

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 174 of 2014**

**Balbir Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.05.2016</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. 174 of 2014, Balbir Singh vs. Chief of Army Staff 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>Sry</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1292 of 2016 Inre O.A. No. Nil of 2016**

**Som Pal**

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>31.05.2016</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 K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1292 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application which relates to grant of disability pension together with the benefit of its rounding off to the applicant. As per office report there is delay of 20 years, 06 months and 27 days in filing the O.A. Copy of this application has been served on learned standing counsel on 30.05.2016.</p> <p>Learned standing counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay.</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)</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. 1294 of 2016 Inre O.A. No. Nil of 2016**

**Akhilesh 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>31.05.2016</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 Bhanu Pratap 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 Bhanu Pratap Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1294 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application which relates to the prayer having been made for grant of disability pension to the applicant. As per office report there is delay of 02 years and 23 days in filing the O.A. Copy of this application has been served on learned standing counsel on 24.05.2016.</p> <p>Learned standing counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay.</p> <p>List this case on <b>01.08.2016</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**

**EX.A. No. 106 of 2016 Inre O.A. No. 128 of 2015**

**Inder Pal 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>31.05.2016</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 Rajiv Pandey 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 Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>This execution application has been moved by the applicant, since the respondents have not complied with the directions issued vide order dated 21.05.2015, passed in O.A. No. 128 of 2015, whereby pending appeal of the applicant dated 25.08.2014 was directed to be disposed of within six months from the date of receipt of certified copy of the order. Grievance of the applicant is that inspite of lapse of six months, the said appeal has not yet been disposed of. Copy of this execution application was served on learned counsel for the respondents on 25.05.2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to obtain instructions as to why the directions issued vide order dated 21.05.2015 for disposing of the appeal by respondent concerned/competent authority, has not been complied with.</p> <p>It is further clarified that if the appeal of the applicant is not decided by the next date, the respondents will have to pay heavy cost.</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**

**T.A. No. 3 of 2016**

**Vinod Kumar Tewari**  
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>31.05.2016</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 Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the applicant appears and states that Bench Copy of the T.A. could not be filed. He prays for and is granted four weeks' further time to file the Bench Copy.</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)</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**

**EX.A. No. 43 of 2014 with M.A. No. 1204 of 2016**

**Inre T.A. No. 102 of 2011, M.A. No. 289 of 2016**

**Ram Janam**

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>31.05.2016</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 Ashok Kumar (Retd) &amp; Shri Rohit Kumar, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicant and Shri Ajay Kumar Pandey, Advocate appearing for Chief Manager, State Bank of India, Centralised Pension Processing Centre, Kutchery Road, Allahabad on the question in issue.</p> <p>Learned counsel Shri Ajay Kumar Pandey, has served copy of the affidavit showing break up the total amount of Rs. 15,18,127/- to which the learned counsel for the applicant says that he will go through the affidavit so as to satisfy the court as to whether the judgment of this court has been fully complied with.</p> <p>Shri R.P. Mishra, Chief Manager, State Bank of India, Centralised Pension Processing Centre, Kutchery Road, Allahabad is present and his appearance is noted. Since the affidavit, as was directed, has been filed, his further appearance is not needed unless he is called for.</p> <p>Shri Ajay Kumar Pandey is directed to file affidavit in the Registry, during course of the day.</p> <p>List this case on <b>17.08.2016</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**

**EX.A. No. 35 of 2015 Inre T.A. No. 116 of 2011**

**Laxmi Kant Tiwari**  
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>31.05.2016</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, learned counsel for the applicant and Shri Rajeev Pandey, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that copy of the PPO has been received by the applicant. He prays that he be granted some time to take instructions from his client to ascertain as to whether necessary payment in pursuance of the PPO has been made or not?</p> <p>On the request of learned counsel for the applicant, we direct this case to be listed on <b>25.08.2016</b> for orders 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. 35 of 2016 with M.A. No. 1090 of 2016, M.A. No. 1266 of 2016**

**Inre O.A. No. 68 of 2014**

**Jugul Dutt 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>31.05.2016</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 Shri Bhanu Pratap Singh, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the applicant submits that his client has received PPO, but from the information received from him, the said PPO has not been implemented so far, as the amount has not been credited in the account of his client.</p> <p>The respondents are directed to ensure that the payment is made in the account of the applicant forthwith and the case is directed to be listed for orders on <b>24.08.2016</b> 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. 102 of 2016 with M.A. No. 1046 of 2016**

**Satya Pal Verma**

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>31.05.2016</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 : None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, neither the applicant nor his counsel appears nor has any request been made for getting the case passed over.</p> <p>However, in the interest of justice the case is adjourned.</p> <p>List 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) 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. 62 of 2011**

**Puran Chand Bhatt**  
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>31.05.2016</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 Mrs. Deepti Prasad Bajpai, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>The OA was admitted on 27.01.2012; counter and rejoinder affidavits have been exchanged. Matter pertains to grant of disability pension.</p> <p>List on <b>29.08.2016</b> for hearing 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. 18 of 2014**

**Gokula Nand 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>31.05.2016</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. Anju Singh, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard learned counsel for the parties on this O.A., which relates to the prayer having been made for grant of higher scale of pay under MACP scheme with effect from 05.05.2002.</p> <p>Col Kamal Singh submits that in similar matter S.L.P. had been preferred before the Hon'ble Apex Court; same is pending consideration and 12.07.2016 is said to have been fixed as the next date for hearing, as such the matter is directed to be listed on <b>18.08.2016</b> for orders before the court concerned as per roster of that day.</p> <p>Col. Kamal Singh is directed to apprise the court by the next date with respect to progress/outcome of the S.L.P. pending before Hon'ble Apex 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**

**T.A. No. 31 of 2013**

**Chandrabhan 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>31.05.2016</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 D.K. Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that he be granted two weeks' further time to move amendment application.</p> <p>List this case on <b>10.08.2016</b> for orders 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. 103 of 2016 Inre O.A. No. 09 of 2015**

**V.M. Wadhawan**

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

**30.05.2016**

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

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

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.

Present : Col (Retd) Rakesh Johri, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.

Heard learned counsel for the applicant on this execution application which has been filed by the applicant with the grievance that the judgment and order passed by this Court in O.A. No. 09 of 2015 on 26.11.2015 has not been complied with. While allowing the O.A., this Court had granted the respondents three months' time to comply with the order, but the same has not yet been complied with. Notice of this application has been received by the respondents on 27.08.2015.

The respondents are directed to obtain instructions and inform the court through an affidavit as to why the order of this court has not yet been complied with.

List this case on **23.08.2016** for orders before court concerned having jurisdiction as per roster of that day.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

SB

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1267 of 2016 Inre T.A. No. 1047 of 2010**

**Dev Bahadur Singh Sikarwar**  
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the

Orders of the Tribunal

Registry	
	<p data-bbox="391 182 1105 298"><b><u>30.05.2016</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 data-bbox="391 330 1393 424">Present : Shri K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p data-bbox="461 448 794 486"><b><u>M.A. No. 1267 of 2016</u></b></p> <p data-bbox="391 508 1393 723">This is an application for recall of order dated 04.05.2016 by means of which T.A. No. 104 of 2010 was dismissed for non prosecution. The reasons given in the affidavit filed in support of the application seem to be genuine.</p> <p data-bbox="391 747 1393 897">Accordingly, the application is allowed, the order dated 04.05.2016 is hereby recalled and the T.A. is restored to its original number.</p> <p data-bbox="391 921 1393 1021">Let the aforesaid T.A. be listed on <b>25.08.2016</b> for hearing before the court concerned having jurisdiction as per roster of that day.</p> <p data-bbox="391 1223 716 1300">Lt Gen Gyan Bhushan) Member (A)</p> <p data-bbox="1036 1223 1360 1300">(Justice Abdul Mateen) Member (J)</p> <p data-bbox="391 1300 435 1319">ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 1269 of 2016 with M.A. No. 1270 of 2016 Inre T.A. No. 100 of 2011**

**Union of India & others**

Applicants

By Legal Practitioner for Applicants

Versus

**Chandan Singh**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.05.2016</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.S. Chauhan, learned counsel for the applicants and none for the respondent.</p> <p><b><u>M.A. No. 1269 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 01.04.2016, passed by this Court in T.A. No. 100 of 2011.</p> <p>As per stamp reporter's report, there is delay of 17 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 Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <b><u>Office of the Chief Post Master General and others vs Living Media India Ltd and another</u></b> reported in <b><u>2012 STPL (LE) 46200 SC</u></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</i></p>

*cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.*

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

**M.A. No 1270 of 2016**

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the 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)

(Justice Abdul Mateen)  
Member (J)

ukt



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 21 of 2015 Inre O.A. No. 508 of 2012**

**Gurmeet Singh Chawala**  
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>30.05.2016</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 R.C. Dixit (Retd) holding brief of Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, Col Kamal Singh has supplied copy of the PPO to Col R.C. Dixit (Retd). Since the PPO has been issued, the judgment under execution seems to be complied with, rendering the execution application as infructuous.</p> <p>Accordingly, execution 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**

**EX.A. No. 26 of 2015 with M.A. No. 138 of 2016 Inre O.A. No. 326 of 2012**

**Krishna Mohan**

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>30.05.2016</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 Shri Namit Sharma, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative for the respondents.</p> <p>On call of the case, Col Kamal Singh has supplied copy of the PPO to the learned counsel for the applicant. Shri V.A. Singh submits that since the PPO has been issued, the judgment under execution seems to be complied with, rendering the execution application as infructuous and accordingly it may be dismissed as such.</p> <p>Accordingly, execution 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**

**EX.A. No. 28 of 2015 Inre O.A. No. 322 of 2012**

**Prabhu Raj 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>30.05.2016</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 Shri Namit Sharma, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, Col Kamal Singh has supplied copy of the PPO to the learned counsel for the applicant. Shri V.A. Singh submits that since the PPO has been issued, the judgment under execution seems to be complied with, rendering the execution application as infructuous and accordingly it may be dismissed as such.</p> <p>Accordingly, execution 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**

**EX.A. No. 3 of 2016 Inre T.A. No. 50 of 2013**

**G.C. Agrawal**

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>30.05.2016</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 Yash Pal Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard Shri Yash Pal Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative and have also gone through the letter sent by State Bank of India, Chandni Chowk, Delhi dated 22.04.2016 by means of which recovery made from the pension of the applicant from Oct 15 to Mar 16 amounting to Rs. 47,400/-, has been stopped and has been deposited in his account and further recovery from the applicant's pension has been stopped in view of the interim order passed by the Court, as such this execution application has been rendered infructuous and is dismissed as such.</p> <p>List the T.A. No.50 of 2013 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>ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 155 of 2016**

**Prathi @ Prithvi Raj 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>30.05.2016</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 Ashok Kumar, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted four weeks and no more time to file objection against the application for condonation of delay, which as per him is almost ready. Let the same be filed in the Registry.</p> <p>List on <b>08.08.2016</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. 133 of 2014 with M.A. No. 378 of 2016,  
M.A. No. 379 of 2016 & M.A. No. 771 of 2016**

**Ravichandran P**

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>30.05.2016</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 R.C. Dixit (Retd) holding brief of Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Siddharth Dhaon, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case Col R.C. Dixit (Retd) informs that Shri Chaturvedi has not come today and prays for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List on <b>09.08.2016</b> for orders 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. 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>30.05.2016</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 duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the applicant submits that in the amendment application (M.A. No. 539 of 2016) there are certain lapses on the part of the deponent, as such she submits that this may be dismissed as not pressed with liberty to file a fresh.</p> <p>Accordingly, the amendment application (M.A. No. 539 of 2016) is dismissed as not pressed with liberty to the applicant to file a fresh amendment application, if he is so advised.</p> <p>List this case on <b>13.07.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) 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. 58 of 2016 with M.A. No. 1253 of 2016**

**Rajendra Shah**

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>30.05.2016</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 : None for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1253 of 2016</u></b></p> <p>Counter affidavit filed on behalf of respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>On call of the case, since no one appears on behalf of the applicant, in the interest of justice, the case is adjourned.</p> <p>List this case on <b>11.08.2016</b> for orders 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. 65 of 2016**

**Narender 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>30.05.2016</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 Virendra Singh, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Matter pertains to rounding off of disability pension.</p> <p>This petition was admitted on 09.03.2016 and time was granted to the learned standing counsel for filing counter affidavit, but till date no counter affidavit has been filed.</p> <p>Today learned standing counsel, as usual, has prayed for four weeks' further time to file counter affidavit. Time prayed for is granted.</p> <p>List this case on <b>12.08.2016</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**

**O.A. No. 81 of 2016**

**Mahendra Sharma**  
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>30.05.2016</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>Heard learned counsel for the applicant. By means of this application, the applicant has sought for a direction to the respondents for holding Re-survey Medical Board to assess the applicant's medical status with regard to disability for consideration of disability pension which was earlier assessed as 20% for life and after extending the benefit of rounding off, he is getting disability pension @ 50% for life. Learned counsel for the applicant argued that the applicant's eye sight has completely gone. Although learned standing counsel was granted time to file counter affidavit, but it could be filed so far.</p> <p>Learned counsel for the respondents prays for and is granted four weeks and no more time to file counter affidavit.</p> <p>Since the matter seems to be serious in nature as averred by the learned counsel for the applicant, list this case on <b>12.07.2016</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. 82 of 2016**

**Shailendra 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>30.05.2016</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant.</p> <p>Matter pertains to prayer having been made seeking a direction to refer the applicant for Re-survey Medical Board for reassessing the medical condition of the applicant for further entitlement of disability pension, if any. Contention of the applicant is that he was granted disability pension for five years, which has expired, as such Re-survey medical board is required for reassessing his medical condition of the applicant.</p> <p>Although learned standing counsel was granted time to file counter affidavit, but it could be filed so far.</p> <p>Learned counsel for the respondents prays for and is granted four weeks and no more time to file counter affidavit.</p> <p>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**

**O.A. No. 146 of 2012**

**Om Prakash Tiwari**  
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>30.05.2016</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 R.C. Dixit (Retd) holding brief of Shri P.N. Chaturvedi, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>On call of the case Col R.C. Dixit (Retd) informs that Shri Chaturvedi has not come today and prays for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List on <b>25.08.2016</b> for hearing 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**

**O.A. No. 210 of 2015**

**Akil Ahmed Ansari**  
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>30.05.2016</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 Siddharth Dhaon, learned counsel for the respondents.</p> <p>On the request of the learned counsel for the applicant, list this case on <b>26.07.2016</b> for hearing 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. 184 of 2015**

**Devendra 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>27.05.2016</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. 184 of 2015, Devendra Singh vs. Union of India and others is dismissed.</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**

**Ex.A. No. 98 of 2016 Inre O.A. No. 177 of 2014**

**Nagendra Kumar 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><b><u>27.05.2016</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 Mrs. Deepti Prasad Bajpai , learned counsel for the respondents.</p> <p>On call of the case learned counsel for the respondents submits that compliance of judgment and order dated 11.02.2016 of this Tribunal is under process. He prays for and is granted four weeks time to file compliance report.</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)</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. 118 of 2016**

**Dayanand 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>27.05.2016</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. Srivastava, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard Shri A.K. Srivastava, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents assisted by Col Kamal Singh on admission of this Original Application, which relates to grant of disability pension to the applicant which has been rejected by the respondents on 04.06.2015(Annexure -1). While going through contents of the petition, we find that since the applicant had retired pre 1996, he is not entitled for broad banding of disability pension. Arguments of learned counsel for the applicant is that since the applicant retired from service before 1996, as such at least he is entitled to broad banding of disability pension from 01.01.1996.</p> <p>Accordingly we <b>admit</b> 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 by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>25.08.2016</b> for orders.</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**

**C.A. No 8 of 2016 Inre O.A. No 230 of 2015**

**Sahendra Kumar**

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>27.05.2016</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 B.D. Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard Shri B.D. Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative.</p> <p>This petition under Section 19 of the Armed Forces Tribunal Act 2007 has been preferred by the applicant having been aggrieved by non grant of justice in pursuance of order dated 27.10.2015 of this Tribunal passed in O.A. No 230 of 2015, whereby this court while disposing the aforesaid O.A. had directed the respondents to decide the representation of the applicant within three months by a reasoned and speaking order and communicate the decision to the applicant.</p> <p>Today learned counsel for the respondents has supplied copy of the order dated 02.04.2016 passed by the respondents disposing of the representation of the petitioner dated 01.01.2015. Copy of the order has also been supplied to learned counsel for the applicant in the court.</p> <p>Learned counsel for the applicant states that since the order of the Tribunal has been complied with, the petition has been rendered infructuous, the same be dismissed as such. He will be challenging the order passed on his representation by means of fresh O.A.</p> <p>Accordingly C.A. No 8 of 2016 is dismissed as 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**

**EX.A. No. 21 of 2015 Inre O.A. No. 508 of 2012**

**Gurmeet Singh Chawala**  
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>27.05.2016</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 duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, learned counsel for the applicant informs the court that in pursuance of judgment and order of this court under execution, necessary PPO has been issued and copy of the PPO shall be supplied to the leaned counsel for the applicant by Monday.</p> <p>Accordingly, list this case on <b>30.05.2016</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**

**EX.A. No. 26 of 2015 with M.A. No. 138 of 2016 Inre O.A. No. 326 of 2012**

**Krishna Mohan**

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>27.05.2016</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, holding brief of Shri V.A. Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative for the respondents.</p> <p>On call of the case, Shri P.K. Shukla, submits that Shri V.A. Singh is busy in election of Avadh Bar Association, in High Court Lucknow.</p> <p>We have gone through the record which relates to execution. The case has been filed by the applicant for non execution of judgment of order dated 22.08.2012 granting revision of pension of Hony Naib Subedar which has not been implemented.</p> <p>Learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative states that PPO has already been issued. Copy of PPO will be supplied to learned counsel for the applicant by Monday.</p> <p>Accordingly, list this case on <b>30.05.2016</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**

**EX.A. No. 28 of 2015 Inre O.A. No. 322 of 2012**

**Prabhu Raj 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>27.05.2016</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 Shri Namit Sharma, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, Shri P.K. Shukla, submits that Shri V.A. Singh is busy in election of Avadh Bar Association, in High Court Lucknow.</p> <p>We have gone through the record which relates to execution. The case has been filed by the applicant for non execution of judgment of order dated 22.08.2012 granting revision of pension of Hony Naib Subedar which has not been implemented.</p> <p>Learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative states that PPO has already been issued. Copy of PPO will be supplied to learned counsel for the applicant by Monday.</p> <p>Accordingly, list this case on <b>30.05.2016</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**

**EX.A. No. 44 of 2015 Inre O.A. No. 54 of 2013**

**Ram Shiromani Kanyakubja**  
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>27.05.2016</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 Mrs. Deepti Prasad Bajpai, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative on this execution application which has been filed with respect to non compliance of judgment and order dated 21.02.2013.</p> <p>Learned counsel for the respondents submits that the matter is under process and necessary PPO will be issued by the next date.</p> <p>Accordingly, we direct the matter be listed on <b>29.07.2016</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>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 18 of 2016 Inre O.A. No. 249 of 2011**

**Durga Prasad Shukla**

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>27.05.2016</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, holding brief of Shri Manish Mishra, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, Shri Rajiv Pandey, learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative submits that necessary Govt. Sanction has been obtained and issuance of PPO is under process.</p> <p>Accordingly, we direct the matter be listed on <b>09.08.2016</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**

**EX.A. No. 34 of 2016 with M.A. No 1101 of 2016 Inre O.A. No 87 of 2015**  
**Ram Lakhman Chandel** 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>27.05.2016</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 A.N. Tripathi, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, learned counsel for the applicant submits that this execution application has been rendered infructuous as the order under execution has already been complied with. He prays that the same may be dismissed.</p> <p>Accordingly Ex. A. No 34 of 2016 is dismissed as 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**

**EX.A. No. 48 of 2016 Inre O.A. No. 494 of 2012**

**Rama Shanker Mishra**  
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>27.05.2016</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 Bhanu Pratap 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 Yash Pal Singh, learned counsel for the applicant and Shri, Bhanu Pratap Singh, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>On call of the case, learned counsel for the respondents submits that copy of the PPO in compliance of the order under execution has been served on learned counsel for the applicant. Learned counsel for the applicant submits that part of the order with respect to grant of disability pension and rounding off of disability pension for two years has been complied with but so far as directions in relation to referring the applicant for re-survey medical board for re-assessing the medical condition for further entitlement of disability pension has not been done, to which Departmental Representative submits that the matter is under progress and the applicant will be referred for re-assessment by re-survey medical board at an early date.</p> <p>Accordingly, we direct that the matter be listed 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) 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. 5 of 2016 with M.A. No. 1102 of 2016**

**Yadhuvir Singh Sisodiya**  
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>27.05.2016</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 (Retd) Y.R. Sharma, learned counsel for the applicant and Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicant as well Departmental Representative for the respondents on application for condonation of delay.</p> <p>This is an application for condonation of delay in filing the O.A. which as per stamp reporter's report is delayed by 25 years, 7 months and 24 days. We have gone through the grounds and objections raised by learned counsel for the respondents vide M.A. No 5 of 2016.</p> <p>Since there is settled proposition of law that pension matter relates to recurring cause of action, apart from it, the applicant has claimed disability pension and war injury pension for which he has submitted representation to the respondents dated 23.01.2015 (Annexure A-7) which has not been decided by the respondents that is why this O.A. has seen the light of the day.</p> <p>Grounds taken in the affidavit filed in support of the application for condonation of delay seem to be genuine.</p> <p>Accordingly, we condone the delay in filing the O.A. Objection raised by learned counsel for the respondents is hereby rejected.</p> <p><b><u>O.A. No 142 of 2016</u></b></p> <p>Heard learned counsel for the applicant on this application which relates to the prayer having been made for grant of disability pension and war injury pension to the applicant who had sustained injury in 1971 war for which he has made a representation to the Additional Directorate General Personal Service (Respondent No 3) on 23.01.2015 which as per submission made by the learned counsel for the application, has not been taken into consideration.</p> <p>Accordingly, keeping in view judgment of <b>Dharamvir Singh vs</b></p>

**Union of India & Others, Sukhvinder Singh vs Union of India & Others** and **Union of India & Others vs Ram Avtar**, we direct the respondents to decide the said representation of the applicant dated 23.01.2015 immediately say within three months from the date of production of certified copy of this order by a reasoned and speaking order and communicate the decision to the applicant.

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.

List this case on **28.09.2016** for orders before court concerned having jurisdiction as per roster of that day.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

ukt

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**O.A. No. 273 of 2015 with M.A. No. 1143 of 2016, M.A. No. 1237 of 2016**

**Jawahar Lal 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>27.05.2016</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 A.N. Tripathi, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p><b><u>M.A. No. 1237 of 2016</u></b></p> <p>Supplementary counter affidavit filed by learned counsel for the respondents is taken on record.</p> <p>M.A. No 1237 of 2016 is disposed of accordingly.</p> <p><b><u>M.A. No. 1143 of 2016</u></b></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p>M.A. No 1143 of 2016 is disposed of accordingly.</p> <p>Since the matter pertains to grant of disability pension and counter and rejoinder affidavits have been exchanged, list this case on <b>18.08.2016</b> for hearing 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. 352 of 2015 with M.A. No. 989 of 2016**

**Dinesh Kumar Dubey**  
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>27.05.2016</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><b><u>M.A. No. 989 of 2016</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record.</p> <p>M.A. No 989 of 2016 is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted four week's time to file rejoinder affidavit.</p> <p>List this case on <b>16.08.2016</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. 72 of 2016**

**Abhay 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>27.05.2016</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 Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant submits that he has received the copy of counter affidavit. He prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>List on <b>19.08.2016</b> for orders 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. 192 of 2015**

**Rahmat Ullah Sheikh**

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>27.05.2016</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 : Wg Cdr (Retd) A.K. Singh, learned counsel for the applicant and Shri Siddharth Dhaon, learned counsel for the respondents.</p> <p>As prayed, list this case on <b>11.07.2016</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**

**T.A. No. 72 of 2013**

**Smt. Suman 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><b><u>27.05.2016</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. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents prays that he be granted some more time to comply with the earlier order dated 04.04.2016 of this Tribunal.</p> <p>Time prayed for is granted.</p> <p>List this case on <b>24.08.2016</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**

**T.A. No. 12 of 2014**

**Sumont 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><b><u>27.05.2016</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 : None for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Case called out. None is present to press this case in second round after pass over. Learned counsel for the respondents is present. The matter pertains to the year 2014.</p> <p>Accordingly T.A. No 12 of 2014 is dismissed for non prosecution.</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. 1238 of 2016 Inre O.A. No. Nil of 2016**

**Prem Prakash Bhandari**  
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>26.05.2016</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. Gupta 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 : Col (Retd) B.P. Singh, learned counsel for the applicant and Shri A.K. Gupta , learned counsel for the respondents.</p> <p><b><u>M.A. No. 1238 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application which relates to grant of disability pension to the applicant. As per office report there is delay of 08 years, 11 months and 21 days in filing the O.A. Copy of this application has been served on learned standing counsel on 24.05.2016.</p> <p>Learned standing 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>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) 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. 1235 of 2016 with M.A. No. 1236 of 2016 Inre O.A. No. 286 of 2014**  
**COAS & others** Applicants

By Legal Practitioner for Applicants

Versus

**Chiman Singh**

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.05.2016</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. 1235 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 to the Hon'ble Apex Court against the judgment and order dated 02.12.2015, passed by this Court in O.A. No. 286 of 2014, whereby this court while allowing the O.A., in view of the judgment of Hon'ble The Apex Court in the case of <b>Sukhvinder Singh vs. Union of India &amp; others, Union of India &amp; ors vs. Ram Avtar and Dharamvir Singh vs. Union of India &amp; others</b> had directed the respondents to pay arrears of the disability pension to the applicant.</p> <p>Admittedly, this application is delayed by 04 months and 20 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b>shall</b> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <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”</i> and since <i>“the claim on</i></p>

*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.”*

The Hon'ble Supreme Court further observed as under :

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

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

**M.A. No 1236 of 2016**

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the 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.

Apart from it, we have gone through the judgment and 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 84 of 2013 Inre O.A. No 195 of 2012**

**Bir Nath 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>26.05.2016</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 applicants and Shri A.N. Tripathi, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 92 of 2013 Inre O.A. No. 333 of 2012**

**Ram Ashre Yadav**

Applicant

By Legal Practitioner for Applicant

Versus

**Controller of Def Account & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>26.05.2016</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 A.N. Tripathi, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 94 of 2013 with M.A. No. 32 of 2014 Inre O.A. No. 362 of 2012**

**Om Prakash Mishra**

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>26.05.2016</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 Col Kamal Singh, Departmental Representative for the respondents.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 110 of 2013 Inre O.A. No. 84 of 2012**

**Kunwar 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>26.05.2016</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 duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 112 of 2013 Inre O.A. No. 355 of 2012**

**Ajbir 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>26.05.2016</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 duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant with grievance for non execution of judgment and order dated 05.09.2012.</p> <p>Argument advanced by the learned counsel for the applicant is that the aforesaid judgment and order, passed in O.A. No. 355 of 2012, has not yet been complied with.</p> <p>Learned counsel for the respondents, on the basis of instructions given by Col Kamal Singh, Departmental Representative, states that since the applicant has retired post 01.01.2006 based on Government policy, pension of the applicant has already revised.</p> <p>Learned counsel for the applicant reiterates that the applicant has not been paid requisite pension to which he is entitled. Learned counsel for the applicant is directed to bring on record as to how much pension is payable to the applicant and also likewise, learned counsel for the respondents as well as Col Kamal Singh is directed to file an affidavit showing as to how much pension was earlier paid to the applicant and how much pension is to be paid to him after its revision, within six weeks.</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>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**EX.A. No. 3 of 2014 Inre O.A. No. 8 of 2013**

**Jawahar 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><b><u>26.05.2016</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 Parijaat Belaura learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 5 of 2014 with M.A. No 1614 of 2015 Inre O.A. No 99 of 2012**

**Byas 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><b><u>26.05.2016</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 Parijaat Belaura learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**EX.A. No. 13 of 2014 Inre O.A. 371 of 2011**

**Krishan Mohan 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>26.05.2016</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 V.K. Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**Ex.A. No. 23 of 2014 Inre O.A. No. 339 of 2012**

**Jag 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><b><u>26.05.2016</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 V.K. Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order passed by this court, to which learned standing counsel, on the basis of the instructions given by Col Kamal Singh, Departmental Representative, submits that necessary PPO has already been issued.</p> <p>In view of above, Col Kamal Singh is directed to provide necessary copy of the PPO to the learned counsel for the applicant within two days, which he undertakes to provide.</p> <p>List this case on <b>31.08.2016</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**

**Ex.A. No. 26 of 2016 Inre O.A. No. 20 of 2012**

**Ram Shankar 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>26.05.2016</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 R.C. Shukla, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative on this execution application which has been filed by the applicant for non execution of the judgment and order dated 05.03.2012, passed by this court in O.A. No. 20 of 2012. The matter pertains to grant of pension of Hony Naib Subedar.</p> <p>Learned counsel for the respondents, on the basis of the instructions given by Col Kamal Singh, submits that Government sanction has been accorded on 04.05.2016 and by the next date, necessary PPO shall be issued.</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>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**M.A. No. 444 of 2016 with M.A. No. 1215 of 2016**

**Uma Shankar**

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>26.05.2016</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 Arun Kumar, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1215 of 2016</u></b></p> <p>Objection on the application for condonation of delay, filed by the learned counsel for the respondents is taken on record. Its copy has been served on learned counsel for the applicant in the court today.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication.</p> <p>List this case on <b>28.07.2016</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. 452 of 2016 with M.A. No 1041 of 2016**

**Vijay Shankar 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>26.05.2016</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 Arun Kumar holding brief of Shri K.M. Srivastava, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>Misc. Application No. 1041 of 2016</u></b></p> <p>Objection vis-a-vis the application for condonation of delay filed on behalf of respondents is taken on record. The office has wrongly reported that the objection has not been filed; said report is hereby rejected.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication.</p> <p>List on <b>28.07.2016</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**

**O.A. No. 275 of 2014**

**Darshan Kumar 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><b><u>26.05.2016</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 Yash Pal Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Matter pertains to Navy. Instructions as to whether recovery made from the pension of the applicant is in consonance with various orders issued by Naval Headquarters from time to time are to be looked into.</p> <p>Learned standing counsel is directed to seek instructions to this effect and apprise the court accordingly.</p> <p>List this case on <b>18.08.2016</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. 239 of 2015 with M.A. No. 471 of 2016, M.A. No. 593 of 2016**

**Santosh Kumar Tiwari**

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>26.05.2016</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 S.K. Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>As prayed, list this case on <b>19.08.2016</b> for hearing 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**

**T.A. No. 1365 of 2010**

**Manoj Kumar Bhatt**  
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>26.05.2016</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.C. Lohumi, learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents.</p> <p>On call of the case, Col. Kamal Singh, Departmental Representative informs that relevant original medical papers, which were required, are available with him.</p> <p>Accordingly, we direct this case to be listed again on <b>04.08.2016</b> for hearing before the court concerned having jurisdiction as per roster of that day.</p> <p>The Departmental Representative is directed to retain the medical documents for being shown to the court on the next date.</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**

**T.A. No. 1402 of 2010**

**Anurag 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>26.05.2016</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>This case has wrongly been listed before this Bench</p> <p>List this case on <b>15.07.2016</b> for hearing before the Bench dealing with matters relating to discharge.</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. 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>26.05.2016</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>List this case on <b>13.07.2016</b> for orders as directed vide order dated 12.05.2016 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**

**T.A. No. 41 of 2011**

**V.K. Bajpai**

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>25.05.2016</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>T.A. No. 41 of 2011, V.K. Bajpai vs. Union of India and others is partly 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. 1175 of 2016 with M.A. No 1176 of 2016  
inre O.A. No 210 of 2011**

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

Applicants

Versus

**Chhatar Singh**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.05.2016</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 Amit Jaiswal, learned counsel for the applicants and none for the respondents.</p> <p><b><u>M.A. No. 1175 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 09.02.2016, passed by this Court in O.A. No. 210 of 2011.</p> <p>As per stamp reporter's report, there is delay of 02 months and 07 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>shall</b> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <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>

*“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”.*

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

**M.A. No 1176 of 2016**

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the 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 find that the matter pertains to grant of disability pension but 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 1225 of 2016 with M.A. No 1226 of 2016**  
**Inre O.A. No 192 of 2010**

**Union of India & Others**

Applicants

By Legal Practitioner for Applicants

Versus

**Surendra Singh**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.05.2016</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 Shri R Chandra, learned counsel for the respondent.</p> <p><b><u>M.A. No. 1225 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 of appeal against the judgment and order dated 30.10.2015, passed by this Court in O.A. No. 192 of 2010.</p> <p>As per stamp reporter's report, there is delay of 05 months and 21 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 indicates that the application for leave to appeal <b><u>shall</u></b> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <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>



*“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”.*

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

**M.A. No 1226 of 2016**

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, has 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 find that the matter pertains to grant of disability pension but 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 64 of 2013 Inre O.A. No 406 of 2012 with Ex.A. No 58 of 2013**  
**Om Prakash & Ors** 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>25.05.2016</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 applicants and Dr. Shailendra Sharma Atal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard learned counsel for the applicants and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which relates to grant of pension with arrears of Hony Naib Subedar, within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 67 of 2013 Inre O.A. No. 331 of 2014**

**Ram Narayan Harijan**  
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>25.05.2016</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 Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicant and Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which relates to grant of pension with arrears of Hony Naib Subedar, within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 71 of 2013 O.A. No. 440 of 2012**

**Bashisht Narayan**

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>25.05.2016</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 Veer Raghav Chaubey, learned counsel for the applicant and Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicants and Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 73 of 2013 Inre O.A. No. 306 of 2012**

**Darwan 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>25.05.2016</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.C. Luhumi, learned counsel for the applicant and Shri D. K. Pandey, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 74 of 2013 Inre O.A. No. 357 of 2012, M.A. No 749 of 2016**

**Kundan 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>25.05.2016</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.C. Lohumi, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 79 of 2013 with M.A. No 665 of 2016 Inre O.A. No. 192 of 2012**

**Ram Singh**

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><b><u>25.05.2016</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 applicants and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 80 of 2013 with M.A. No 663 of 2016 Inre O.A. No 193 of 2012**

**Smt Shanti 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><b><u>25.05.2016</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 D.K. Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**EX.A. No. 81 of 2013 with M.A. No 667 of 2016 Inre O.A. 258 of 2011**

**Gauri Lal**

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>25.05.2016</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 D.K. Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**Ex.A. No. 82 of 2013 Inre O.A. No. 344 of 2011**

**Dafedar**

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>25.05.2016</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 : Present : Shri V.K. Pandey, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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**

**E.A. No. 83 of 2013 Inre O.A. No. 196 of 2012**

**Jagdish 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>25.05.2016</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 Col Kamal Singh, Departmental Representative for the respondents.</p> <p>Heard learned counsel for the applicant and Col Kamal Singh, Departmental Representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which has not been complied with within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents submits that after completing certain formalities, necessary PPO has already been issued and in near future the payment will be made to the applicant.</p> <p>Learned counsel for the respondents shall file an affidavit of compliance by the next date.</p> <p>List this case on <b>30.08.2016</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>

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1**

**Ex.A. No. 10 of 2016 Inre T.A. No 1140 of 2010**

**Deonath Basfor**

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>25.05.2016</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 Dharmesh Sinha, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order dated 16.09.2015 passed in T.A. No.1140 of 2010 granting disability pension to the applicant as also the benefit of rounding off to 50%. Direction was also given for re-assessing the applicant's medical condition for further entitlement of disability pension, if any, and three months' time was given to give effect to the said order. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative, submits that the matter is pending consideration before the Government and necessary sanction is likely to be accorded within a month.</p> <p>On the last occasion vide order dated 25.04.2016, it was observed that in case the order of the Tribunal was not complied with by today, cause was to be shown by the respondents why exemplary cost be not imposed against them. Today the respondents have failed to satisfy the court with respect to compliance of the judgment under execution except for saying that the matter is pending consideration before the Government.</p> <p>Accordingly, we impose a sum of Rs.20,000/- as cost to be deposited by the respondents in the Registry of this Tribunal and the cost so deposited shall be payable to the applicant.</p> <p>List this case on <b>11.07.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, it is expected that the judgment under execution shall stand complied with in its letter and spirit.</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. 15 of 2016 with M.A. No 842 of 2016 Inre O.A. No 43 of 2013**

**Shiromani 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>25.05.2016</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 : None for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>On the last date a statement was made from respondents' side with regard to issuance of PPO in favour of the applicant, which was even acceded to by the applicant's counsel and he had sought a week's time to get the fact confirmed from his client.</p> <p>The respondents have filed compliance report through affidavit vide Misc. Application No. 842 of 2016 annexing therewith copy of the PPO.</p> <p>On call of the case neither the applicant nor his counsel is present and therefore a presumption is drawn that the judgment under execution has been complied with.</p> <p>In view of above, the Execution Application is dismissed.</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. 68 of 2016 Inre O.A. No 68 of 2013**

**Supinder Chaudhary**  
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>25.05.2016</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 : None for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>Learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative, submits that the matter is pending consideration before the Government and necessary sanction is likely to be accorded within a month.</p> <p>On the last occasion vide order dated 25.04.2016, it was observed that in case the order of the Tribunal was not complied with by today, cause was to be shown by the respondents why exemplary cost be not imposed against them.</p> <p>Today the respondents have failed to satisfy the court with respect to compliance of the judgment under execution except for saying that the matter is pending consideration before the Government and prayed for adjournment.</p> <p>Accordingly, we impose a sum of Rs.20,000/- as cost to be deposited by the respondents in the Registry of this Tribunal and the cost so deposited shall be payable to the applicant.</p> <p>List this case on <b>21.07.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, it is expected that the judgment under execution shall stand complied with in its letter and spirit.</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. 2389 of 2015 with M.A. No 2390 of 2015 Inre T.A. No 1163 of 2010**  
**Ramdeo Singh 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><b><u>25.05.2016</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 S.K. Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that the order dated 13.07.2011 was directed to be recalled and the case was directed to be restored to its original number provided the applicant deposited Rs.1000/- as cost in AFT Bar Association Library, and he had even deposited the cost and receipt thereof is on record.</p> <p>Be that as it may, but there is no such order on record. The amount so deposited shall be refunded to the applicant.</p> <p>Learned counsel for the applicant is directed to file a better affidavit in support of application for condonation of delay in filing the recall application.</p> <p>List this case on <b>26.07.2016</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. 17 of 2016 with M.A. No 226 of 2016**

**Smt Bhagwan 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><b><u>25.05.2016</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 Ashish Kumar Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No.226 of 2016</u></b></p> <p>Objection against application for condonation of delay filed on behalf of respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted three weeks' time to file replication to the same.</p> <p>List this case on <b>29.07.2016</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. 259 of 2015**

**Jaivir 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>25.05.2016</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.</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**

**T.A. No. 69 of 2012**

**Diwan 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>25.05.2016</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 Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant submits that the applicant is mentally retarded and could not come to sign the affidavit. He prays for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>21.07.2016</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**

**T.A. No. 83 of 2013**

**Uma Shankar 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>25.05.2016</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>Amended copy of the T.A., which was expected to be filed by the counsel for the applicant, could not be filed. Learned counsel for the applicant seeks adjournment on this count.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>09.08.2016</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. 1208 of 2016**

**Sohal Lal**

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="391 263 553 298"><b><u>24.05.2016</u></b></p> <p data-bbox="391 301 1105 336"><b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b></p> <p data-bbox="391 338 1057 373"><b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p data-bbox="391 419 1395 575">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 data-bbox="391 599 1395 696">Present : Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p data-bbox="461 720 794 755"><b><u>M.A. No. 1208 of 2016</u></b></p> <p data-bbox="391 779 1395 1056">This is an application for condonation of delay in filing the Original Application which relates to grant of disability pension to the applicant. As per office report there is delay of 04 years, 05 months and 25 days in filing the O.A. Copy of this application has been served on learned standing counsel on 20.05.2016.</p> <p data-bbox="391 1080 1395 1233">Learned standing counsel for the respondents prays for and is granted three weeks' time to file objection to the application for condonation of delay.</p> <p data-bbox="391 1257 1395 1354">List this case on <b>04.08.2016</b> for orders before court concerned having jurisdiction as per roster of that day.</p> <p data-bbox="391 1494 732 1615">(Lt Gen Gyan Bhushan) Member (A) Sry</p> <p data-bbox="1045 1494 1370 1575">(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. 41 of 2013 with M.A. No. 1189 of 2016 Inre O.A. No. 328 of 2012**  
**Kanhai Singh Yadav** 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>24.05.2016</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 : None for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 42 of 2013 Inre O.A. No. 379 of 2012**

**Vishwa Nath**

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>24.05.2016</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. Gupta, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 45 of 2013 with M.A. No. 1221 of 2016, Inre O.A. No. 209 of 2012**  
**Ragbar Dayal Kanaujia**

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>24.05.2016</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 Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 48 of 2013 with O.A. No. 99 of 2012**

**Vijay Kant Bajpai**

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>24.05.2016</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 Rajiv Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 49 of 2013 Inre O.A. No. 525 of 2012**

**Birendra 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>24.05.2016</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 Rajiv Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 51 of 2013 Inre O.A. No. 414 of 2011**

**Parmanand 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>24.05.2016</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 the respondents is taken on record. His name may be shown as Counsel for the respondents, when the case is next listed.</p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 60 of 2013 Inre O.A. No. 419 of 2011**

**Satya Narayan Singh & Ors**

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><b><u>24.05.2016</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.N. Tripathi on behalf of the respondents is taken on record. His name may be shown as Counsel for the respondents, when the case is next listed.</p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicants and Shri A.N. Tripathi, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**EX.A. No. 61 of 2013 Inre O.A. No. 420 of 2011**

**Harihar 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><b><u>24.05.2016</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 R.C. Shukla on behalf of the respondents is taken on record. His name may be shown as Counsel for the respondents, when the case is next listed.</p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant and learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>Learned counsel for the respondents made a statement that in this case necessary PPO has been issued in compliance of judgment and order under execution.</p> <p>Learned counsel for the applicant submits that he has not received any PPO.</p> <p>Accordingly we direct learned counsel for the respondents as well as Col Kamal Singh to supply copy of the PPO to the learned counsel for the applicant by tomorrow and take receipt of the same.</p> <p>List this case on <b>29.08.2016</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**

**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><b><u>24.05.2016</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 the respondents is taken on record. His name may be shown as Counsel for the respondents, when the case is next listed.</p> <p>Present : Shri Parijaat Belaura, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents duly assisted by Col Kamal Singh, Departmental Representative.</p> <p>A statement has been made by the learned counsel for the respondents, on the basis of instructions, that the Government sanction has been granted in this case and necessary PPO will be issued within one month.</p> <p>On the basis of the undertaking given by the learned counsel for the respondents, we direct the matter be listed on <b>13.07.2016</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. 114 of 2015 with M.A. No. 115 of 2015 Inre T.A. No. 1240 of 2010**  
**Lagnesh Mishra**  
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>24.05.2016</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 together with his client, Shri Lagnesh Mishra, who claims himself to be a practising lawyer at Delhi and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>Misc. Application No.115 of 2015</u></b></p> <p>This is an application for restoration of T.A. No.1240 of 2010, which was dismissed for non-prosecution on 30.07.2012.</p> <p>It has been argued by the applicant that the Hon'ble Supreme Court has held in catena of cases that the cases should be decided on merits instead of dismissing them for non-prosecution. Further submission of the applicant is that this case was initially instituted before the Hon'ble High Court of Judicature at Allahabad and after constitution of Armed Forces Tribunal it came to be transferred here and has been registered as T.A. and thereafter, it was dismissed for non-prosecution on 30.07.2012.</p> <p>Today the applicant is present in person and the reasons given in the affidavit for recall of order dismissing the T.A. for non-prosecution seem to be genuine. Accordingly, we recall the order dated 30.07.2012 and direct the T.A. to be restored to its original number.</p> <p>List the T.A. for orders on <b>25.08.2016</b> 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**

**O.A. No. 246 of 2015 with M.A. No. 835 of 2016**

**Mohd Shamim Khan**

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>24.05.2016</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 Anurag Mishra, learned counsel for the respondents.</p> <p><b><u>Misc. Application No.835 of 2016</u></b></p> <p>Counter affidavit filed on behalf of the respondents is taken on record. M.A. aforesaid stands disposed of.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>List this case for orders on <b>05.08.2016</b> 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**

**T.A. No. 172 of 2010**

**Kapil Dev Mishra**  
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>24.05.2016</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 Mrs. Anju Singh, learned counsel for the respondents.</p> <p>Learned counsel for the applicant intended to move an amendment application seeking amendment in prayer clause, for which he was already granted time but could not file the same. Today he further prays that for this purpose he be granted ten days' time.</p> <p>Time prayed for is granted.</p> <p>List this case for orders on <b>08.08.2016</b> 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**

**O.A. No. 184 of 2015**

**Devendra 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>24.05.2016</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 : Wg Cdr (Retd) A.K. Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents assisted by Col Kamal Singh, Departmental Representative.</p> <p>Heard learned counsel for the parties at length.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</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**

**T.A. No. 563 of 2010**

**Ram Swaroop**

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>24.05.2016</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 holding brief of Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Shri K.K. Singh Bisht informs that Shri V.P. Pandey is out station and has prayed for adjournment.</p> <p>Accordingly, we adjourn this case and since the T.A. pertains to the year 2010, we direct it to be listed on <b>08.07.2016</b> for hearing, 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**

**T.A. No. 11of 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>24.05.2016</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>On the request of the learned counsel for the parties, list this case on <b>13.07.2016</b> for hearing 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**

**M.A. No. 1197 of 2016 Inre O.A. No. Nil of 2016**

**Sobh Nath**

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>23.05.2016</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 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 J.N. Mishra, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1197 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application which relates to grant of disability pension to the applicant. As per office report there is delay of 15 years &amp; 08 months and 02 days in filing the O.A. Copy of this application has been served on learned standing counsel on 19.05.2016.</p> <p>Learned standing 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>04.08.2016</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**

**EX.A. No. 97 of 2016 Inre O.A. No. 33 of 2014**

**Greesh Kumar**

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>23.05.2016</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 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 K.K. Singh Bisht, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>Execution Application No. 97 of 2016</u></b></p> <p>This is an application for execution of judgment and order dated 12.01.2016 passed in O.A. No. 33 of 2014, by means of which, while allowing the O.A., the respondents were directed to make payment of disability pension to the applicant and arrears thereto with interest @ 9% per annum from the date of discharge and it was further directed that the matter be referred to Re-survey medical Board for reassessing the medical condition of the applicant for further entitlement of disability pension, if any.</p> <p>Grievance raised by the applicant is that the judgment under execution has not yet been complied with.</p> <p>Learned standing counsel is directed to obtain instructions and show cause within three weeks as to why and what circumstances, the judgment under execution could not be implemented so far.</p> <p>List on <b>28.07.2016</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**

**M.A. No. 1199 of 2016 with R.A. No. 40 of 2016 Inre O.A. No. 375 of 2012**

**Union of India & Others**

Applicants

By Legal Practitioner for Applicants

Versus

**Gulab Prasad**

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.05.2016</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 applicant and none for the respondent.</p> <p><b><u>Review Application No. 40 of 2016</u></b></p> <p>Learned counsel for the applicants submits that the instant application was filed by the applicants seeking review of the judgment and order passed in O.A. No. 375 of 2012, and at the same time the judgment under review was also put for execution. He further submits that the judgment has been implemented and the Review Application has been rendered infructuous and it may be dismissed as not pressed.</p> <p>In view of the submissions, made by the learned counsel for the applicants, the Review Application No. 40 of 2016 is dismissed as not pressed.</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. 57 of 2012 Inre O.A. No. 44 of 2012**

**Rama Shankar Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Chief of Army Staff & others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.05.2016</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 filed on behalf of the 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.K. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Ministry of Defence letter dated 12.06.2009 and arrears with interest were also directed to be paid to the applicant.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 9 of 2013 with M.A. No. 1029 of 2016, Inre O.A. No. 310 of 2011**

**Shri Kant**

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>23.05.2016</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, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 13 of 2013 with O.A. No. 301 of 2011**

**Sheo Ratan 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>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>On call of the case, learned standing counsel submits that on two occasions, applicant was asked to give the bank details in order enable the respondents to issue necessary PPO in his favour, but since bank details have not been furnished, the PPO could not be issued in favour of the applicant.</p> <p>Learned counsel for the applicant is directed to ask his client to furnish the bank details, so that it may reach the respondents within two weeks so as to enable the respondents to issue necessary PPO in his favour.</p> <p>List on <b>26.08.2016</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. 14 of 2013 with M.A. No. 862 of 2016, Inre O.A. No. 117 of 2011**

**Balbir 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>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application with cost, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 15 of 2013 Inre O.A. No. 39 of 2012**

**Ahibaran 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>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Anurag Singh, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 19 of 2013 Inre O.A. No. 345 of 2012**

**Balelshwar Prasad 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>23.05.2016</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 Anurag Mishra, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 31 of 2013 Inre O.A. No. 85 of 2012**

**Bhagwan 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>23.05.2016</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>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application with cost, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 38 of 2013 Inre O.A. No. 320 of 2011**

**Ram Saran 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>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 39 of 2013 Inre O.A. No. 116 of 2012**

**Ran 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><b><u>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application with cost, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 40 of 2013 Inre O.A. No. 332 of 2012**

**Ram Sajiwan 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><b><u>23.05.2016</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 S.B. Tiwari, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Since the judgment and order passed by this Court has not been implemented, this execution application has been filed by the applicant. While allowing the Original Application with cost, the respondents were directed to revise the pension of the applicant to the rank of Hony Naib Subedar as per directions contained in the Government instructions and release the pension with arrears with effect from 01.01.2006.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that in compliance of the judgment under execution, necessary PPO has been issued in favour of the applicant and the copy of the PPO shall be served on the learned counsel for the applicant, during the course of the day. He further prays that the instant execution application may be dismissed as infructuous.</p> <p>We direct this case to be listed <b>26.08.2016</b> for orders before the court concerned having jurisdiction as per roster of that day.</p> <p>By the date fixed, learned standing counsel together with Col Kamal Singh is directed to bring on record the PPO so issued through affidavit.</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. 7 of 2016 Inre O.A. No. 49 of 2012**

**Ravinder Singh 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>23.05.2016</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 Bachchan Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, prays for and is granted four weeks' time to enable the authorities concerned to issue necessary PPO in compliance of the judgment and order passed by this Court.</p> <p>List this case on <b>26.08.2016</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. 19 of 2016 Inre O.A. No. 64 of 2014**

**Ram Prasad**

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>23.05.2016</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 Dr. Shailendra Shamra Atal, learned counsel for the respondents.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, submits that Government sanction has been obtained only PPO has to be issued. He prays for and is granted four weeks' time to enable the authorities concerned to issue necessary PPO in compliance of the judgment and order passed by this Court.</p> <p>List this case on <b>04.07.2016</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. 87 of 2016 Inre O.A. No. 398 of 2012**

**Ram Shanker Dubey**

Applicant

By Legal Practitioner for Applicant

Versus

**OIC EME Records & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.05.2016</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 Virendra Kumar Gupta, learned counsel for the applicant and Shri, learned counsel for the respondents.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, prays for and is granted four weeks' time to enable the authorities concerned to issue necessary PPO in compliance of the judgment and order passed by this Court.</p> <p>List this case on <b>04.07.2016</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. 88 of 2016 Inre O.A. No. 248 of 2012**

**Subhash Chandra**

Applicant

By Legal Practitioner for Applicant

Versus

**OIC ASC Records AT & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>23.05.2016</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 Virendra Kumar Gupta, learned counsel for the applicant and Shri, learned counsel for the respondents.</p> <p>Learned standing counsel assisted by Col Kamal Singh, Departmental Representative, prays for and is granted four weeks' time to enable the authorities concerned to issue necessary PPO in compliance of the judgment and order passed by this Court.</p> <p>List this case on <b>04.07.2016</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**

**M.A. No. 1588 of 2015**

**Ram Murty Tiwari**  
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>23.05.2016</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 Rajendra Yadav, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>List this case on <b>25.07.2016</b> for admission 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**

**M.A. No. 1833 of 2015**

**Ram Naresh 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>23.05.2016</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, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>Learned counsel for the applicant was granted time to file better affidavit, but the same could not be filed. He prays that he be granted two weeks' further time to enable him to file the same.</p> <p>Time prayed for it slowed.</p> <p>List this case on <b>01.07.2016</b> for admission 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**

**M.A. No. 649 of 2016 with M.A. No. 650 of 2016 Inre O.A. No. 470 of 2012**  
Naseebul Hasan Syed 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>23.05.2016</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 : Maj (Retd) R.D. Singh, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p><b><u>Misc. Application No. 649 of 2016</u></b></p> <p>This is an application seeking condonation of delay in filing the application for recall of order dated 07.08.2014, by means of which the O.A. was dismissed for non-prosecution.</p> <p>Heard learned counsel for the applicant. It has been argued by him that as per settled norms of law laid down by Hon'ble The Supreme Court in catena of cases, as far as possible the cases should be decided on merits, instead of dismissing them for non-prosecution.</p> <p>The reasons shown in the affidavit filed in support of the application seem to be genuine. The application is allowed and the delay is condoned.</p> <p><b><u>Misc. Application No. 650 of 2016</u></b></p> <p>This is an application seeking recall of order dated 07.08.2014, by means of which the O.A. was dismissed for non-prosecution. The reasons shown in the affidavit filed in support of the application seem to be genuine. The application is allowed, the order dated 07.08.2014 is recalled and the O.A. is restored to its original number.</p> <p>List the O.A. on <b>03.08.2016</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**

**T.A. No. 792 of 2010**

**Bachan 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>23.05.2016</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 D.K. Pandey 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 K.K. Singh Bisht holding brief of Shri V.P. Pandey, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>Shri K.K. Singh Bisht submits that Shri V.P. Pandey has gone out of station and has prayed for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>04.08.2016</b> for further hearing.</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. 251 of 2015**

**Daya Shanker Singh 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>23.05.2016</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 holding brief of Shri S.K. Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Shri K.K. Singh Bisht submits that Shri S.K. Singh has gone out of station and has prayed for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>22.08.2016</b> for hearing 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>