted.</p> <p>List this case for admission on <b>22.08.2016</b> before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 1466 of 2016**

**Layak Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Gyan 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.N. Chaturvedi, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1466 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the O.A. As per stamp reporter's report, it is delayed by 04 months and 10 days in the filing the O.A. Copy of this application has been served on learned standing counsel on 05.07.2016.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection to the application for condonation of delay.</p> <p>List this case on <b>05.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice Abdul Mateen) Member (J)</p>

[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1476 of 2016**

**Shiv Kumar Verma**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Sunil 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 V.A. Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1476 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the O.A. which has been preferred by the applicant for grant of disability pension. First and second appeals moved by the applicant have been rejected by the authority concerned on 15.01.2014 and 11.03.2016 respectively. As such there is no delay in filing the O.A. Accordingly this application is hereby rejected.</p> <p>So far as O.A. is concerned, it has been moved with the prayer that the rejection order of the disability pension as also of first and second appeal be set aside and respondents be directed to grant disability pension to the applicant and also rounding off of the disability pension. Copy of this application has been served on learned standing counsel on 12.07.2016. Since the matter relates to prayer having been made for grant of disability pension, it seems to be genuine. Accordingly we admit this O.A.</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 within two weeks thereafter.</p> <p>List this case on <b>29.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</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. 132 of 2016 Inre O.A. No. 176 of 2014**

**Vijay Bahadur Chauhan**

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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Sudhir Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on this Execution Application, which has been preferred by the applicant on account of non compliance of judgment and order dated 09.03.2016 passed in O.A. No. 176 of 2014. The matter pertains to grant of disability pension to the applicant. Copy of this application has been served on learned standing counsel on 05.04.2016.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to obtain instructions and apprise the Court as to why and under what circumstances, the aforesaid judgment and order has yet not been implemented.</p> <p>List this case on <b>14.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>



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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1471 of 2016 with M.A. No. 1472 of 2016 Inre T.A. No. 825 of 2010**  
**Om Prakash** Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p>Case transferred to Court No. 2.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>Sry</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**Dy. No. 2553 of 2015**

**Ram Raj Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Lt Priya Prasad, Departmental Representative.</p> <p>Learned counsel for the applicant states and he be granted three weeks' further time to move application for condonation of delay. He further submits that the application could not be filed as he was not able to contact his client.</p> <p>Accordingly three weeks' further time is granted to the applicant for moving the application for condonation of delay.</p> <p>List this case on <b>15.09.2016</b> for orders 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>Sry</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 739 of 2016**

**Ram Vishwas Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Col A.K. Srivastava (Retd), learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he has been served with a copy of objection against application for condonation of delay by the respondents' counsel, today in the court. He further states that if the same is filed in the registry, he will be filing replication to the same within two weeks.</p> <p>Learned counsel for the respondents is directed to file the objection in the registry by tomorrow.</p> <p>List this case on <b>01.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

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[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 772 of 2016**

**Mohan Chand**  
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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>On call of the case, Shri Ashish Kumar Singh, learned standing counsel states that in this case Mr. Namit Sharma appears on behalf of the respondents, but today he is busy in High Court. He prays that the instructions have been received and he be granted two weeks' further time to file objection vis-à-vis the application for condonation of delay.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>06.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 799 of 2016 Inre O.A. No. Nil of 2016**

**Jeevan Chandra 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents submits that objection to the application for condonation of delay is ready and the same will be filed within a week after serving its copy on the applicant's counsel.</p> <p>Learned counsel for the applicant states that after receiving copy of the said objection, he will be filing replication to the same within next ten days.</p> <p>List this case on <b>07.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</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. 1067 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri D.S. Tiwari holding brief of Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p>Shri D.S. Tiwari states that Shri K.K. Singh Bisht has not come to the Court as he is not feeling well and prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>We have noticed that inspite of time having been granted to the learned counsel for the respondents, no objection has been filed. On the request of learned counsel for the respondents, two weeks' further time is granted to file objection to the application for condonation of delay.</p> <p>List this case on <b>08.09.2016</b> for orders 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>Sry</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1079 of 2016**

**Dhan 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri D.S. Tiwari, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents states that he will be filing objection in the Registry during the course of day. Copy of the application has been served on learned counsel for the applicant.</p> <p>Learned counsel for the applicant prays for and is granted ten days time to file replication, if any.</p> <p>List this case for orders on <b>17.08.2016</b> before court concerned having jurisdiction as per roster of that day, showing the name of Shri Sunil Sharma as learned counsel for the respondents.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**O.A. No. 176 of 2015 with M.A. No. 740 of 2016**

**Ganesh Prasad Kushwaha**

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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri Sidharth Dhaon states that Shri Namit Sharma, learned counsel for the respondents is busy in High Court and not been able to come to the Court. He prays for and is granted ten days to file objection on amendment application.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>23.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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**

**O.A. No. 214 of 2015**

**Mritunjay Yadav**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>On call of the case, Shri Sidharth Dhaon, learned standing counsel appears and states that the second appeal of the applicant has been rejected vide order dated 22.04.2016, but the same is not on record.</p> <p>Learned counsel for the applicant submits that since copy of the order rejecting his second appeal has not been served, he is unable to challenge the same before the court.</p> <p>Learned standing counsel is directed to bring on record the order passed on the applicant's second appeal within ten days.</p> <p>List this case on <b>11.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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**

**O.A. No. 319 of 2015 with M.A. No. 837 of 2016**

**Sanjay 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.A. Singh, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p><b><u>Misc. Application No. 837 of 2016</u></b></p> <p>Counter affidavit filed on behalf of the respondents is taken on record. M.A. is disposed of accordingly.</p> <p>Learned counsel for the applicant prays or and is granted three weeks' time to file rejoinder affidavit.</p> <p>List this case on <b>24.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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**

**O.A. No. 323 of 2015**

**Pramod Kumar Yadav**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>On call of the case, Shri Sidharth Dhaon states that Shri Namit Sharma, learned counsel for the respondents, who appears on behalf of respondents in this case, is busy in High Court and has not been able to come to the Court. He further submits that counter affidavit is ready and the same will be filed within three days after serving its copy on the learned counsel for the applicant.</p> <p>Learned counsel for the applicant submits that in the event of counter affidavit being filed, he will be filing rejoinder affidavit within ten days, thereafter.</p> <p>List this case on <b>05.09.2016</b> for orders 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**

**O.A. No. 23 of 2016**

**Umendra Prasad Rai**

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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.N. Chaturvedi, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant submits that he has received copy of the counter affidavit only today. He seeks two weeks' time to file rejoinder affidavit.</p> <p>Time prayed for is granted.</p> <p>List this case for orders on <b>06.09.2016</b> 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**

**O.A. No. 37 of 2016**

**Shree 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Abhishek Singh, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>On call of the case, learned standing counsel states that in view of order dated 06.04.2016, he has not received any instructions in regard to decision taken by the competent authority on the first appeal preferred by the applicant. He prays that he be granted ten days' further time to obtain necessary instructions and bring the fact on record, through affidavit.</p> <p>Time prayed for is granted. Let the affidavit as aforesaid be filed within ten days.</p> <p>List this case for orders on <b>01.09.2016</b> 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**

**O.A. No. 305 of 2013**

**Dinesh 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</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**

**O.A. No. 220 of 2015**

**Alam 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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties at length.</p> <p>It comes out that in the instant case the controversy inter-se parties has been concluded by this court vide judgment and order dated 28.02.2013 in T.A. No. 1315 of 2010.</p> <p>Further while hearing learned counsel for the parties, the learned counsel for the applicant submits that he wants to withdraw the instant petition and prays that the same be dismissed as withdrawn.</p> <p>Accordingly, the instant O.A. is dismissed as withdrawn.</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**

**T.A. No. 686 of 2010**

**Jagdish Prasad**

By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>Office report dated 12.07.2016 indicates that notice issued to PCDA (P) Allahabad has not been received served/unserved.</p> <p>Shri Sunil Sharma learned standing counsel submits that he has received instructions from PCDA (P) Allahabad and he requires some more time to study the details provided, as such he prays that the matter be adjourned to some next date.</p> <p>As prayed, the case is adjourned. Let an affidavit be filed on behalf of PCDA (P) Allahabad within three weeks and the concerned officer dealing with the case from PCDA (P) Allahabad is also directed to remain present on the next date to assist the court.</p> <p>List this case on <b>25.08.2016</b> for hearing 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**

**O.A. No. 266 of 2015**

**Hari Bahadur**

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><b><u>14.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>While dictating the judgment, it came to our notice that the instant Original Application was filed with the prayer for grant of disability pension with effect from the date of discharge, i.e. 31.01.1992. In this case, the applicant's claim for disability pension was rejected vide order dated 13.08.2001 and the appeal filed against it was rejected vide order dated 01.03.2002.</p> <p>Thus, it seems that there is delay in filing the Original Application as per provisions contained in the Armed Forces Tribunal Act, 2007, as such we restrain ourselves and direct the matter to be listed on <b>26.07.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 126 of 2016 Inre O.A. No. 142 of 2013**

**Asha Ram**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	

<b>Orders of the Tribunal</b>	
<p><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri A.K. Sahu 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 Ashok Kumar, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on this Execution Application, which has been filed on account of non implementation of the judgment and order dated 07.01.2016 passed in O.A. No. 142 of 2013 whereby this court while allowing the O.A. had directed the respondents to pay pension to the applicant with the salary drawn in the rank of Naib Subedar w.e.f. 01.01.2006 and arrears were also directed to be paid with effect from 01.01.2006. For implementation of the said judgment four months' time was granted to the respondents but it is sad part of affair that inspite of expiry of aforesaid period, the judgment has not been implemented.</p> <p>Learned counsel for the respondents is directed to obtain instructions within a month and show cause as to why and under what circumstances the judgment and order has not been complied with.</p> <p>List this case on <b>21.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p>	<p>(Lt Gen Gyan Bhushan) Member (A) SB</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. 128 of 2016 Inre O.A. No. 210 of 2012**

**Alam Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the</b>	<b>Orders of the Tribunal</b>
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<b>Registry</b>	
	<p><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal 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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant as well as learned counsel for the respondents on this Execution Application, which has been preferred by the applicant with the grievance that the judgment and order of this court passed in O.A. No. 210 of 2012 on 08.02.2016 has not been complied with inspite of three months' time having expired.</p> <p>Learned counsel for the respondents is directed to obtain instructions and show cause as to why and under what circumstances the aforesaid judgment and order has not been complied with within the stipulated period granted by the court.</p> <p>List this case on <b>02.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 129 of 2016 Inre T.A. No. 39 of 2013**

**Chandan Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
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**13.07.2016**

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

**Hon'ble Lt Gen Gyan Bhushan, Member (A)**

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.

Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.

Heard learned counsel for the applicant as well as learned counsel for the respondents on this Execution Application, which has been preferred by the applicant on account of non compliance of judgment and order dated 18.02.2016 passed in T.A. No. 39 of 2013, whereby this Court while allowing the T.A. had set aside the orders dated 23.01.2003, 26.07.2008 and 05.03.2009 and had held that the applicant was entitled for disability pension @ 20% for life from the date his disability pension was stopped. In the light of the judgment of Hon'ble The Apex Court, his disability pension was rounded off to 50% and respondents were directed to pay the arrears of disability pension with interest @ 9% from the date disability pension was stopped till the date of actual payment. Three months' time was granted to the respondents for implementation of the judgment, but inspite of expiry of the aforesaid period, the judgment has yet not been implemented.

Learned counsel for the respondents is directed to obtain instructions within a month and to apprise the Court as to why and under what circumstances, the aforesaid judgment and order has yet not been implemented.

List this case on **02.09.2016** for orders before court concerned having jurisdiction as per roster of that day.

(Lt Gen Gyan Bhushan)  
Member (A)

Sry

(Justice Abdul Mateen)  
Member (J)

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 130 of 2016 Inre T.A. No. 44 of 2013**

**Smt. Anita Kumari**  
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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant as well as learned counsel for the respondents on this Execution Application, which has been preferred by the applicant on account of non implementation of judgment and order dated 18.09.2015 passed in T.A. No. 44 of 2013.</p> <p>Learned counsel for the respondents is directed to obtain instructions within a month and to apprise the Court as to why and under what circumstances, the aforesaid judgment and order has not yet been implemented.</p> <p>List this case on <b>02.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p style="text-align: center;">           (Lt Gen Gyan Bhushan)            Member (A)  <small>SB</small> <span style="float: right;">(Justice Abdul Mateen) Member (J)</span> </p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 131 of 2016 Inre O.A. No. 69 of 2014**

**Adi Shankar Mishra**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	
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<b>Orders of the Tribunal</b>	
<p><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Sidharth Dhaon 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 Sidharth Dhaon, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant as well as learned counsel for the respondents on this Execution Application, which has been preferred by the applicant on account of non implementation of judgment and order dated 11.02.2016 passed in O.A. No. 69 of 2014. The matter relates to grant of disability pension. It is sad part of affair that time granted for implementation of the judgment having expired, the same has not yet been implemented.</p> <p>Learned counsel for the respondents is directed to obtain instructions within a month and to apprise the Court as to why and under what circumstances, the aforesaid judgment and order has not yet been implemented.</p> <p>List this case on <b>02.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p>	<p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p>

Sry

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**

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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicant and Shri A.K. Singh, learned counsel for the respondents duly assisted by Lt Priya Prasad, Departmental Representative.</p> <p>As prayed by the learned counsel for the respondents, list this case on <b>03.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 388 of 2016 with M.A. No. 998 of 2016, M.A. No. 1085 of 2016**

**Rama Shankar Bharti**  
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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.K. Pandey, 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 applicant states that he be permitted to withdraw this petition with liberty to file a fresh.</p> <p>As prayed, Original Application along with application for condonation of delay is dismissed as withdrawn with liberty to the applicant to file a fresh, if he is so advised.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 389 of 2016 with M.A. No. 709 of 2016**

**Chandra 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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.K. Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant states that he be granted two weeks time to file replication to the objection filed against the application for condonation of delay.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>22.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</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. 754 of 2016 Inre O.A. No. Nil of 2016**

**Bishambhar Nath 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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Vinay Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that he has served copy of objection against the application for condonation of delay on the learned counsel for the applicant who has received the same in the Court. Learned counsel for the respondents shall file the said objection in the Registry by tomorrow.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication to the same.</p> <p>List this case on <b>23.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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**

**Rajiv Tandon**

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><b><u>13.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard the learned counsel for the parties.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection on the application for condonation of delay.</p> <p>List this case for orders on <b>25.08.2016</b> before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**M.A. No.1057 of 2016**

**Mohan Ram**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p data-bbox="391 198 553 236"><b><u>13.07.2016</u></b></p> <p data-bbox="391 239 1105 276"><b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b></p> <p data-bbox="391 279 1057 317"><b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p data-bbox="391 344 1395 499">Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p data-bbox="391 526 1395 682">Learned counsel for the respondents submits that objection on the application for condonation of delay is ready and he will be filing the same in the Registry within a week.</p> <p data-bbox="391 709 1395 806">In case the objection is filed as undertaken, learned counsel for the applicant shall file replication to the same, within ten days thereafter.</p> <p data-bbox="391 833 1395 930">List this case on <b>16.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p data-bbox="391 1075 730 1171">(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p data-bbox="1039 1075 1380 1171">(Justice Abdul Mateen) Member (J)</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**

**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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays that matter be adjourned today to enable him to file affidavit.</p> <p>As prayed, the matter is adjourned.</p> <p>List this case on <b>19.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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**

**O.A. No. 278 of 2014 with M.A. No. 861 of 2016**

**Sanil Kumar**

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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Rohit Kumar, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that the grievance raised by the applicant in this application has been redressed by the respondents and the applicant has received copy of the PPO filed by the respondents and thus, the application has been rendered infructuous and accordingly, it be dismissed as such.</p> <p>In view of the aforesaid statement made by the learned counsel for the applicant, the instant Original Application is dismissed as having been rendered infructuous.</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**

**O.A. No. 53 of 2016**

**Surendra Singh Sajwan**  
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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Ms. Mayuri Sajwan, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Matter pertains with the prayer having been made that the respondents be commanded to extend the benefit of rounding off of disability pension from 20% to 50% as per provisions of Govt of India, Ministry of Defence letter dated 31.01.2001 as well as law laid down by Hon'ble Apex Court.</p> <p>From perusal of record, it comes out that the applicant was granted disability pension @ 20% for life, as such now prayer has been made that the same be rounding off to 50%.</p> <p>We find force in the submission made on behalf of the applicant. Accordingly we Admit this petition.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit.</p> <p>List this case for orders on <b>19.09.2016</b> 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**

**O.A. No. 120 of 2016**

**Raj Naik 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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Ms. Mayuri Sajwan, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Matter pertains with the prayer having been made that the respondents be commanded to extend the benefit of rounding off of disability pension from 20% to 50% as per provisions of Govt of India, Ministry of Defence letter dated 31.01.2001 as well as law laid down by Hon'ble Apex Court.</p> <p>From perusal of record, it comes out that the applicant was granted disability pension @ 20% for life, as such now prayer has been made that the same be rounding off to 50%.</p> <p>We find force in the submission made on behalf of the applicant. Accordingly we Admit this petition.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit.</p> <p>List this case for orders on <b>26.09.2016</b> 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**

**T.A. No. 178 of 2009**

**Sri Ram 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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, holding brief of Shri S.P. Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Shri V.P. Pandey submits that Shri S.P. Singh is not available today and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on <b>22.08.2016</b> 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**

**O.A. No. 266 of 2015**

**Hari Bahadur**

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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</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**

**T.A. No. 4 of 2011**

**Dinesh Chandra**

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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri K.K. Mishra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed by the learned counsel for the applicant, list this case for hearing on <b>02.08.2016</b> 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**

**T.A. No. 11 of 2014**

**Ayodhya Prasad**

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><b><u>13.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri R.K. Dixit, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on this case, which has been received by way of transfer from High Court of Judicature at Allahabad, Lucknow Bench and renumbered as T.A. No. 11 of 2014.</p> <p>In this T.A., the applicant has prayed for grant of disability pension which has been denied by the respondents on the ground that the injury sustained by the applicant was neither attributable to nor aggravated by military service.</p> <p>Question that arises for consideration is as to whether injury sustained by the applicant was attributable to and aggravated by military service or not?</p> <p>Accordingly, we admit this petition.</p> <p>Since counter and rejoinder affidavits have been exchanged, list this case for hearing on <b>09.09.2016</b> 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. 125 of 2016 Inre O.A. No. 220 of 2013**

**Sabhajeet Dubey**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal 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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on this application which has been filed for execution of judgment and order dated 23.11.2015 passed in O.A. No. 220 of 2013 with the grievance that inspite of judgment having been rendered as far back as on 23.11.2015 while granting time of three months to comply with the judgment and order of this court, but the same has not been implemented. Copy of the application had been served on learned counsel for the respondents on 08.07.2016.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to obtain instructions and to file affidavit of compliance stating as to why and under what circumstances, the aforesaid judgment and order has not yet been implemented.</p> <p>List this case on <b>09.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</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. 1437 of 2016 with M.A. No. 1438 of 2016 Inre O.A. No. 104 of 2014**

**Union of India & Others**  
By Legal Practitioner for Applicants

Applicants

Versus

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Yogesh Kesarwani, learned counsel for the applicants and none for the respondent.</p> <p><b><u>M.A. No. 1437 of 2016</u></b></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 18.11.2015, passed by this Court in O.A. No. 104 of 2014.</p> <p>As per stamp reporter's report, there is delay of 06 months and 18 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b><u>shall</u></b> be made for approaching the Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, the grounds taken in the affidavit filed in support of the application are general in nature and not in consonance with the judgment of the Hon'ble Apex Court in the case of <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p> <p>The Hon'ble Supreme Court further observed as under :</p> <p><i>“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation .....They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.</i></p> <p>In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.</p> <p><b><u>M.A. No 1438 of 2016</u></b></p> <p>This is an application under section 31 (1) of the Armed Forces</p>

Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

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

(Lt Gen Gyan Bhushan)  
Member (A)  
Sry

(Justice Abdul Mateen)  
Member (J)

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1449 of 2016 with M.A. No. 1450 of 2016 Inre T.A. No. 88 of 2011**

**Union of India & Others**  
By Legal Practitioner for Applicants

Applicants

Versus

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri D.K. Pandey, learned counsel for the applicants and none for the respondent.</p> <p><b><u>M.A. No. 1449 of 2016</u></b></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 18.05.2016, passed by this Court in T.A. No. 88 of 2011.</p> <p>As per stamp reporter's report, there is delay of 19 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b><u>shall</u></b> be made for approaching the Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, the grounds taken in the affidavit filed in support of the application are general in nature and not in consonance with the judgment of the Hon'ble Apex Court in the case of <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p> <p>The Hon'ble Supreme Court further observed as under :</p> <p><i>“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation .....They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.</i></p> <p>In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.</p> <p><b><u>M.A. No 1450 of 2016</u></b></p> <p>This is an application under section 31 (1) of the Armed Forces</p>



Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

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

(Lt Gen Gyan Bhushan)  
Member (A)  
Sry

(Justice Abdul Mateen)  
Member (J)

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

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 30 of 2015 with M.A. No. 1107 of 2016 Inre T.A. No. 624 of 2010**

**Smt. Anshu Chauhan**

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><b><u>12.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri A.S. Mishra, learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents duly assisted by Lt Priya Prasad, Departmental Representative.</p> <p>Heard learned counsel for the applicant on this application which has been filed with the grievance that judgment and order of this court passed in T.A. No. 624 of 2010 on 08.02.2012 has not been implemented.</p> <p>Directions were issued to the respondents for which an affidavit of compliance has been filed vide Application No. 1107 of 2016 indicating that pension due to the applicant is now being paid regularly.</p> <p>Learned counsel for the applicant submits that Bank vide its letter dated 20.08.2007 had deducted an amount of Rs 48,839/- which has not been paid back to him, to which the learned counsel for the respondents states that Air Headquarters has not deducted any amount from the applicant, rather it is State Bank of India, Amroha (J.P. Nagar) U.P. who has deducted the same.</p> <p>Let notice be issued to the Branch Manager, State Bank of India, Amroha (J.P. Nagar) U.P. through Chief Judicial Magistrate, Amroha, asking him apprise the court as to why and under what circumstances the aforesaid amount has been deducted from the pension of the applicant for which the applicant is entitled and how an amount of Rs, 38,705/- is still to be recovered from the applicant. He should file an affidavit before the court by the next date.</p> <p>Let Senior Registrar of the Hon'ble High Court, Allahabad be informed that notice has to be issued to Branch Manager State Bank of India, Amroha (J.P. Nagar) U.P. through CJM Amroha.</p> <p>List this case on <b>20.09.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</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. 43 of 2016 Inre O.A. No. 423 of 2012**

**Ajay Kumar Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.K. Shukla, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents and Lt Priya Prasad, Departmental Representative.</p> <p>Heard learned counsel for the applicant as well learned counsel for the respondents duly assisted by Lt Priya Prasad, Departmental Representative, on this Execution Application.</p> <p>It is painful to indicate that despite the judgment having been passed in O.A. No. 423 of 2012 as far back as on 17.09.2015 has not been implemented within the stipulated time. While passing order on 20.05.2016, it was clarified that if the judgment and order was not implemented by today, the Director, MoD/D (Pension/Legal), Delhi should appear to show cause, but neither the aforesaid judgment has been implemented nor the Director, MoD/D (Pension/Legal), Delhi is present, rather a letter from DGMS (Army), AG's Branch, Integrated Headquarters of MoD (Army), New Delhi dated 11.07.2016 has been placed before the Court, wherefrom it comes out that the matter for implementation of judgment is still pending with MoD/D (Pension/Legal).</p> <p>Let a fresh notice be issued to Director, MoD/D (Pension/Legal), Delhi, asking him to appear before this Court on 19.08.2016 and show cause as to why contempt proceedings be not initiated against him under Section 19 of the Armed Forces Tribunal Act, 2007 and heavy cost be not imposed against him, which should be debited from his salary.</p> <p>Let this order as well as order dated 20.05.2016 be brought to the notice of the Chief of Army Staff and the Defence Secretary, informing them the manner in which the Director, MoD/D (Pension/Legal), Delhi is functioning. It is expected from the side of the Chief of Army Staff and Defence Secretary that necessary action will be taken against the errant and irresponsible Director, MoD/D (Pension/Legal), Delhi.</p> <p>The Registrar is directed to get copies of this order as well as order dated 20.05.2016 despatched to the Chief of Army Staff and the Defence Secretary, within two days.</p> <p>List this case on <b>19.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day, showing the name of Dr.</p>

	<p>Gyan Singh as counsel for the respondents.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>
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Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.K. Pandey, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties on this application for condonation of delay in the filing the O.A. which relates to the prayer having been made for grant of disability pension to the applicant.</p> <p>Admittedly, the applicant has not preferred any appeal to the authority concerned, rather several representations were made by him to the authority concerned, which have not been decided.</p> <p>Since the matter pertains to the claim having been made for grant of disability pension, which has been rejected by the PCDA (P), Allahabad vide order dated 30.05.2011 and communicated to the applicant vide letter dated 10.06.2011.</p> <p>It is admitted by the learned counsel for the applicant that the applicant has not preferred any statutory appeal provided in the Act to the authority concerned claiming disability pension.</p> <p>The applicant has not availed of the alternative remedy as available to him which is a prerequisite condition before filing the O.A. Therefore, with the consent of the parties, we dispose of the O.A. along with the application for condonation of delay with direction to the applicant that if the appeal is preferred within three weeks from today, the same shall be entertained by the appellate authority, and decided by means of a reasoned and speaking order after taking into consideration the judgments of Hon'ble Apex Court in the case of <b>Dharamvir Singh vs. Union of India &amp; others</b> reported in (2013) SC 316, <b>Sukhvinder Singh Vs. Union of India</b> reported in (2014) STPL (WEB) 468 SC and <b>Union of India and Ors vs Ram Avtar &amp; ors</b> (Civil Appeal No. 418 of 2012 dated 10<sup>th</sup> December 2014) within three months from the date of its filing along with a certified copy of this order.</p> <p>With the aforesaid observation, the O.A. is disposed of.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice Abdul Mateen) Member (J)</p>

M.A. No. 387 of 2016 Inre O.A. No. Nil of 2016

**Puran Chander**

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><b><u>12.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey holding brief of Shri K.K. Singh Bisht, 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 ten days further time to file objection on the application for condonation of delay.</p> <p>List this case on <b>10.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**Laxman 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><b><u>12.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri V.P. Pandey holding brief of Shri K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>Misc. Application No. 551 of 2016</u></b></p> <p>On call of the case, Shri V.P. Pandey argued the matter in response to the application for condonation of delay, learned counsel for the respondents has filed objection vide application No.813 of 2016.</p> <p>Heard the learned counsel for the parties on the application for condonation of delay.</p> <p>Matter pertains to grant of pensionary benefits to the applicant, who had been granted the rank of Hony Naib Subedar, wherein the controversy in question has been decided by this Court in many such cases.</p> <p>After going through the reasons indicated in the affidavit filed in support of the application, we find that the delay of 06 years, 02 months and 25 days, as reported by the stamp reporter, is genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is condoned.</p> <p>Let the O.A. be registered and list for admission on <b>10.08.2016</b> before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 81 of 2016

**Mahendra 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><b><u>12.07.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></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 submits that although she is in receipt of instructions, but counter affidavit could not be filed. She prays that only a week's time be granted for this purpose.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>20.07.2016</b> for orders 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>Sry</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 138 of 2010**

**Lal Chandra 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><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant states that he requires two weeks' more time to comply with the order dated 04.05.2016.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>17.08.2016</b> for further hearing.</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**

**O.A. No. 198 of 2015**

**S.N. 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><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Abhishak Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As ordered vide order dated 01.04.2016, learned standing counsel has not been able to produce the relevant original record pertaining to the case. He prays that four weeks' further time be granted to him for this purpose.</p> <p>Time prayed for is granted.</p> <p>List this case for hearing on <b>22.08.2016</b> 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**

**T.A. No. 1224 of 2010**

**Ravindra Nath 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><b><u>12.07.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Manoj Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned standing counsel submits that by mistake the record of this case had been transferred to Armed Forces Tribunal, Regional Bench, Jabalpur, so in order to get the record back, he prays that the matter be listed after a month.</p> <p>As prayed, list this case for hearing on <b>18.08.2016</b> 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>