

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A.No. 566/2017 with M.A.No. 1443 of 2017
In Re: M.A.No. 276 of 2015

Smt. Jayanti Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Gyan Singh Chauhan Ld. Counsel for the applicant and Shri KKS Bisht and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Major Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A.No. 566 of 2017</u></p> <p>This application under section 17(2) of the Armed Forces Tribunal (Procedure) Rules, 2008 has been moved for recall of the order dated 16.02.2017, passed exparte against the applicant/respondent No.5 Sushri Jamuna Devi alias Sushri Jayanti Devi.</p> <p>It is noted in the said order that notice issued to the applicant/respondent No. 5 shall deem to be served on her under Rule 24(3) of the Armed Forces Tribunal (Practice) Rules, 2009.</p> <p>While filing the present application, the applicant has averred that on account of her daughter's marriage, she could not approach the Court. However, the present case seems to require hearing from different angle. The question cropped up in the present case is as to who is the actual wife of late Anoop Singh, the applicant/respondent No. 5 Smt. Jayanti Devi or Smt. Jayanti Devi, who has filed the OA.</p> <p>The case set up by applicant/respondent No. 5 vide para 9 of the application is that she is the actual wife of deceased army</p>

personnel Anoop Singh, whereas Smt. Jayanti Devi, who has filed the OA, is a lady who impersonated the applicant. Photographs of the service record vide Annexure-5 have been filed alongwith the present application, which include the joint photographs of the applicant and late Anoop Singh.

The respondents while filing reply to para 9 of the application have stated that it requires no comments. It was for the applicant of OA to come forward with specific reply as to whether the photographs of respondent no. 5 with late Anoop Singh, alleged to be taken from his service record, are correct or not. In such a situation, it is well settled law that fraud vitiates even a solemn act. Keeping in view the fact that there is a serious dispute with regard to impersonation of the applicant, for the cause of substantial justice, we allow the application and recall the order dated 16.02.2017. The case is restored to its original number.

We direct the respondents to file supplementary affidavit giving categorical and specific reply to the averments contained in the application and about the joint photographs with late Anoop Singh annexed with the present application supported by affidavit. The respondents shall file a detailed reply to each and every pleading on record within a period of four weeks from today. The applicant shall file replication within two weeks thereafter.

List this case for peremptory hearing on **03.11.2017**. The respondents shall produce entire service record of deceased army personnel Anoop Singh on the said date for perusal of the Court.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

LN/-

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 285 of 2013

Smt. Sunita Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">List this case for hearing before the regular Bench dealing with family pension matters on 14.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 36 of 2017

Venugopal P
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Rejoinder affidavit filed by the applicant is taken on record. List this case for hearing on 20.11.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1649 of 2016 with R.A. No. 84 of 2016
& M.A. No. 1138 of 2017 In re O.A. No. 261 of 2013

Dinesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>By means of application (RA No. 84 of 2016) the applicant has prayed for reviewing the order dated 18.08.2015, passed in OA No. 261 of 2013. This RA has been preferred with a delay of 10 months and 08 days.</p> <p>A preliminary objection has been raised by Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by OIC Legal Cell that review after the statutory period of limitation is not maintainable. Learned counsel for the respondents has placed reliance on our order dated 26.05.2017 passed in <i>OA No. 137 of 2014, Union of India versus Sundar Singh</i>. Learned counsel for the applicant could not invite attention of the Tribunal to any law over the subject by which a review petition may be maintainable after statutory period, that too in the teeth of fact that Section 18 of the Armed Forces Tribunal Act, 2007 does not empower the Tribunal to condone the delay.</p> <p>In view of the above, keeping in view order dated 26.05.2017 passed in OA No. 137 of 2014 (supra), the present review petition is not maintainable.</p> <p>It is accordingly rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 253 of 2015

Smt Chanchal Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>The case has been taken up in the revised list.</p> <p>None appears on behalf of the applicant.</p> <p>Dismissed for non-prosecution.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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Court No.1

Dy. No. 1732 of 2017 In re: O.A. No. Nil of 2017

Puneet Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Amit Sharma, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Col R.N. Singh (Retd) & Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>The last order denying the rounding off of pensionary benefits was passed on 14.07.2017, which has been impugned in this petition. There appears no delay in filing the petition.</p> <p>The controversy relates to rounding off of pensionary benefits, which involves recurring cause of action.</p> <p>Admit.</p> <p>Four weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have four weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 20.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1486 of 2017 In re: O.A. No. Nil of 2017

Prem Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 17.11.2017.</p> <p>(Air Marshal B.B.P.Sinha) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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ORDER SHEET
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Court No.1

M.A. No. 1487 of 2017 In re: O.A. No. Nil of 2017

Vijay Narayan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Ms Amrita Chakraborty, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, her name be shown as counsel for the respondents.</p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Ms Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 17.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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Court No.1

M.A. No. 1488 of 2017 In re: O.A. No. Nil of 2017

Krishna Shrestha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Dr. Shailendra Sharma Atal, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Nishant Verma, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 17.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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Court No.1

M.A. No. 1492 of 2017 In re: O.A. No. Nil of 2017

Suresh Chandra Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Adesh K. Gupta, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Adesh K. Gupta, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 15.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1044 of 2017 In re: O.A. No. Nil of 2017

Shishu Pal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Two weeks' time, as prayed, is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p style="text-align: center;">List this case for orders on 31.10.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1045 of 2017 with M.A. No. 1408 of 2017

In re: O.A. No. Nil of 2017

Najar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The controversy relates to restoration of service pension, payment of which was stopped due to applicant's involvement in a murder case wherein he was convicted and sentenced to life imprisonment. Submission of learned counsel for the applicant is that the applicant has been enlarged on bail by the Hon'ble High Court in appeal preferred against the aforesaid conviction and sentence, hence he is entitled to restoration of service pension in terms of Para 7 of the Pension Regulations.</p> <p>The controversy involves recurring cause of action, hence the delay in filing the OA is condoned.</p> <p>Admit.</p> <p>Four weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have four weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 21.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 105 of 2017

Smt. Poonam Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri Angrej Nath Shukla , Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, six weeks and no more time is granted to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 29.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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Court No.1

EX-A No. 148 of 2017 In re: O.A. No. 35 of 2016

Jitendra Pratap Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Pradeep Chandola, Ld. Counsel for the applicant and Chet Narain Singh, Ld. Counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, four weeks' time is allowed to show cause why the order of the Tribunal dated 25.11.2016 has not yet been complied with.</p> <p>List this case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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Court No.1

EX-A. No. 150 of 2017 In re: O.A. No. 102 of 2012

Jeetendra Kumar Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Shri R.K.S. Chauhan has filed memo of appearance as counsel for the respondents. Let his name be shown as counsel for the respondents when the case is next listed.</p> <p style="text-align: center;">Present : Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri R.K.S.Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, four weeks' time is allowed to show cause why the order of the Tribunal dated 22.03.2017 has not yet been complied with.</p> <p style="text-align: center;">List this case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>MH</p>

Form No. 4
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Court No.1

M.A. No. 1649 of 2016 with R.A. No. 84 of 2016 &
M.A. No. 1138 of 2017 In re: O.A. No. 261 of 2013

Dinesh Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, the case is ordered to be listed on 09.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2518 of 2016 Along with M.A. No. 2519 of 2016
& M.A. No. 302 of 2017 In re T.A. No. 169 of 2010

Samar Bahadur Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Ashish Kumar Singh, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A.No 2518 of 2016</u></p> <p>This is an Application for recall of the order dated 28.07.2010. The Application for recall has been filed in the month of September 2017, that is, after efflux of six years. The Applicant has not explained the day to day delay between 28.07.2010 to Sept 2017. Even with regard to cause for approaching the Tribunal with the Application for condonation of delay, the Applicant has broadly failed to show cause why so much delay has been occasioned in preferring the Application for restoration. The only reason assigned is that the Applicant had inquired from his counsel in June 2016 but no satisfaction reply was given to him by his counsel. Even this reckoning, no explanation is forthcoming with regard to delay for the period between the years 2010 to 2016.</p> <p>In view of the law settled by the Apex court in Balwant Singh Vs. Jagdish Singh and others (2010) SCC 685, we do not find that the cause shown is sufficient to make out a case for</p>

condonation of delay.

Thus, the application for condonation of delay is rejected.

M.A.No 2519 of 2016

In view of the fact that the Application for condonation of delay has been rejected as being devoid of merit, The Application for recall of the order is also rejected accordingly.

(Air Marshal Anil Chopra)

(Justice D.P. Singh)

Member (A)

Member (J)

MH

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 584 of 2017 with M.A. No. 585 of 2017
In re T.A. No. 38 of 2011

Ashwani Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Cost imposed by the order of the Tribunal has been deposited. The receipt betokening deposit of receipt is taken on record.</p> <p>As prayed by learned counsel for the Applicant, two weeks' time is allowed to file rejoinder affidavit.</p> <p>List this case on 04.10.2017 under the heading "further hearing".</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 302 of 2011

Brijendra Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Yogesh Kesarwani has filed memo of appearance as counsel for the respondents. Let his name be shown as counsel for the respondents when the case is next listed.</p> <p>Present : Shri V.A. Singh, Ld. Counsel for the applicant and Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by learned counsel for the respondents, the case is directed to be listed for further hearing on 09.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>MH</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1472 of 2017 In re O.A. No. (Nil) of 2017

CK Shrivastava

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Amit Jaiswal, Advocate, files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Thakur Balramji Srivastava, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 20.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 386 of 2017

Ashok Kumar Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri R.C.Shukla, Advocate, files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The dispute relates to payment of disability pension. It requires hearing.</p> <p>Admit.</p> <p>Six weeks' time is allowed to the respondents to file Counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 21.11.2017. The respondents shall produce the record on the date fixed.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1485 of 2017 In re O.A. No. (Nil) of 2017

Rambir Singh Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri A.N.Tripathi, Advocate, files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri A.N.Tripathi, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 21.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 387 of 2017

Balvinder Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>The case was taken up in the revised list.</p> <p>Shri Sidharth Dhaon, Advocate has filed memo of appearance on behalf of the respondents. The same is taken on record.</p> <p>Present: Shri Sidharth Dhaon, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>None appeared on behalf of the applicant even after the case was taken up in the revised list.</p> <p>We have heard Shri Sidharth Dhaon, learned counsel for the respondents and have gone through the contents of the petition.</p> <p>It appears that the applicant was enrolled in the Sikh Regimental Centre as a recruit on 17.03.2016. During the course of training he was not found fit by the authorities since he could not qualify for drill test in May-June, 2017 and accordingly he has been discharged from service.</p> <p>In our considered view, it is for the authorities to assess the capability of an incumbent even during the course of training to take him on strength in the Indian Army. Since the applicant could not qualify the drill test during the course of training, we don't see any illegality in the action of the respondents in discharging him from service.</p> <p>No interference is called for in the matter. The OA being devoid of merit is hereby dismissed in <i>limine</i>.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) 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. 388 of 2017

Gagan Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Dr. Shailendra Sharma Atal, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Yash Pal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The grievance of the applicant is that persons, whose names find place in the select list from serial Nos. 1 to 8, have been granted promotion in the rank of Subedar Major, but the applicant, whose name figures at serial No. 12 of the select list, a copy of which has been filed as Annexure-1 to the OA, has not been granted promotion by the respondents. The matter requires hearing.</p> <p style="text-align: center;">Admit.</p> <p>Six weeks' time is granted to the respondents to file counter affidavit. While filing the counter affidavit, the respondents shall explain as to why the applicant and other persons, whose names appear in the select list Annexure-1, have not been given promotion in rank of Subedar Major. The applicant shall have two weeks' time thereafter to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for hearing on 24.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1481 of 2017 In re O.A. No. (Nil) of 2017

Rajbir Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri Sunil Sharma, Advocate on behalf of the respondents is taken on record. When the case is next listed his name be shown in the cause list as counsel for the respondents.</p> <p style="text-align: center;">Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Six weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p style="text-align: center;">List this case for orders on 28.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

D.Y. No. 487 of 2017 with M.A. No. 1483 of 2017
& M.A. No. 804 of 2017 In re O.A. No. (Nil) of 2017

Naresh Devrao Jhadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The applicant claims pensionary benefits, which inhibits in itself a recurring cause of action. It requires hearing of the matter on merit. Accordingly, the delay in filing the OA is condoned.</p> <p style="text-align: center;">The OA is admitted for hearing.</p> <p style="text-align: center;">Six weeks' time is granted to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for hearing on 24.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 587 of 2017 In re O.A. No. (Nil) of 2017

Radhey Shyam
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection filed by the respondents' counsel is taken on record. As prayed, two weeks' time is allowed to file replication.</p> <p style="text-align: center;">List this case for orders on 27.10.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 986 of 2017 In re O.A. No. (Nil) of 2017

Inder Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection filed by the respondents' counsel is taken on record. As prayed, two weeks' time is allowed to file replication.</p> <p style="text-align: center;">List this case for orders on 02.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) 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. 136 of 2016

Gurdeep Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">As prayed, two weeks' further time is granted to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for orders on 03.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A No. 146 of 2017 In re O.A. No. 114 of 2016

Satish Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Namit Sharma, Central Government Standing Counsel on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri A.K. Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' further time is allowed to the respondents to show cause why the order of the Tribunal dated 11.04.2017 has not been complied with.</p> <p>List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A No. 147 of 2017 In re T.A. No. 1332 of 2010

Shiva Nand Chaubey Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri Virendra Singh, Additional Central Government Standing Counsel on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p style="text-align: center;">Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Four weeks' further time is allowed to the respondents to show cause why the order of the Tribunal dated 12.04.2016 has not been complied with.</p> <p style="text-align: center;">List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1475 of 2017 with M.A. No. 1476 of 2017
In re O.A. No. 28 of 2010

Vijay Shankar Rai Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh, on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M. A. No. 1475 of 2017</u></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in O.A. No. 183 of 2015. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving application for leave to appeal. Accordingly application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p style="text-align: center;"><u>M.A. No. 1476 of 2017</u></p> <p>This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected.</p> <p>In consequence there of the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1477 of 2017 with M.A. No. 1478 of 2017
In re T.A. No. 356 of 2010

Ajay Kumar Goswami
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri, on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List the case on 09.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2682 of 2016 with M.A. No. 2683 of 2016
In re O.A. No. 361 of 2012

Sangeeta Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri S.K. Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' further time to file affidavit in terms of earlier order.</p> <p>List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

T.A. No. 59 of 2016

Nandji Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.K. Shukla, Ld. Counsel for the petitioner and Shri Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant states that the petitioner has died. No substitution application has been moved in terms of order dated 27.07.2017. The petition seems to have abated.</p> <p>It is accordingly dismissed as abated.</p> <p>Consign to records.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1479 of 2017 In re T.A. No. 635 of 2010

Anil Joshi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Copy of the application has been served on the Ld. Counsel for the respondents who may file reply within a week.</p> <p>List the case on 14.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>Anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 64 of 2011

Vijay Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh and Shri Yashpal Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Synopsis annexing thereto certain documents filed by Shri P.N. Chaturvedi, Ld. Counsel for the applicant is taken on record.</p> <p style="text-align: center;">Counsel for the applicant, Shri P.N. Chaturvedi argued at length for almost 45 minutes. He proceeded with the arguments that certificate in question showing relationship was given to the applicant by one Ex Sub Netrapal Singh, respondent No5. However attention has not been invited to any pleading on record which may indicate that it was Netrapal Singh who had given the certificate. Shri P.N. Chaturvedi has submitted written arguments today in Court annexing thereto certain documents including relationship certificate issued by the Commanding Officer. After arguments advanced at length when query was made to Shri P.N. Chaturvedi as to whether the relationship certificate is on record of the O.A. he submitted that this certificate has not been filed.</p> <p style="text-align: center;">Argument of such nature is not expected from a lawyer.</p>

Shri P.N. Chaturvedi travelled beyond the pleadings on record and argued for almost 45 minutes. He kept on arguing on the basis of material which is not on record. Shri P.N. Chaturvedi appears to have tried to conceal material facts on record. Arguments based on unfounded material on record with intention to conceal amounts to commission of contempt in view of settled proposition of law enunciated by Hon'ble Supreme Court in a catena of judgments.

We issue notice to Shri P.N. Chaturvedi, counsel appearing for the applicant to show cause why he may not be tried and punished for creating obstruction in the proceedings of the Tribunal by arguing on issues beyond the pleadings on record.

Let a suo motu Misc Case be registered against Shri P.N. Chaturvedi, Advocate under Section 19 of the Armed Forces Tribunal Act, 2007 (Contempt Petition under Section 19 of the Armed Forces Tribunal Act, 2007: Suo Motu in re: Shri P.N. Chaturvedi, Advocate) in pursuance of present order and notice be issued to Shri P.N. Chaturvedi. The contempt petition may be listed on 14.09.2017. Registrar shall issue notice to Shri P.N. Chaturvedi, Advocate within 24 hours.

List the O.A. on 14.09.2017 along with the contempt petition (supra).

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

Before the order could be signed, Shri P.N. Chaturvedi tendered unconditional apology.

We permit him to place the unconditional apology supported by affidavit by tomorrow.

List the case on **08.09.2017** for orders.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 146 of 2015

Devendra Singh Bhandari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh and Shri Rohit Tripathi, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>List of events, Rejoinder affidavit and supplementary affidavit filed by Ld. Counsel for the applicant is taken on record.</p> <p>Wg Cdr Sardul Singh, OIC Legal Cell made a statement at Bar that respondent No 9 (Commanding Officer 15 Air Force Hospital, Jaisalmer) was on leave from 22.12.2011 to 30.12.2011 and one Shri D.K. Boro was officiating Commanding Officer of the unit. It has also been stated by OIC Legal Cell that no inquest report was prepared after death of Capt Meenakshi Bhandari. It is further stated that no forensic expert was called to prepare forensic report of the scene of occurrence that house No TQ-10 where Capt Meenakshi Bhandari suffered burn injuries in the night intervening 24/25.12.2011. It is also admitted by OIC Legal Cell that Capt Meenakshi was at the permanent strength of 15 Air Force Hospital, Jaisalmer.</p> <p>Ld. Counsel for the respondents has produced certain current photographs of the place. Let the original photographs be brought on record through affidavit also serving a copy of the</p>

same on Ld. Counsel for the applicant.

It is unfortunate that the order of the Tribunal dated 01.09.2017 has not been complied with. The Mess Register and other relevant documents as directed by said order have not been produced. No responsible officer from 15 Air Force Hospital is present. One sergeant Kunwar Ashwani has been deputed by the Commanding Officer who is present in Court.

We give last opportunity to the respondents to provide all records in terms of order dated 01.09.2017 and a responsible officer from Air Force Station Jaisalmer shall appear alongwith record to assist the Tribunal on the next date of listing. In case the order of the Tribunal is not complied with, there shall be no option except to proceed against the Commanding Officer or the Station Commander of the Air Force Station (supra) in accordance with law.

List the case for further hearing on **13.09.2017** in terms of earlier orders.

Apart from record, as directed to be produced by order dated 01.09.2017, the respondents shall also produce decision taken by Station Commander with regard to allotment of mess accommodation followed by review done for shifting Capt Meenakshi Bhandari to the temporary married quarters.

Copy of the order be supplied to Ld. Counsel for the parties free of cost by tomorrow.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

anb

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

T.A. No. 58 of 2016

Vijay Shankar Dwivedi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.A. Singh, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

M.A. No. 494 of 2017 In re T.A. No. 82 of 2012

Mahavir Singh Rawat
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for time to produce the original record in terms of earlier orders.</p> <p>List the case on 22.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 282 of 2016

Varun Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri A.K. Srivastava, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' further time and no more to file counter affidavit.</p> <p>Applicant may file rejoinder affidavit within next two weeks.</p> <p>List the case on 23.11.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 6 of 2017

Dilip Kumar Gupta
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Ajay Pratap Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' further time and no more to file counter affidavit.</p> <p>Applicant may file rejoinder affidavit within next two weeks.</p> <p>List the case on 06.11.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 150 of 2017 with M.A. No. 1159 of 2017

Dharmendra Pratap Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Col (Retd) Rakesh Johri, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 161 of 2017

Biresh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 15.11.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

T.A. No. 7 of 2012 with M.A. No. 506 of 2017

Ganpati Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner. Maj Salen Xaxa OIC Legal Cell for the respondents.</p> <p>Shri Asheesh Agnihotri holding brief for Shri Yogesh Kesarwani, Ld. Counsel for the respondents has filed application for re-call of order dated 05.05.2017, the same is taken on record.</p> <p>Applicant may file reply within two days.</p> <p>List the case on 11.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

T.A. No. 22 of 2016

Lal Chand Ram
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R. Chandra, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List the case on 21.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1465 of 2017 In re O.A. No. (Nil) of 2017

Rambirkchh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u></p> <p><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri Virendra Kumar Gupta Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted six weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List the case on 28.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1466 of 2017 In re O.A. No. (Nil) of 2017

Girja Shanker Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajiv Pandey on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted six weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List the case on 29.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1467 of 2017 In re O.A. No. (Nil) of 2017

Ranjeet Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri AK Sahu on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted six weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List the case on 23.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1468 of 2017 In re O.A. No. (Nil) of 2017

Mohan Singh Rawat
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Dr. Chet Narain Singh on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted six weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List the case on 23.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1471 of 2017 In re O.A. No. (Nil) of 2017

Pawan Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Dr. Gyan Singh on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p style="text-align: center;">Present : Shri Vishwas Shukla, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted six weeks' time to file objection on application for condonation of delay. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List the case on 23.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 383 of 2017

Lt Col Rajesh Kumar Gopal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Manish Mishra, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Applicant is a person, who has been holding the rank of Lt Col. He was assigned the work of a Commanding Officer since last two years at Military Hospital Varanasi. Now some other person has been posted at Military Hospital Varanasi as Commanding Officer holding the rank of Col (TS). The grievance of the applicant is that since last two years he has been discharging the work of a posted Commanding Officer at Military Hospital Varanasi and now he is downgraded at the same place where he was commanding.</p> <p>Though on account of arrival of a senior person applicant does not seem to have any legal right to continue on the post of Commanding Officer but fact remains that the dignity of a person should be protected under Article 21 of the Constitution of India and hierarchy and honour of a military officer must be a prime concern in the Army. It shall be, therefore, appropriate to shift him on the post of Lt Col to some other place instead of compelling him to work at the same place where he was working</p>

as Commanding Officer for a pretty long period. Things would have been different in case the applicant would have been working for a little period of only 2-3 months but here the applicant has worked for more than 2 years in the posted capacity of Commanding Officer. We expect that respondents should take a decision with regard to applicant's posting on the post of Lt Col and shift him from Varanasi in case applicant makes a representation.

With the consent of Ld. Counsel for the parties we dispose of the O.A. directing the applicant to submit a representation to the competent authority within a period of two weeks. It is clarified that we have not entered into the merits of the controversy.

In case the representation is made, it shall be decided by a reasoned and speaking order expeditiously, say, within a period of one month from the date of receipt of a certified copy of this order.

O.A. is **disposed of** accordingly.

It shall be open to the applicant to apply for two weeks' period of leave, if he so desires to accomplish the task.

(Air Marshal B.B.P.Sinha)
Member (A)

(Justice D.P. Singh)
Member (J)

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2286 of 2016 with M.A. No. 79 of 2017
In re O.A. No. (Nil) of 2016

KK Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the applicant, and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the applicant, two weeks' further time is granted to file better affidavit in support of application for condonation of delay.</p> <p style="text-align: center;">List the case on 12.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p><small>JPT</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2540 of 2016 with M.A. No. 1102 of 2017
In re O.A. No. (Nil) of 2016

Pushpa Devi Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks' further time to file supplementary affidavit. Ld. Counsel for the respondents is granted two weeks' time thereafter to file supplementary counter affidavit.</p> <p style="text-align: center;">List the case on 26.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 507 of 2017 with M.A. No. 1225 of 2017
In re O.A. No. (Nil) of 2017

Dinesh Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri S.K. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Six weeks' time is allowed to the respondents to file objection on application for condonation of delay. While filing objection, the respondents shall bring on record the relevant documents with regard to desertion and dismissal from service and the date of its communication to the applicant.</p> <p style="text-align: center;">List the case on 03.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 1029 of 2017 In re O.A. No. (Nil) of 2017

Ram Pal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted two weeks' further time to file objection on application for condonation of delay. One week's time thereafter is granted to Ld. Counsel for the applicant to file replication.</p> <p style="text-align: center;">List the case on 03.11.1017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1458 of 2017 In re: O.A. No. (Nil) of 2017

Avadh Narain

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, on behalf of the respondents is taken on record. When the case is next listed, his name be shown in the cause list.</p> <p>Present : Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection on application for condonation of delay. Ld. Counsel for the applicant may file replication within next two weeks.</p> <p>List the case on 27.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1459 of 2017 In re: O.A. No. (Nil) of 2017

Balak Singh Negi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Ms Deepti Prasad Bajpai, on behalf of the respondents is taken on record. When the case is next listed, her name be shown in the cause list.</p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Ms Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection on application for condonation of delay. Ld. Counsel for the applicant may file replication within next two weeks.</p> <p>List the case on 22.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1460 of 2017 In re O.A. No. (Nil) of 2017

Ashok Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Dr. Shailendra Sharma Atal, on behalf of the respondents is taken on record. When the case is next listed, his name be shown in the cause list.</p> <p style="text-align: center;">Present : Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection on application for condonation of delay. Ld. Counsel for the applicant may file replication within next two weeks.</p> <p style="text-align: center;">List the case on 28.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1461 of 2017 In re O.A. No. (Nil) of 2017

Bhawani Datt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri R.K.S. Chauhan, on behalf of the respondents is taken on record. When the case is next listed, his name be shown in the cause list.</p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection on application for condonation of delay. Ld. Counsel for the applicant may file replication within next two weeks.</p> <p>List the case on 28.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P. Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

O.A. No. 382 of 2017

Col Dilip Singh Shekhawat
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Memo of appearance filed by Shri G.S. Sikarwar, on behalf of the respondents is taken on record. When the case is next listed, his name be shown in the cause list.</p> <p>Present : Shri V.A. Singh Ld. Counsel for the applicant and Shri Alok Mathur and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The applicant is sought to be dismissed from service on account of illicit relationship with a lady officer of Indian Army Medical Branch. Order of dismissal has been passed on administrative side in pursuance to a Court of Inquiry. Whether illicit relationship constitutes a misconduct, warranting dismissal from service, is a question cropped up in the present case. Moreover, no Court Martial proceeding has been conducted in the matter and only on administrative side after serving a show cause notice, the applicant has been sought to be dismissed, though it is a consenting illicit relationship. The controversy involved requires hearing.</p> <p style="text-align: center;">Admit.</p> <p>Keeping in view the fact that the applicant has been sought to be dismissed only on account of illicit relationship/adultery, as an interim measure it is provided that applicant's dismissal from</p>

service shall be subject to final outcome of the order of the Tribunal. While passing the release order, the respondents shall indicate therein that it shall be subject to the final outcome of the present case.

Ld. Counsel for the respondents is granted four weeks time to file counter affidavit. Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.

List the case on **17.11.2017** for peremptorily hearing.

Let certified copy of the order be issued to the parties on payment of usual charges today itself.

(Air Marshal B.B.P.Sinha)
Member (A)

(Justice D.P. Singh)
Member (J)

JPT

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1535 of 2016 In re O.A. No. (Nil) of 2016

Gajender Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel for the applicant, Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, a week's time is granted to Ld. Counsel for the applicant to file replication to the objection filed by Ld. Counsel for the respondents.</p> <p style="text-align: center;">List the case on 15.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>JPT</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2436 of 2016 In re O.A. No. (Nil) of 2016

Awadh Bihari Murotiya
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri A.K. Srivastava, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The application has been preferred for payment of disability pension as well as its rounding off. Though there appears an inordinate delay but fact remains that the controversy relates to the payment of disability pension, which inhibits in itself a recurring cause of action. In view of settled proposition of law, we condone the delay.</p> <p style="text-align: center;">Admit.</p> <p>Ld. Counsel for the respondents is granted six weeks' time to file counter affidavit. Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p>List the case on 28.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 254 of 2017 In re O.A. No. (Nil) of 2017

Ram Bhawan
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Kaushik Chatterjee Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by OIC Legal Cell, one week's time is granted to enable her to file objection on application for condonation of delay.</p> <p style="text-align: center;">List the case on 13.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 579 of 2017 In re O.A. No. (Nil) of 2017

Sunil Jain
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The delay is of about one month and three days. Although Ld. Counsel for the respondents opposed it but admits that on account of short delay, it may be condoned. Cause shown seems to be sufficient. Accordingly, delay is condoned.</p> <p style="text-align: center;">Controversy relates to Annual Confidential Reports and promotional avenues, which requires hearing.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents is granted six weeks time to file counter affidavit. Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List the case on 29.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A No. 1139 of 2017 In re O.A. No. (Nil) of 2017

Kulwant Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">Controversy relates to payment of disability pension, which inhibits in itself a recurring cause of action. Accordingly we condone the delay.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents is granted six weeks' time to file counter affidavit. Ld. Counsel for the applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List the case on 29.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1452 of 2017 with M.A. No. 1453 of 2017
In re O.A. No. 170 of 2016

Union of India & Others Applicants
By Legal Practitioner for the Applicants
Versus

Md Aftab Alam Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Avadesh Nath Tripathi, Ld. Counsel for the applicants, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1452 of 2017</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A. No. 1453 of 2017</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1454 of 2017 with M.A. No. 1455 of 2017
In re T.A. No. 304 of 2010

D. Simhachalam Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the petitioner and Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1454 of 2017</u></p> <p style="text-align: justify;">This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay.</p> <p style="text-align: justify;">Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A. No. 1455 of 2017</u></p> <p style="text-align: justify;">This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p style="text-align: justify;">Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A. No. 142 of 2017 In re M.A. No. 119 of 2017

Smt Rajwati Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Dr. S.N.Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">In the instant case despite the fact that the matter has been lingering since 2011, the order of the Tribunal has not yet been complied with.</p> <p style="text-align: center;">Let a notice be issued to show cause why the order of the Tribunal has not yet been complied with. The respondents may further show cause why the exemplary cost be not imposed on account of delay in adjudicating the controversy.</p> <p style="text-align: center;">List this case on 19.09.2017 for admission/orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A. No. 143 of 2017 In re O.A. No. 166 of 2017

Smt Neelam Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>In the instant case despite the fact that the matter has been lingering since 2011, the order of the Tribunal has not yet been complied with.</p> <p>Let a notice be issued to show cause why the order of the Tribunal has not yet been complied with. The respondents may further show cause why the exemplary cost be not imposed on account of delay in adjudicating the controversy.</p> <p>List this case on 19.09.2017 for admission/orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A. No. 37 of 2017 In re O.A. No. 196 of 2015

Smt Sangeeta Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u> Present : Shri Col Ashok Kumar(Retd) and Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Present Application has been moved for recall/modification of the order dated 19.09.2016 rendered in O.A.No.196 of 2015 whereby recovery was directed to be made from the Dealing Asstt concerned from the PCDA (P) Allahabad.</p> <p>Since the Application has been moved against the final decision of the Tribunal, it does not seem to be maintainable in view of the law settled by the Apex Court in the case of State of U.P. v. Brahma Dutt Sharma.</p> <p>Accordingly Application being not maintainable is rejected.</p> <p>It is now informed that the PPO has been issued on 04.08.2017. In view of the above we direct the concerned Bank to release the amount in favour of the Applicant in terms of the PPO within one month from the date of receipt of a certified copy of this order.</p> <p>List this case on 27.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A. No. 67 of 2017 In re O.A. No. 175 of 2016

Keshav Datt Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case after two weeks in order to enable learned counsel for the respondents to produce the PPO in terms of the earlier order.</p> <p style="text-align: center;">List this case on 21.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

EX-A. No. 77 of 2017 In re O.A. No. 232 of 2015

Chander Pal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Ms Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Certified copies of the judgment rendered in S.T.No 226 of 1978 dated 21.07.1983 and the judgment in Criminal Appeal No 1682 of 1983 Ram Autar and others Vs State of U.P. rendered on 20.4.1992 have been provided to the learned counsel for the respondents.</p> <p style="text-align: center;">List this case after two weeks on 21.09.2017 to enable learned counsel or the respondents to submit the action taken report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 2066 of 2015 with M.A. No. 1257 of 2016
M.A. No. 2220 of 2016, M.A. No. 2723 of 2016
& M.A. No. 1188 of 2017

Chandra Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Reply to objection filed by the learned counsel for the Applicant is taken on record.</p> <p style="text-align: center;">The controversy relates to payment of disability pension. No doubt there is inordinate delay but at the same time, bearing in mind that the question with regard to payment of disability pension being a recurring cause of action in view of settled proposition of law, the delay is liable to be condoned and it is accordingly condoned.</p> <p style="text-align: center;">In view of the above, the O.A is admitted.</p> <p style="text-align: center;">Let counter affidavit be filed within six weeks. Rejoinder affidavit if any may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case on 24.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 715 of 2017 In re O.A. No. 51 of 2014

Liladhar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Ms Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">We have been informed that PPO has been issued and sent to the State Bank of India at Nilmatha, but the said Bank has not yet credited the amount to the account of the Applicant.</p> <p style="text-align: center;">In view of the above, we direct that the Bank concerned shall credit the amount to the account of the Applicant in terms of the PPO within two weeks positively and submit the compliance report. Registrar of this Tribunal may also send a copy of the present order to the Bank for compliance.</p> <p style="text-align: center;">The respondents shall also file affidavit bringing on record the break-up of amount paid through PPO.</p> <p style="text-align: center;">List this case on 28.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1

M.A. No. 1074 of 2017 with M.A. No. 1316 of 2017
In re O.A. No. (Nil) of 2017

Smt Ganeshi Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, three weeks' time is allowed to file reply to the objection. The respondents may also file counter affidavit in the meantime.</p> <p style="text-align: center;">List this case on 27.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

M.A. No. 1121 of 2017 with R.A. No. 30 of 2017
In re T.A. No. 89 of 2009

Rajendra Prasad Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Present Review Application has been preferred against the impugned order dated 04.05.2017 rendered in T.A.No 89 of 2009.</p> <p>Learned counsel for the respondents objected to the review submitting that it is time barred and has not been preferred within the stipulated period as provided in Rule 18 of the Armed Forces (Procedure) Rules 2008.</p> <p>It has been settled by this Tribunal vide order dated 26.05.2017 passed in Review No 18 of 2017 that the review after statutory period of limitation provided in Rule 18 of the Armed Forces (Procedure) Rules, 2008 shall not be maintainable, since the Tribunal lacks jurisdiction to condone the delay. The relevant portion of the order dated 26.05.2017 is reproduced below.</p> <p style="text-align: center;">“A plain reading of the aforesaid Rule shows that the Legislature in its wisdom has provided that review shall be entertained within a period not later than 30 days. The statutory mandate does not provide to give</p>

any relaxation or condone the delay and the provision being mandatory, the Tribunal seems to lack the jurisdiction to condone the delay. Needless to say that it is well settled law that appeal, review or revision are the outcome of the statutory provisions and unless the statute itself provides to enable to Court or Tribunal to condone the delay, such power may not be exercised.

Learned counsel for the Applicant invited our attention to a decision of the High Court Samarjeet Singh Vs State of U.P and others reported in {2006 (24) LCD 122} wherein it has been held that provisions contained in Section 5 of the Limitation Act shall apply to every case even if it has not specifically been made applicable. The argument advanced by learned counsel for the petitioner seems to be misconceived for the reason that Armed Forces Tribunal Act 2007 is a Special Law and is complete code in itself. Accordingly, General Law i.e the Limitation Act, shall not be attracted unless and until the Armed Forces Tribunal Act 2007 itself provides the applicability of C.P.C or the Limitation Act. A plain reading of Sections 14 and 15 shows that Legislature in their wisdom had provided as to what extent the C.P.C, Cr.P.C or the Evidence Act shall apply in petition filed before the Armed Forces Tribunal. Since the extent of application of other laws has been provided in Armed Forces Tribunal Act 2007 itself, it is not open to the Tribunal to travel beyond the Limitation Act provided by the Act (AFT Act) itself.

Accordingly, we are of the considered view that the Tribunal lacks jurisdiction to condone the delay in case the review is preferred against the order passed by it.

As a result of foregoing discussion, the application for condonation of delay is rejected.

In consequence thereof, the Review Application fails and rejected.”

In view of the above, the above Review Application being time barred, is rejected.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

MH

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 127 of 2017

Jham Prasad Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : None for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p style="text-align: center;">Since learned counsel for the Applicant is reportedly out of station, the case is adjourned and is directed to be listed on 07.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

T.A. No. 73 of 2016

Gore Lal
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : None of the Petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Case called out in revised list but there is no appearance for the petitioner.</p> <p>In view of the above, the case is dismissed for want of prosecution.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 123 of 2010

Durgawati Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.A. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">In terms of the order passed by the Tribunal, the respondents have not produced the entire record including the record of court of inquiry with regard to Applicant's death. We have been informed that the Applicant died during pendency of the present O.A and later-on substituted by his mother.</p> <p style="text-align: center;">The respondents are again directed to produce the entire record including court of inquiry held/convened after Applicant's death.</p> <p style="text-align: center;">The Respondents shall also produce the first information report, post mortem report, record pertaining to court of inquiry and all materials on record with the Applicant's trial and death.</p> <p style="text-align: center;">List this case on 13.09.2017 for further hearing.</p> <p style="text-align: center;">Let a copy of this order be supplied to the learned</p>

counsel for the respondents for onward transmission.

Despite service of notice, private respondents are not present. Hence we are proceeding ex parte in terms of earlier order.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

MH

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 54 of 2016

Smt Maya Verma & Anothers
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Wg Cdr A.K. Singh (Retd), Ld. Counsel for the applicants and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 18.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

T.A. No. 75 of 2011

Ashok Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Bachchan Singh, Ld. Counsel for the petitioner and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>OIC Legal Cell prays for adjournment of the case on account of absence of Shri Alok Mathur, learned counsel appearing for the respondents.</p> <p>As prayed, list this case on 15.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 85 of 2016 with M.A. No. 1525 of 2016

Mahendra Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 18.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 20 of 2016 with M.A. No. 2248 of 2016 &
M.A. No. 1107 of 2017

Bal Krishan M
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Applicant In Person, and Shri Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">We have heard Applicant in person and also learned counsel for the respondents at length.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 272 of 2017

Pramod Kumar Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri A.N. Tripathi, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">On 30.08.2017, the order passed was that the O.A. is allowed and orders to follow.</p> <p style="text-align: center;">At the time of dictating orders, it transpired that on certain vital points, arguments have not been advanced.</p> <p style="text-align: center;">Hence the order dated 30.08.2017 is recalled and the case is ordered to be listed for rehearing on 14.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

O.A. No. 85 of 2014 with M.A. No. 1418 of 2017

Shyam Neeraj
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">On 30.08.2017, the order passed was that the O.A. is allowed and orders to follow.</p> <p style="text-align: center;">At the time of dictating orders, it transpired that on certain vital points, arguments have not been advanced.</p> <p style="text-align: center;">Hence the order dated 30.08.2017 is recalled and the case is ordered to be listed for rehearing on 14.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>