

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 470 of 2012 With M.A. No. 1468 of 2016
(Inre: M.A. No. 1759 of 2016)

Naseebul Hasan Sayed
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Maj RD Singh (Retd), learned counsel for the applicant and Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>On call of the case, Shri Ashish Saxena, learned Standing Counsel appeared for respondents, is not present. It has been informed that he is not well today. Prayer has been made for adjournment of the case. Accordingly the matter is adjourned.</p> <p>List this case for orders on 18.10.2016 before court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 329 of 2015 With M.A. No. 2092 of 2016

Lt Col Ram Raj Singh (Retd)

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col YR Sharma (Retd), learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the applicant alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>The order dated 26.07.2016, by means of which the respondents were directed to deposit costs of Rs. 10,000/- within 10 days, has not been complied with nor any satisfactory reason has been shown by the respondents for non-compliance.</p> <p>Let notice be issued to Col Litigation to be present before this Court on 20.09.2016 to explain as to why the cost so imposed has not yet been deposited.</p> <p>List this case for order on 20.09.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 330 of 2015

Lt Col PS Tripathi (Retd)
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col YR Sharma (Retd), learned counsel for the applicant and Shri DK Pandey, learned counsel for the applicant alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>The order dated 26.07.2016, by means of which the respondents were directed to deposit costs of Rs. 10,000/- within 10 days, has not been complied with nor any satisfactory reason has been shown by the respondents for non-compliance.</p> <p>Let notice be issued to Col Litigation to be present before this Court on 20.09.2016 to explain as to why the cost so imposed has not yet been deposited.</p> <p>List this case for order on 20.09.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>RS/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 393 of 2011

Shyama Devi

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhusan, Member (A)</u></p> <p>Present: Shri Ashok Kumar Shinha, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the applicant alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>Heard learned counsel for the parties on this O.A, which has been preferred by the applicant with the prayer that she being the wife of late Raghuraj Singh, an army personnel, is entitled for family pension.</p> <p>The applicant's claim for family pension was rejected by the respondents vide orders dated 30.06.2011 and 01.08.2005, contained in Annexures No. 1 and 9 to the OA respectively. Impugning the said orders , the applicant has prayed for setting aside the same and to grant her family pension.</p> <p>We have gone through the averments made in the O.A filed by the applicant and the counter affidavit filed by the respondents as well as supplementary counter affidavit sworn in by Col Kamal Singh annexing therewith a Government Order dated 12.11.2008, Para 11 of which deals with the Family Pension and provides that widow of a deceased personnel shall continue to be paid family pension even after her-remarriage.</p> <p>The applicant's claim for family pension was based on the reports of Sub Divisional Magistrate and the District Magistrate concerned, wherein after enquiry they stated that after remarriage the applicant was not entitled to family pension. The applicant preferred a writ petition bearing No. 59434 of 2005 before the Hon'ble Allahabad High Court, praying for grant of family pension, but her claim was rejected by Hon'ble Single Judge vide order dated 22.07.2009 (Annexure No. 11 to the OA) observing that after remarriage, the applicant is not entitled to family pension. Against the said order of Hon'ble Single Judge, the applicant filed Special Appeal No.1739 of 2009, which too was dismissed by the Division Bench of Hon'ble</p>

Allahabad High Court vide order dated 5.11.2009 observing that whether the applicant had re-married or not, is a disputed question of fact, which cannot appropriately be decided in the present proceeding and the applicant, if so advised, may take recourse to any other proceeding available to her in law.

Submission of learned counsel for the applicant is that now in the present OA, this Court has to decide as to whether the applicant even after remarriage is entitled to Family Pension or not, which she was getting earlier but was subsequently stopped by the respondents and recovery of the amount of family pension paid to her was ordered.

Policy/Government Order dated 12.11.2008 on the issue in question is annexed with the aforesaid supplementary counter affidavit sworn in by Col Kamal Singh, in Para 11 of which it is mentioned that widow of an army personnel is entitled to family pension even after remarriage subject to certain conditions. Learned counsel for the applicant prays that this O.A. be disposed of with a direction to the respondents that if the applicant prefers an appeal before the respondents in view of aforesaid Policy/Government Order dated 12.11.2008, the same may be considered and disposed of by the authority concerned within a specified time.

The prayer made is innocuous in nature.

We, therefore, with the consent of parties' counsel, dispose of this OA finally with a direction that if the applicant prefers an appeal within a period of three weeks from today placing reliance on Policy/Government Order dated 12.11.2008 referred to above, the same shall be disposed of by the authority concerned within a period of three months from the date of receipt of said appeal.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

LN/

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

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><u>16.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the applicant alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>Heard learned counsel for the parties.</p> <p>This T.A has been filed by the wife of late Sepoy Suresh Kumar Ramnarayan Yadav, who was enrolled in the Army on 22.12.1989 and invalided out from service on 3.11.1998 due to the disease of HIV with Disseminated Tuberculosis. Thus, he, had rendered only 8 years 10 months and 11 days of service in the Army and subsequently died on 21.9.1999. Claiming that the said disease was attributable to and aggravated by military service, the applicant, by means of this petition, has laid claim for grant of disability/family pension to her.</p> <p>It is to be seen as to whether the disease of HIV with Disseminated Tuberculosis, which late Sepoy Suresh Kumar Ramnarayan Yadav was suffering, was attributable to or aggravated by military service and whether the said disease was existing at the time of his enrolment. It, therefore, seems necessary for us to call upon some specialist/doctor on the subject from Central Command Hospital, Lucknow for assistance. We, therefore, direct the Commandant, Central Command Hospital, Lucknow to send some specialist/doctor on the subject for assistance of the Court on the next date.</p> <p>List this case for further hearing on 07.10..2016</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 14 of 2016

Smt Bhagwati Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Dr. Chet Narayan Singh, Advocate files memo of appearance on behalf of the respondents, which is taken on record.</p> <p>Present: Dr. Chet Narayan Singh, learned counsel for the respondents alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>This case has been received by transfer from Hon'ble Allahabad High Court and registered as Transfer Application. The office report dated 14.09.2016 indicates that notice issued to applicant Smt. Bhagwati Devi has been received back with the remark- "PRAPTKARTA KI MRITYU HO GAEE, VAAPAS" (Addressee has died, hence returned.)</p> <p>In view of above, this Transfer Application abates. Let it be consigned to records.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

O.A. No. 433 of 2012

Ram Sajiwan
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhusan, Member (A)</u></p> <p style="text-align: center;">Present: Shri OP kushwaha, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Sgt Pradeep Kumar, Departmental representative.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p>In pursuance of the order of this Court dated 08.09.2016, Lt Col Vikram Kumar Dutta (Psychiatric) from Command Hospital, Lucknow is present.</p> <p>We have gone through the petition. While hearing the learned counsel for the parties, it comes out that the applicant was enrolled in the Indian Air Force on 25.11.1969 and was put in category CEE (T-24) on 6.11.1998 for Alcohol Dependence Syndrome. Again on 28.4.1999 and subsequently on 8.11.1999 and 11.5.2000, he remained in low medical category because of Alcohol Dependence Syndrome and was upgraded to category AYE on 5.1.2001. Thereafter he was put in category CEE (T-24) for Unspecified Psychosis. In the Release Medical Board on 27.2.2001, again he was in category CEE (P) for Unspecified Psychosis. The Medical Board considered his disability as neither attributable to nor aggravated by service and percentage of disability was assessed as 15 to 19% for five years. Apparently no Review Medical Board has been held after lapse of five years.</p> <p>On enquiry by the Court about the reason for Unspecified Psychosis to the applicant, Lt Col Vikram Kumar Dutta stated that from the perusal of medical documents available on record, it is difficult to gauge whether Unspecified Psychosis was due to Alcohol Dependence or some other reason as also reason for upgradation of category on 5.1.2001 to category AYE and subsequently downgrading to CEE (P) T-24 on the same day is not</p>

very clear. He also stated that he is not aware about the reason for not holding the Medical Board after five years. As such, conduct of Review Medical Board is essential to find out the details for adjudication of this case.

We, therefore, direct that Review Medical Board of the applicant be held by the respondents within a period of four months. On the next date, report of the Board be filed by the respondents alongwith a supplementary affidavit.

List this case for further hearing on **05.12.2016**.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

LN/

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

T.A. No. 686 of 2010

Jagdish Prasad

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents alongwith Col SK Varshney and Lt Nisha Thomas, Departmental representatives.</p> <p>It has been informed that Shri D.K.Pandey, learned Standing Counsel for the respondents has not come to the Court due to some problem in his family.</p> <p>In pursuance of the order of this Court dated 25.08.2016, Shri Mrityunjai Kumar, Assistant Accounts Officer, PCDA (P), Allahabad is present. He states that as directed by this Court vide order dated 14.07.2016, a detailed affidavit on behalf of PCDA (P) Allahabad has already been given to Shri D.K.Pandey, but the same does not appear to have been filed.</p> <p>Since Shri D.K.Pandey, learned Standing Counsel for the respondents is not present, we, therefore, direct that this case be listed for hearing on 04.10.2016 before the appropriate Court having jurisdiction as per roster of that date. Shri Mrityunjai Kumar, Assistant Accounts Officer, PCDA (P), Allahabad shall again appear on the said date alongwith the record.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

T.A. No. 1061 of 2010 With M.A. No. 1719 of 2016

R.N.Mishra
By Legal Practitioner for Applicant

Applicant

Versus

Chief of the Air Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Bhaskar Pratap Dubey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>On call of the case, no one appears for the applicant nor is there any request to pass over or adjourn the case. However, in the interest of justice, the case is adjourned.</p> <p>List this case for orders on 05.10.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 103 of 2016 With M.As. No. 1316 & 2043 of 2016

Chandra Bhan
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Miss Mayuri Sajwan, learned counsel for the applicant and Shri Jaiswal, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>On call of the case, Miss Mayuri Sajwan, learned counsel appearing for the applicant states that though counter affidavit in this case has been filed but she does not intend to file any rejoinder affidavit. The matter relates to the year 2016.</p> <p>Accordingly, we direct that this case be listed for hearing on 05.12.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

O.A. No. 117 of 2016

Smt Rekha Nagarkoti
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Mohd Zafar Khan, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>Despite time being granted to the respondents on 29.07.2016 for filing the counter affidavit, no counter affidavit has been filed. Shri Mohd. Zafar Khan, learned Standing Counsel prays for two weeks' further time to file counter affidavit. As a matter of last opportunity, he is granted two weeks and no more time for the purpose.</p> <p>List this case for orders on 03.11.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

T.A. No. 360 of 2010

Nepal Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>Shri K.K.Mishra, learned counsel for the applicant prays for ten days' further time to move an application for amendment. Time prayed for is granted.</p> <p>List this case for orders on 29.09.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

T.A. No. 17 of 2012

Jai Ram Pal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>On call of the case, Shri P.K.Shukla, learned counsel for the applicant appeared. He submits that in view of the judgment of this Court dated 16.07.2013 passed in T.A.No. 77 of 2011, by means of which it was directed that all T.As arising out of the special appeals pending in this Court be sent back to the concerned High Courts, this T.A, which too has arisen out of special appeal filed before Hon'ble Allahabad High Court, stands transferred to the Hon'ble Allahabad High Court.</p> <p>Let the record of this T.A be transmitted to Hon'ble Allahabad High Court at the earliest. The Registrar of this Court shall ensure compliance of this order within ten days.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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

Court No. 1

O.A. No. 445 of 2012

Man Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u></p> <p><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri OP Kushwaha, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents alongwith Lt Nisha Thomas, Departmental representative.</p> <p>Heard learned counsel for the parties.</p> <p>By means of this petition, the applicant has prayed for grant of disability pension. As it comes out from the pleadings of the parties, the applicant was enrolled in the Indian Army on 28.11.1985 and after serving the Army for about ten years, he was discharged from service on 30.11.1995.</p> <p>Shri O.P.Kushwaha, learned counsel for the applicant submits that the applicant is getting service pension to the tune of Rs.375/- per month, but he has not been granted disability pension. The counter affidavit filed by the respondents through Maj S.S.Bhandari is silent on the point as to how and under what circumstances the applicant has been granted service pension. Ms Deepti P. Bajpai, learned Standing Counsel appearing for the respondents shall bring on record through supplementary counter affidavit the circumstances under which the applicant has been granted service pension. The respondents shall also state as to why the applicant is not entitled to disability pension. If the applicant has been granted service pension, necessary PPO shall also be brought on record.</p> <p>List this case for hearing on 08.11.2016 before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

T.A. No. 41 of 2012

Smt. Indra Kumari Gurung
By Legal Practitioner for Applicant

Applicant

Versus

Govt. Of India, MOD & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms. Deepti Prasad Bajpai, learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p>On call of the case, Col.(Retd.) R.C. Dixit, Advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant is busy in other Court. He, therefore, prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case for orders on 21.09.2016.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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 with M.A. No. 2023 of 2016

Puran Chand Bhatt

Applicant

By Legal Practitioner for Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms. Deepti Prasad Bajpai, learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p>On call of the case, Col.(Retd.) R.C. Dixit, Advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant is busy in other Court. He, therefore, prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>Further Ms. Deepti Prasad Bajpai, learned counsel for the respondents submitted that she has not received M.A. No. 2023 of 2016 (Application for amendment), although the same has been received by someone on 07.09.2016. Shri P.N. Chaturvedi, Learned counsel for the applicant is hereby directed to supply a copy of the amendment application upon learned counsel for the respondent within a week.</p> <p>List this case for further hearing on 22.09.2016.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 1659 of 2016
(Inre: O.A. No. Nil of 2016)

Satyapal Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Namit Sharma, learned counsel for the respondents along with Col. S.K. Varshney and Lt. Nisha Thomas, Departmental Representatives.</p> <p>On call of the case, Sri Namit Sharma, learned counsel for the respondents prays for and is granted four weeks' further time to file objection on the application for condonation of delay filed by the applicant.</p> <p>List this case for orders on 08.11.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 145 of 2013 with M.A. No. 1814 of 2016

Satendra Singh 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><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Col. S.K. Varshney and Lt. Nisha Thomas, Departmental Representatives.</p> <p>Amended copy of O.A. has been served upon learned counsel for the respondents on 16.08.2016, however, objection to the amended application has not yet been filed. As such, he prays for and is granted, as a matter of last opportunity, four weeks and no more time to file objection to the amended application.</p> <p>List this case for orders on 16.11.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 164 of 2014

Ram Sunder 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><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri M.K. Singh, learned counsel for the applicant and Col. S.K. Varshney with Lt. Nisha Thomas, Departmental Representatives.</p> <p>On call of the case, Shri M.K. Singh, learned counsel for the applicant prays for and is granted two weeks' further time to file an affidavit in support of the objection.</p> <p>List this case for orders on 17.11.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 204 of 2015 with M.A. No. 1105 of 2016 & M.A. No. 2061 of 2016

Rajendra Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Col. S.K. Varshney and Lt. Nisha Thomas, Departmental Representatives.</p> <p>On call of the case, Shri P.K. Shukla, learned counsel for the applicant states that he has filed Rejoinder Affidavit on 12.09.2016 after serving a copy upon learned standing counsel. This Original Application relates to grant of disability pension which has already been admitted on 21.08.2015 after condoning the delay.</p> <p>Since the Counter and Rejoinder Affidavits have been exchanged, list this case for hearing on 14.12.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1.

O.A. No. 214 of 2015

Mritunjay Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Col. S.K. Varshney and Lt. Nisha Thomas, Departmental Representatives.</p> <p>On call of the case, Shri R. Chandra, learned counsel for the applicant appears and states that he be granted ten days time to move an amendment application to the original application.</p> <p>Time prayed for is granted.</p> <p>List this case for orders on 26.09.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 273 of 2015 with M.A. No. 1398 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><u>14.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Dr. Shailednra Sharma Atal, learned counsel for the respondents along with Col. S.K. Varshney and Lt. Nisha Thomas, Departmental Representatives.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 135 of 2010

Smt. Jyoti Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p data-bbox="410 279 581 317"><u>12.09.2016</u></p> <p data-bbox="410 325 1174 362"><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></p> <p data-bbox="410 370 1122 408"><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p data-bbox="410 513 1435 680">Present: Shri Amit Jaiswal, learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p data-bbox="410 709 1435 938">On call of the case, Col.(Retd.) R.C. Dixit, Advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant is busy in other Court. He, therefore, prays for adjournment of the case.</p> <p data-bbox="506 964 1029 1002">Accordingly, the case is adjourned.</p> <p data-bbox="506 1029 1105 1067">List this case for hearing on 21.09.2016.</p> <p data-bbox="410 1220 841 1346">(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p data-bbox="1057 1220 1435 1303">(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. 445 of 2012

Man Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri, learned counsel for the applicant and Shri..., learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p>List this case for orders on 19.10.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 227 of 2014

Bhagwati 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><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri D.C. Lohumi, learned counsel for the applicant and Ms. Deepti Prasad Bajpai, learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p>List this case for hearing on 04.10.2016 before appropriate Court.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 226 of 2015

Col S.K. 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><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Lt. Nisha Thomas, Departmental Representative.</p> <p>On call of the case, no one appears for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case for hearing on 09.11.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</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. 87 of 2016 with M.A. No. 765 of 2016

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><u>12.09.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents along with Lt. Nisha Thomas, Departmental Representative.</p> <p>On call of the case, Shri Bhanu Pratap Singh, learned counsel for the respondents prays for and is granted further four weeks' time to file Counter Affidavit.</p> <p>List this case for orders on 10.11.2016 before the court concerned having jurisdiction as per roster of that day.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice Abdul Mateen) Member (J)</p>