

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

M.A. No. 1534 of 2017 with M.A. No. 1535 of 2017
In re O.A. No. 84 of 2010

Shambhu Nath Mishra 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>14.09.2017</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 S.K. Singh, 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;">Respondents are granted four weeks' time to file objection on application for condonation of delay in moving the application for recall of the order.</p> <p style="text-align: center;">Two weeks' time is granted to Ld. Counsel for the applicant for replication.</p> <p style="text-align: center;">List the case on 09.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>anb</p>

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

M.A. No. 1541 of 2017 In re O.A. No. 363 of 2017

Ram Dev Singh Sengar

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>14.09.2017</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 Mohd. Zafar Khan on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Mod Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Since the applicant was discharged/retired on 31.03.2016, in para 11 of the judgment dated 29.08.2017 the order is corrected and the words 'filing of the petition' are deleted and substituted by the word 'discharge' similarly the date '03.07.2014' is deleted and substituted by '31.03.2016'.</p> <p>Application stands disposed of.</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>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (List B)

EX-A. No. 33 of 2017 In re T.A. No. 158 of 2010

Prem Singh

By Legal Practitioner for the Petitioner

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.09.2017</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 K.K.S. Bisht, Ld. Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">This is an application for execution of order of this Tribunal dated 08.09.2016.</p> <p style="text-align: center;">The order has not been complied with. On 24.08.2017 we had passed stop order granting two weeks' further time for compliance of the order of the Tribunal but no compliance has been made till date.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that the matter is pending with the MoD.</p> <p style="text-align: center;">We are concerned only with the compliance of the order within the stipulated period.</p> <p style="text-align: center;">In view of the above subject to payment of cost of Rs 10,000/- which shall be deposited by the respondents in the Tribunal within one month from today and shall be released in favour of the applicant through cheque, we defer the proceedings for next date after a month to enable the respondents to comply the order of the Tribunal and submit compliance report.</p> <p style="text-align: center;">List the case on 23.10.2017 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>

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Court No.1 (List B)

EX-A. No. 73 of 2017 In re T.A. No. 96 of 2016

Maj Gen DVS Rana
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>14.09.2017</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 Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">It has been submitted by Ld. Counsel for the respondents that SLP is still pending in the Hon'ble Supreme Court and stay is continuing.</p> <p style="text-align: center;">List the case on 30.11.2017 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>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (List B)

M.A. No. 659 of 2017 along with R.A. No. 14 of 2017
In re O.A. No. 324 of 2013

Prabodh Nath Tiwari
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>14.09.2017</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 applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>This is a review petition filed by the applicant under Rule 18 of the Armed Forces Tribunal (Procedure) Rules.</p> <p>Preliminary objection has been raised by OIC Legal Cell that the application is not maintainable for the reason that the Tribunal lacks jurisdiction to condone the delay. Attention has been invited to O.A. No. 137 of 2014: <i>Sunder Singh vs. Union of India and ors</i> wherein we have considered the provisions contained in Rule 18 (supra) and held that the Tribunal lacks jurisdiction to condone the delay in filing review application.</p> <p>In view of above, since the Tribunal lacks jurisdiction to condone delay in filing the review application, the application for condonation of delay is rejected.</p> <p>In consequence thereto the application for review is also rejected.</p> <p>No order as to costs.</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>

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Court No.1 (List B)

M.A No. 1122 of 2017 with R.A. No. 31 of 2017
& M.A. No. 1457 of 2017 In re O.A. No. 325 of 2013

Surender Singh 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>14.09.2017</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 applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>This is a review petition filed by the applicant under Rule 18 of the Armed Forces Tribunal (Procedure) Rules.</p> <p>Preliminary objection has been raised by OIC Legal Cell that the application is not maintainable for the reason that the Tribunal lacks jurisdiction to condone the delay. Attention has been invited to O.A. No. 137 of 2014: <i>Sunder Singh vs. Union of India and ors</i> wherein we have considered the provisions contained in Rule 18 (supra) and held that the Tribunal lacks jurisdiction to condone the delay in filing review application.</p> <p>In view of above, since the Tribunal lacks jurisdiction to condone delay in filing the review application, the application for condonation of delay is rejected.</p> <p>In consequence thereto the application for review is also rejected.</p> <p>No order as to costs.</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;">anb</p>

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Court No.1 (List B)

O.A. No. 64 of 2011 with M.A No. 1508 of 2017

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>14.09.2017</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, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Shri P.N. Chaturvedi, Ld. Counsel for the applicant has filed affidavit tendering unconditional apology, hence initiative taken to proceed for contempt under Section 19 of the Armed Forces Tribunal Act, 2007 is dropped. He is warned to be cautious in future and come prepared with the case.</p> <p style="text-align: center;">List the case on 18.09.2017 for further 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 style="text-align: left;"><small>anb</small></p>

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Court No.1 (List B)

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

Shyam Neeraj
By Legal Practitioner for the Applicant

Applicant

Versus

Ministry of Defence
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.09.2017</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 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>On request made by Ld. Counsel for the respondents, list the case on 15.09.2017 for re-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>anb</p>

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Court No.1 (List B)

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>14.09.2017</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 request made by Ld. Counsel for the applicant, four weeks' further time is granted to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 24.10.2017 for re-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>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (List A)

M.A No. 1531 of 2017 In re O.A. No. Nil of 2017

Paras Nath Tiwari 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>13.09.2017</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, Advocate on behalf of the respondents is taken on record. When the case is next listed, her name shall be shown in the cause list.</p> <p>Present : Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, six weeks' time is granted to the respondents to file objection to delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List this case on 30.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (List A)

M.A. No. 2784 of 2016 In re O.A. No. Nil of 2016

Mohd Idu Ansari 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>13.09.2017</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 R.C. Dixit, Ld. Counsel for the applicant and Shri Dr. Shailendra Sharma Atal, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' further time is allowed to the applicant to file replication.</p> <p style="text-align: center;">List this 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><small>JPT</small></p>

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

Court No.1 (List A)

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>13.09.2017</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;">Reply filed by the applicant to objection filed against delay condonation application is taken on record.</p> <p style="text-align: center;">Controversy relates to payment of disability pension. Though O.A. has been filed after an inordinate delay but keeping in view the fact that the payment of disability pension inhibits in itself a recurring cause of action, hence delay is condoned.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">As prayed, respondents may file counter affidavit within four weeks. Applicant shall have two weeks' time thereafter to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 29.11.2017 for hearing.</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 (List A)

M.A. No. 865 of 2017 In re O.A. No. (Nil) of 2017

Bhim 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>13.09.2017</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 Amit Jaiswal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Shri Amit Jaiswal, learned counsel for the respondents, four weeks' time is allowed to respondents to file objection to delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 27.11.2017 for orders, showing the name of Shri Amit Jaiswal, Advocate as counsel for the respondents instead of Shri Ashish Kumar Singh, as Shri Jaiswal states that he is the counsel in the present case for the respondents and not Shri Ashish Kumar Singh.</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 (List A)

M.A. No. 1037 of 2017 In re O.A. No. Nil of 2017

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>13.09.2017</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 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 style="text-align: center;">As prayed by Dr. Shailendra Sharma Atal, learned counsel for the respondents four weeks' further time is granted to the respondents to file objection to delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 06.11.2017 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 (List A)

O.A. No. 110 of 2017

Ravindra Singh Dagar
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>13.09.2017</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 Ashish Saxena, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant has made a prayer for correction in the O.A. in the array of parties.</p> <p style="text-align: center;">Heard.</p> <p style="text-align: center;">The amendment sought is innocuous in nature, hence allowed. The learned counsel for the applicant is permitted to make necessary correction as prayed during the course of the day.</p> <p style="text-align: center;">As prayed by Shri Ashish Saxena, learned counsel for the respondents four weeks' time is allowed to the respondents to file objection to delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 16.11.2017 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>

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

O.A. No. 187 of 2017

Ravendra 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>13.09.2017</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 Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by Shri Ashish Kumar Singh, learned counsel for the respondents is taken on record. As prayed by Shri V.K. Pandey, learned counsel for the applicant two weeks' time is allowed to the applicant to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 09.11.2017 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 (List A)

T.A. No. 19 of 2016

Ranjit 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>13.09.2017</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 D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Let fresh notice be issued to the petitioner to engage some other counsel or to make alternative arrangement by the next date fixed and also to provide copy of the present T.A.</p> <p>List this case on 31.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

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

T.A. No. 24 of 2017

Shiv Dutt Gupta
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>13.09.2017</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 Jai Prakash Saxena, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the petitioner has filed bench copy of the petition.</p> <p>As prayed, list this on 20.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

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

Court No.1 (List A)

T.A. No. 25 of 2017

Shiv Dutt Gupta
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>13.09.2017</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 Jai Prakash Saxena, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the petitioner has filed bench copy of the petition.</p> <p style="text-align: center;">As prayed, list this on 20.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; margin-left: 10px;">JPT</p>

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

Court No.1

MA/1533/2017 In re T.A. No. 1093 of 2010

Smt Prasandi Devi
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>13.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;"><u>MA/1533/2017</u></p> <p style="text-align: center;">This is an application for correction in the name of petitioner and her husband.</p> <p style="text-align: center;">According to the applicant/petitioner T.A. bearing No.1093 of 2010 filed by her was allowed on 21.02.2017 but vide letter dated 22.06.2017 of respondent no.3 she has been informed that the name of the petitioner should be 'Parshandhi Devi' and the name of her husband should be 'Kishan'.</p> <p style="text-align: center;">Perusal of the record shows that while filing the counter affidavit the respondents have not raised any objection regarding the names mentioned by the applicant in her petition and they have also shown the name of applicant as 'Smt Prasadi Devi' .</p> <p style="text-align: center;">It appears that the word 'Sri' has been used by the petitioner as per Indian culture to depict respect, more so because even the respondents in their counter affidavit have not raised any objection that there is any error in the names, in the array of parties. As such there seems that there is no doubt</p>

about the identity. The word 'Sri' before a name is commonly used for the sake of respect. In the present case using the words "Late Sri" after the death of her husband 'Kishan' do not seem to suffer from any illegality or irregularity, particularly when the respondents did not raise any objection that there is any error in the names in the array of parties while giving reply to the averments made in the petition.

In such circumstances, we do not feel that the respondents could have raised this objection at this belated stage.

Accordingly, we clarify our order dated 21.02.2017 and direct the respondents to give benefit of the order of the Tribunal dated 21.02.2017 (supra) to the petitioner, treating the name of the petitioner as "Parshandhi Devi" and the name of her husband as 'Kishan'.

With the aforesaid directions, we clarify our order. The application for correction stands disposed of finally. It shall be open to the applicant/petitioner to make necessary correction in the names as aforesaid in the array of parties.

(Lt Gen Gyan Bhushan)
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
List B

M.A. No. 1529 of 2017 In re: R.A. No. 37 of 2017
In re M.A. No. 412 of 2017

Baleshwar Yadava 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>13.09.2017</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. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1529 of 2017</u></p> <p>Order dated 01.09.2017 has been passed on merit. There appears to be no error apparent at the face of record. Even after providing fresh hearing we feel that the order is based on sound principles of law. M.A. No. 1529 of 2017 stands disposed of with liberty to the applicant to approach the appropriate forum for any further cause of action.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>anb</p>

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

M.A. No. 1532 of 2017 In re O.A. No. 126 of 2017

Satendra 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>13.09.2017</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 Dr. Shailendra Sharma Atal on behalf of the respondents is taken on record.</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;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">This is an application for modification of order dated 29.09.2015 passed in O.A. No. 126 of 2013 moved by the applicant Satendra Singh.</p> <p style="text-align: center;">In view of the settled proposition of law enunciated by Hon'ble the Supreme Court in the case of <i>State of U.P. vs. Brahma Datt Sharma</i>, 1987 AIR 943: 1987 SCR (2) 444, miscellaneous application against final order is not maintainable.</p> <p style="text-align: center;">The application is rejected with liberty to the applicant to approach appropriate forum afresh, if so advised.</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;">anb</p>

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

Ex-A. No. 101 of 2017 In re EX-A No. 40 of 2013 & O.A. No. 332 of 2012

Ram Sajiwan 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>13.09.2017</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 Shyam Bihari Tiwari, 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;">Submission has been made by Shri Namit Sharma, Ld. Counsel for the respondents in view of instructions received vide letter dated 23.01.2017 the applicant has been paid pension of Nb Sub alongwith interest @ 8% through Corrigendum PPO and the Treasury Officer, Sultanpur has been directed to make payment in accordance with the Corrigendum PPO.</p> <p style="text-align: center;">Ld. Counsel for the applicant denies that pension of Nb Sub along with interest has been paid to the applicant.</p> <p style="text-align: center;">Let notice be issued by the Registry to the Treasury Officer, Sultanpur to explain why the payment has not been released and credited in applicant's account in terms of PPO and Corrigendum PPO No S/CORR/9045/2016 dated 23.01.2017. The Treasury Officer shall file affidavit in case amount has not been paid and transferred to the account of the applicant in terms of PPO and Corrigendum PPO.</p> <p style="text-align: center;">List the case on 12.10.2017 for final 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 style="text-align: left; font-size: small;">anb</p>

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

EX-A No. 112 of 2017 In re T.A. No. 1000 of 2010

Smt Kalawati Devi
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>13.09.2017</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 Sarvesh Kumar Pandey, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Four weeks' and no more further time is granted to the respondents to submit compliance report of order dated 09.02.2017 passed in T.A. No. 1000 of 2010.</p> <p>Since the matter pertains to the year 2001 we caution the respondents that in case order of the Tribunal (supra) is not complied with within the stipulated period, there will be no option but to pass punitive order.</p> <p>List the case on 05.10.2017 for orders.</p> <p>Copy of the order be supplied to Ld. Counsel for the parties free of cost by tomorrow.</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. 122 of 2017 In re O.A. No. 333 of 2012
with In re Ex-A No. 92 of 2013

Ram Ashre 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>13.09.2017</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 S.B. Tiwari, 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;">Admittedly order of the Tribunal dated 24.08.2012 passed in O.A. No. 333 of 2012 has not been complied with. Further four weeks' time has been sought by the Ld. Counsel for the respondents to comply with the order.</p> <p style="text-align: center;">The order of the Tribunal is dated 24.08.2012.</p> <p style="text-align: center;">Subject to payment of cost of Rs 10,000/- we permit the respondents to comply order of the Tribunal and submit compliance report within six weeks.</p> <p style="text-align: center;">List the case on 26.10.2017 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; font-size: small;">anb</p>

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

M.A. No. 2104 of 2016 In re T.A. No. 535 of 2010

Ramendra 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>13.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Vakalatnama filed by Shri Vijay Kumar Pandey on behalf of the applicant is taken on record with no objection from Shri Sandeep Tripathi, earlier counsel appearing for the applicant. Name of Shri Vijay Kumar Pandey shall be shown in the cause list when the case is next listed.</p> <p>Present : Shri Vijay Kumar Pandey, Ld. Counsel for the petitioner and Shri Siddharth Dhaon, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Rejoinder affidavit filed by Ld. Counsel for the applicant is taken on record.</p> <p>On request made by Shri Vijay Kumar Pandey, Ld. Counsel for the applicant, the case is passed over for the day.</p> <p>List the case on 03.10.2017 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

O.A. No. 322 of 2016 with M.A. No. 2729 of 2016
along with C.A. No. 02 of 2017

Hari Shankar Tripathi
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>13.09.2017</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. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Affidavit filed by the respondents in Court today is taken on record.</p> <p style="text-align: center;">According to affidavit filed by the respondents the petitioner has been paid pension @ 89,000/- and odd including D.A. up to 1993. However according to applicant appearing in person he is entitled to pension @ 95,000/- and odd after counting 33 years of service.</p> <p style="text-align: center;">During course of argument it has been apprised by Ld. Counsel for the respondents that the applicant has been paid pension keeping in view 33 years of service but weightage has not been given. Excluding weightage of six years pension has been assessed on the basis of 27 years of actual service rendered. It has also been stated that the applicant has been paid pension in accordance with Army Regulations and scheme of One Rank and One Pension (OROP).</p> <p style="text-align: center;">Ld. Counsel for the respondents shall file counter affidavit in terms of earlier orders within four weeks. Rejoinder affidavit</p>

may be filed by Ld. Counsel for the applicant within two weeks thereafter.

While filing counter affidavit the respondents shall bring on record all relevant Rules and Regulations which have been relied upon while assessing applicant's service pension. Respondents shall also bring on record the policy/authority under which weightage given may be taken back from the pensionary benefits already paid at the time of retirement. Specific averments shall be made in the counter affidavit with regard to the grade of the applicant on the basis of which applicant's pension has been calculated since applicant's submission is that pensionary benefits have been calculated from the original pay scale instead of final pay scale when he has attained the age of superannuation.

List the case on **27.10.2017** for final hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.

Ld. Counsel for the parties may submit/exchange synopsis, and list of events.

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

O.A. No. 37 of 2011

Narayan 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>13.09.2017</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 Lalit Kumar, 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;">On request made by Ld. Counsel for the applicant, the case is passed over for the day.</p> <p style="text-align: center;">List again on 04.10.2017 for re-hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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;">anb</p>

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

O.A. No. 312 of 2015

Ramakant 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>13.09.2017</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 S.B. Tiwari, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Additional rejoinder affidavit filed by the applicant is taken on record.</p> <p style="text-align: center;">List the case on 19.09.2017 for re-hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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(List A)

M.A No. 1525 of 2017 In re O.A. No. Nil of 2017

Santosh 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>12.09.2017</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 Mrs. Anju Singh, Advocate on behalf of the respondents is taken on record. When the case is next listed, her name shall be shown in the cause list.</p> <p>Present : Shri Virat Anand Singh, Ld. Counsel for the applicant and Mrs. Anju Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, six weeks' time is granted to the respondents to file objection to the delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p>List this 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(List A)

M.A. No. 1526 of 2017 In re O.A. No. Nil of 2017

Lt Col (Retd) Laxmi Narayan Trivedi 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>12.09.2017</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 Avadhesh Narain Tripathi, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name shall be shown in the cause list.</p> <p>Present : Shri Virat Anand Singh, learned counsel for the applicant and Shri Avadhesh Narain Tripathi, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Keeping in view the fact that applicant's first appeal was decided on 24.05.2017, the cause of action seems to have accrued on 24.05.2017. Petition has, therefore, been filed within a period of six months, hence there appears no delay. Accordingly, the application for condonation of delay does not require any order.</p> <p>Petition relates to rounding off of disability pension, which requires hearing.</p> <p>Admit.</p> <p>As prayed, six weeks' time is granted to the respondents to file counter affidavit. Applicant shall have two weeks' time thereafter to file rejoinder affidavit.</p> <p>List this 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(List A)

O.A. No. 230 of 2017

Smt Urmila Devi Chauhan
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>12.09.2017</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 Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Shri Yogesh Kesarwani, learned counsel for the respondents, four weeks' further time is granted to file counter affidavit. The applicant shall have four weeks' time thereafter to file rejoinder affidavit.</p> <p>List this case on 01.12.2017 for hearing.</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;"><small>JPT</small></p>

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

M.A. No. 1774 of 2016 In re O.A. No. (Nil) of 2016

Thiyam Tomba 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>12.09.2017</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 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, four weeks' further time is granted to the respondents to file objection to delay condonation application. The applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 20.11.2017 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(List A)

M.A. No. 2465 of 2016 In re O.A. No. Nil of 2016

Munni Lal 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>12.09.2017</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.P. Pandey, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Supplementary affidavit filed by the applicant is taken on record. The respondents may file reply to it within four weeks' time.</p> <p style="text-align: center;">List this case on 30.11.2017 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(List A)

M.A. No. 516 of 2017 In re O.A. No. (Nil) of 2017

Ram Bahadur 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>12.09.2017</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 Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' further time is allowed to the applicant to file replication. The respondents may also file counter affidavit in the meantime in terms of order dated 18.07.2017.</p> <p style="text-align: center;">List this case on 15.11.2017 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 (List A)

M.A. No. 544 of 2017 In re D.Y. No 3023 of 2016

Sombir 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>12.09.2017</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 M.R. Gupta, 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;">Objection to delay condonation application filed by Dr. Shailendra Sharma Atal, copy of which has been served by him on the applicant's counsel, is taken on record. Applicant shall have four weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 02.11.2017 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(List A)

O.A. No. 205 of 2017

Y.P. Sharma & Others
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>12.09.2017</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 Ajit Singh Gaherwar, Ld. Counsel for the applicants and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Objection filed by the respondents is taken on record. As prayed, applicant may file replication within two weeks' time.</p> <p>List this case on 07.11.2017 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(List A)

O.A. No. 274 of 2016

Rajendra Prasad 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>12.09.2017</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 B.K. Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Respondents have not filed counter affidavit in spite of stop order dated 04.08.2017 passed by the Tribunal. Hence we decline to pass any further order and proceed ex-parte against the respondents on the basis of affidavit filed by the applicant in the O.A.</p> <p style="text-align: center;">List this case on 07.11.2017 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(List A)

M.A. No. 1220 of 2017 In re: O.A. No. Nil of 2017

Hira Lal
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>12.09.2017</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 Shrish 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, four weeks' time and no more is allowed to the respondents to file objection to delay condonation application. Applicant shall have two weeks' time thereafter to file replication.</p> <p style="text-align: center;">List this case on 13.11.2017 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

EX-A No. 144 of 2017 In re O.A. No. 256 of 2012

Gajraj Singh

Applicant

By Legal Practitioner for the Applicant

Versus

**The OIC in Charge, Brigade of the
Guards Kamptee**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</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 V.P.S. Vats, learned Central Govt Standing Counsel on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is next listed.</p> <p>Present : Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Order of the Tribunal passed in O.A. No. 256 of 2012 dated 20.07.2012 has not been complied with.</p> <p>Though cost has not been specified but the O.A. was allowed with cost. Almost five years have elapsed, but the order has not been complied with. It is unfortunate state of affairs on the part of the respondents for keeping the matter pending for almost five years after final adjudication of the controversy involved in the O.A. by judicial verdict.</p> <p>However, we provide further four weeks time and no more to enable the respondents to comply the order of the Tribunal failing which punitive orders may be passed against the respondents.</p> <p>List the case again on 12.10.2017 for further 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. 1511 of 2017 with M.A. No. 1512 of 2017
In re O.A. No. 250 of 2016

Union of India & Others Applicants-Respondents
By Legal Practitioner for the Applicants-Respondents

Versus

Surinder Kumar Patyal Respondent-Applicant
By Legal Practitioner for Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</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 Narain Tripathi, Ld. Counsel for the applicants, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1511 of 2017</u></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal. 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. 1512 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 style="text-align: center;">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. 1516 of 2017 with M.A. No. 1517 of 2017
In re O.A. No. 190 of 2013

Union of India & Others Applicants-Respondents
By Legal Practitioner for the Applicants-Respondents

Versus

Jai Prakash Yadav Respondent-Applicant
By Legal Practitioner for Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</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 Avadesh Narain Tripathi Ld. Counsel for the applicants, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1516 of 2017</u></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal. 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><u>M.A. No. 1517 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) (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. 1518 of 2017 In re O.A. No. 356 of 2012

Union of India & Others
By Legal Practitioner for Respondents

Applicant-Respondents

Versus

Ranjodh Singh

Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</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 Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>This is an application for leave to appeal.</p> <p>After hearing Ld. Counsel for the applicant-respondent, we do not find any ground where question of public importance is involved to grant leave to appeal. In view of statutory provision contained in Section 31 of the Armed Forces Tribunal Act, 2007, we also find that no point of law of general importance is involved, which may call for grant of leave to appeal to the applicant.</p> <p>Accordingly, application lacks merit and is 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>ANB</p>

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

EX-A. No. 91 of 2017 In re O.A. No. 24 of 2014

Nar Singh Bahadur 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>11.09.2017</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 applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Order of the Tribunal dated 07.09.2015 seems to have not been complied with in spite of time granted vide order dated 08.08.2017.</p> <p>Subject to payment of cost of Rs. 25,000/- (Rupees twenty five thousand) we grant one month's further time to the respondents to comply with the order of the Tribunal and file status report.</p> <p>Cost shall be deposited by the respondents within two weeks which shall be paid to the applicant by the Registry through cheque.</p> <p>We further provide that in case order of the Tribunal is not complied within the time provided, there shall be no option left with the Tribunal but to enhance the cost to compensate the applicant.</p> <p>List the case on 12.10.2017 for further orders.</p> <p>Copy of the order be supplied to Ld. Counsel for the respondents free of cost by tomorrow.</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. 92 of 2017 In re T.A. No. 114 of 2009

Lekh Raj
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>11.09.2017</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 Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents undertakes to issue and produce PPO within two weeks.</p> <p>List the case on 27.09.2017 for further 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. 103 of 2017 In re O.A. No. 283 of 2014

Bramhanand Chauhan
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>11.09.2017</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.K. Pandey, 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;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Almost two years are likely to elapse but order of the Tribunal passed in O.A. No. 283 of 2014 dated 07.12.2015 has not been complied with.</p> <p style="text-align: center;">Subject to payment of cost of Rs. 10,000/- (Rupees ten thousand), we grant further four weeks' time to the respondents to comply with the order and file status report.</p> <p style="text-align: center;">List the case on 12.10.2017 for further orders.</p> <p style="text-align: center;">Copy of the order be supplied to Ld. Counsel for the respondents free of costs by tomorrow.</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. 937 of 2017 with M.A. No. 938 of 2017
In re O.A. No. 118 of 2011

Aditya Nath Tiwari
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>11.09.2017</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 applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Affidavits have been exchanged.</p> <p>Admit.</p> <p>On request made by Ld. Counsel for the applicant, list the case again on 18.09.2017 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. 959 of 2017 In re O.A. No. (Nil) of 2017

Mahananda Rath
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>11.09.2017</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 Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection on application for condonation of delay filed by the respondents is taken on record.</p> <p style="text-align: center;">Applicant may file replication within two weeks.</p> <p style="text-align: center;">List the 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><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. 1219 of 2017 In re O.A. No. (Nil) of 2017

Ram 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>11.09.2017</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 Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection on application for condonation of delay filed by the respondents is taken on record.</p> <p style="text-align: center;">Applicant may file replication within two weeks.</p> <p style="text-align: center;">List the case on 26.10.2017 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

O.A. No. 163 of 2016 with M.A. No. 1379 of 2017

Laxman 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>11.09.2017</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 K.K.S. Bisht, 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>On request made by Ld. Counsel for the parties, the case is passed over for the day.</p> <p>List again on 19.09.2017 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>ANB</p>

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

O.A. No. 144 of 2017 with M.A. No. 1106 of 2017

Ram Vilas Dixit
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>11.09.2017</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 S.G. Singh, Ld. Counsel for the applicant and Mrs Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">M.A. No. 1106 of 2017 stands disposed of accordingly. Applicant may file rejoinder affidavit within four weeks. List the case on 07.11.2017 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 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

O.A. No. 169 of 2011 with M.A. No. 1222 of 2017

Lt Col Lokesh Kandpal
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>11.09.2017</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 applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Alifa Akbar, MS Branch, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Respondents are directed to submit Unit Strength Return for the month of August and October, 2005 and Battalion Routine Order Part-1 passed on the date of the incident in question with regard to applicant's assignment of duties through affidavit by the next date fixed.</p> <p>List the case on 18.09.2017 for further 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. 248 of 2011

Mohd Arif
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>11.09.2017</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 applicant and Mrs Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the parties, the case is adjourned.</p> <p>List again on 18.09.2017 for further 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. 753 of 2010 Along with O.A. No. 248 of 2011

KP Mishra
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>11.09.2017</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. Pandey, Ld. Counsel for the petitioner and Shri D.K. Pandey Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the parties, the case is adjourned.</p> <p>List again on 18.09.2017 for further 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. 174 of 2015

Jageshwar 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>11.09.2017</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 the case again on 21.09.2017 for hearing and to enable Ld. Counsel for the respondents to produce the record.</p> <p style="text-align: center;">Ld. Counsel for the parties may also 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. 194 of 2016

Ved 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>11.09.2017</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 K.K. Mishra, Ld. Counsel or 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;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment 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. 202 of 2016

Gopal 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>11.09.2017</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.R. Chaubey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, 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 six weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 24.11.2017 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 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

O.A. No. 209 of 2016

Gore Lal
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>11.09.2017</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 Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Applicant's grievance is that keeping in view the High School Certificate, the respondents have not changed the date of birth of his son Master Saurabh Katiyar and daughter Km. Reena Katiyar.</p> <p>According to Ld. Counsel for the applicant, in the High School Certificate date of birth of his son Master Saurabh Katiyar is recorded as 10.04.1995 and that of his daughter Km. Reena Katiyar, the date of birth is recorded as 05.03.1994. Ld. Counsel has placed reliance upon Policy Letter dated 27.01.2014.</p> <p>It is well settled proposition of law that date of birth recorded in the High School Certificate is decisive to ascertain date of birth of a person.</p> <p>Keeping in view the factual matrix on record, we feel that in view the High School Certificates of the son and daughter of the applicant, his service record should be corrected by making entries of date of birth of his son and daughter as recorded in their High School Certificates.</p>

Accordingly, we direct the petitioner to represent his case afresh along with High School Certificates of his son and daughter to the respondents within two weeks from today. The respondents shall make necessary entries within next two months in the service record of the applicant with regard to date of birth of his son and daughter after verifying the genuineness of the certificates.

Subject to directions as aforesaid, the O.A. is **disposed of** accordingly.

No order as to costs.

(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. 185 of 2009 with M.A. No. 821 of 2017

Vijay Kumar Yadav
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>11.09.2017</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 V.A. Singh, Ld. Counsel for the petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The annexures annexed along with the supplementary affidavit filed by the petitioner are not legible.</p> <p>Ld. Counsel for the petitioner is directed to file typed and legible copies of the annexures filed along with the supplementary affidavit within a week.</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>ANB</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
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>11.09.2017</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 and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>List the case again on 15.09.2017 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. 24 of 2012

Yogendra 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>11.09.2017</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 Ratnesh Chandra, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Second supplementary affidavit by Ld. Counsel for the respondents is taken on record.</p> <p>List the case on 18.09.2017 for further 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>The supplementary affidavit filed by Maj Nishan Singh of 2/11 GR (SHINGO) does not seem to be clear. It is submitted by Ld. Counsel for the respondents that the affidavit has been filed on instructions given by Capt Sabari PM, Officiating Adjutant, 307, Medium Regiment, PIN – 926307.</p> <p>Let the officers concerned appear in person before this Tribunal on the next date fixed and clarify the averments made in the supplementary affidavit filed today.</p> <p>Copy of the order be supplied to Ld. Counsel for the respondents free of costs by tomorrow.</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;">ANB</p>

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

T.A. No. 3 of 2015

Naval Kishore Bajpai
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>11.09.2017</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 Sudhir 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>On request made by Ld. Counsel for the petitioner, list the case again on 19.09.2017 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(List A)

M.A No. 1507 of 2017 In re O.A. No. Nil of 2017

BN Tripathi

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>11.09.2017</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 V.P.S. Vats, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</p> <p>List the case on 21.11.2017 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(List A)

M.A. No. 1509 of 2017 In re O.A. No. Nil of 2017

Rauf Khan

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>11.09.2017</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 Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p>Present : Shri R.N. Tripathi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</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(List A)

M.A. No. 1510 of 2017 In re O.A. No. Nil of 2017

Jagvir 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>11.09.2017</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 Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</p> <p>List the case on 21.11.2017 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;"><small>JPT</small></p>

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

O.A. No. 393 of 2017

Arbind 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>11.09.2017</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, Advocate, on behalf of the respondents is taken on record.</p> <p>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>Applicant a retired member of Indian Army, has approached this Tribunal for rounding off (broad banding) of his disability pension in view of law settled by Hon'ble the Supreme Court.</p> <p>Attention has been invited by Ms Deepti Prasad Bajpai, learned counsel for the respondents to the representation dated 15.04.2017 submitted by the applicant for rounding off of the disability pension.</p> <p>So far law is concerned, it is very well settled by the Hon'ble Supreme Court with regard to broad banding and rounding off of disability pension, vide K.J.S. Buttar vs. Union of India and others reported in SCC 2011, XI, 429 and Union of India and Ors vs Ram Avtar & ors (Civil Appeal No. 418 of 2012 dated 10th December, 2014).</p> <p>Accordingly, with the consent of learned counsel for the parties, we dispose of the petition finally with the direction to the</p>

competent authority to decide the representation of the applicant dated 15.04.2017 (supra) expeditiously, say, within a period of two months from the date of receipt of certified copy of this order, keeping in view the law laid down by the Hon'ble Supreme Court vide aforesaid cases, with due communication of the order passed on the representation aforesaid to the applicant. It is clarified that we have not entered into the merits of the controversy in question.

O.A. is accordingly disposed of finally. No order as to costs.

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

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

JPT

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

M.A. No. 987 of 2017 In re O.A. No. Nil of 2017

Chakravir Chaudhari
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>11.09.2017</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 P.N. Chatruvedi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Objection filed by Shri Shyam Singh, learned counsel for the respondents to the delay condonation application is taken on record.</p> <p>Learned counsel for the applicant prayed for and is granted four weeks' time to file replication to the objection to delay condonation application.</p> <p>List this case on 13.11.2017 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(List A)

M.A. No.630 of 2016 with M.A. No. 2060 of 2016,
with M.A. No. 529 of 2017 & M.A. No. 1170 of 2017

Ram Nath 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>11.09.2017</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 Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, two weeks' time is granted to the learned counsel for the respondents to file objection to the application for amendment. The applicant shall have two weeks' time thereafter to file replication, if any.</p> <p style="text-align: center;">List this 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;"><small>JPT</small></p>

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

M.A. No. 82 of 2017 O.A. No. (Nil) of 2017

Sukhvir Singh Kandari
& Ex Sub Gauri 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>11.09.2017</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 Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Two weeks' further time is granted to the applicants to file replication in terms of order dated 26.07.2017.</p> <p>List this case on 03.10.2017 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><small>JPT</small></p>

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

M.A. No. 588 of 2017 In re O.A. No. (Nil) of 2017

Ajay Kumar K
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>11.09.2017</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 : Col (Retd) Y.R. Sharma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It has been submitted by Col. Y.R. Sharma (Retd), learned counsel for the applicant that against the impugned order of discharge dated 31.08.2015 the applicant filed a statutory representation dated 15.12.2016, which was rejected on 24.01.2017 and against the aforesaid rejection order the applicant has filed the instant petition on 17.03.2017.</p> <p>Office has made an endorsement with regard to limitation that the petition is barred by time. Keeping in view the date of rejection order of statutory representation of the applicant i.e. impugned order dated 24.01.2017, preferred by him against the discharge order dated 31.08.2015, Office seems to have not acted correctly while assessing the limitation. Limitation has started from the date of last cause of action i.e. 24.01.2017, the date of disposal of statutory representation of the applicant dated 15.12.2016.</p> <p>In future Office shall take care while making the report with regard to limitation.</p> <p>In view of the above, there appears to be no delay from the</p>

date of cause of action i.e. disposal of the statutory representation of the applicant by the competent authority. Accordingly, we do not feel that the applicant was required to move any application for condonation of delay. However, formally since the application has been moved an application for condonation of delay, we condone the delay, if any and **admit** the petition, wherein discharge order has been challenged by the applicant, passed on the basis of four red ink entries, alleged to have been passed without any preliminary inquiry.

The respondents are granted four weeks' time to file counter affidavit. The applicant shall have four weeks' time thereafter to file rejoinder affidavit.

List this case on **30.11.2017** for orders.

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

M.A. No. 717 of 2017 with M.A. No. 1198 of 2017
In re O.A. No. (Nil) of 2017

Yogesh Chandra Singh 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>11.09.2017</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 Yash Pal Singh, 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 on behalf of the applicant, two weeks' further time is allowed to him to file reply.</p> <p style="text-align: center;">List this case on 12.10.2017 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(List A)

M.A. No. 923 of 2017 In re O.A. No. (Nil) of 2017

BP 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>11.09.2017</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.A. Singh, Ld. Counsel for the applicant and Shri Siddharth Dhaon, Ld. Counsel for the respondents, assisted by Sidharth Dhaon, OIC Legal Cell.</p> <p style="text-align: center;">As prayed on behalf of the applicant, two weeks' further time is allowed to him to file reply.</p> <p style="text-align: center;">List this case on 09.10.2017 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(List A)

M.A No. 1507 of 2017 In re O.A. No. Nil of 2017

BN Tripathi

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>11.09.2017</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 V.P.S. Vats, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</p> <p>List the case on 21.11.2017 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(List A)

M.A. No. 1509 of 2017 In re O.A. No. Nil of 2017

Rauf Khan 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>11.09.2017</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 Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p style="text-align: center;">Present : Shri R.N. Tripathi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</p> <p style="text-align: center;">List the case on 22.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p 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(List A)

M.A. No. 1510 of 2017 In re O.A. No. Nil of 2017

Jagvir 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>11.09.2017</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 Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list, as counsel for the respondents when the case is next listed.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The respondents are allowed six weeks' time to file objection to the delay condonation application. The applicant shall have two weeks' time thereafter to file replication. Respondents may also file counter affidavit in meantime to the main petition.</p> <p>List the case on 21.11.2017 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;"><small>JPT</small></p>

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

O.A. No. 393 of 2017

Arbind 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>11.09.2017</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, Advocate, on behalf of the respondents is taken on record.</p> <p>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>Applicant a retired member of Indian Army, has approached this Tribunal for rounding off (broad banding) of his disability pension in view of law settled by Hon'ble the Supreme Court.</p> <p>Attention has been invited by Ms Deepti Prasad Bajpai, learned counsel for the respondents to the representation dated 15.04.2017 submitted by the applicant for rounding off of the disability pension.</p> <p>So far law is concerned, it is very well settled by the Hon'ble Supreme Court with regard to broad banding and rounding off of disability pension, vide K.J.S. Buttar vs. Union of India and others reported in SCC 2011, XI, 429 and Union of India and Ors vs Ram Avtar & ors (Civil Appeal No. 418 of 2012 dated 10th December, 2014).</p> <p>Accordingly, with the consent of learned counsel for the parties, we dispose of the petition finally with the direction to the</p>

competent authority to decide the representation of the applicant dated 15.04.2017 (supra) expeditiously, say, within a period of two months from the date of receipt of certified copy of this order, keeping in view the law laid down by the Hon'ble Supreme Court vide aforesaid cases, with due communication of the order passed on the representation aforesaid to the applicant. It is clarified that we have not entered into the merits of the controversy in question.

O.A. is accordingly disposed of finally. No order as to costs.

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

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

JPT

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

M.A. No. 987 of 2017 In re O.A. No. Nil of 2017

Chakravir Chaudhari
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>11.09.2017</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 P.N. Chatruvedi, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Objection filed by Shri Shyam Singh, learned counsel for the respondents to the delay condonation application is taken on record.</p> <p>Learned counsel for the applicant prayed for and is granted four weeks' time to file replication to the objection to delay condonation application.</p> <p>List this case on 13.11.2017 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;"><small>JPT</small></p>

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

M.A. No.630 of 2016 with M.A. No. 2060 of 2016,
with M.A. No. 529 of 2017 & M.A. No. 1170 of 2017

Ram Nath 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>11.09.2017</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 Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, two weeks' time is granted to the learned counsel for the respondents to file objection to the application for amendment. The applicant shall have two weeks' time thereafter to file replication, if any.</p> <p style="text-align: center;">List this 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; margin-left: 10px;">JPT</p>

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

M.A. No. 82 of 2017 O.A. No. (Nil) of 2017

Sukhvir Singh Kandari
& Ex Sub Gauri 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>11.09.2017</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 Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Two weeks' further time is granted to the applicants to file replication in terms of order dated 26.07.2017.</p> <p style="text-align: center;">List this case on 03.10.2017 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 (List A)

M.A. No. 588 of 2017 In re O.A. No. (Nil) of 2017

Ajay Kumar K
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>11.09.2017</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 (Retd) Y.R. Sharma, 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;">It has been submitted by Col. Y.R. Sharma (Retd), learned counsel for the applicant that against the impugned order of discharge dated 31.08.2015 the applicant filed a statutory representation dated 15.12.2016, which was rejected on 24.01.2017 and against the aforesaid rejection order the applicant has filed the instant petition on 17.03.2017.</p> <p style="text-align: center;">Office has made an endorsement with regard to limitation that the petition is barred by time. Keeping in view the date of rejection order of statutory representation of the applicant i.e. impugned order dated 24.01.2017, preferred by him against the discharge order dated 31.08.2015, Office seems to have not acted correctly while assessing the limitation. Limitation has started from the date of last cause of action i.e. 24.01.2017, the date of disposal of statutory representation of the applicant dated 15.12.2016.</p> <p style="text-align: center;">In future Office shall take care while making the report with regard to limitation.</p> <p style="text-align: center;">In view of the above, there appears to be no delay from the</p>

date of cause of action i.e. disposal of the statutory representation of the applicant by the competent authority. Accordingly, we do not feel that the applicant was required to move any application for condonation of delay. However, formally since the application has been moved an application for condonation of delay, we condone the delay, if any and **admit** the petition, wherein discharge order has been challenged by the applicant, passed on the basis of four red ink entries, alleged to have been passed without any preliminary inquiry.

The respondents are granted four weeks' time to file counter affidavit. The applicant shall have four weeks' time thereafter to file rejoinder affidavit.

List this case on **30.11.2017** for orders.

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

M.A. No. 717 of 2017 with M.A. No. 1198 of 2017
In re O.A. No. (Nil) of 2017

Yogesh Chandra Singh 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>11.09.2017</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 Yash Pal Singh, 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 on behalf of the applicant, two weeks' further time is allowed to him to file reply.</p> <p style="text-align: center;">List this case on 12.10.2017 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(List A)

M.A. No. 923 of 2017 In re O.A. No. (Nil) of 2017

BP 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>11.09.2017</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.A. Singh, Ld. Counsel for the applicant and Shri Siddharth Dhaon, Ld. Counsel for the respondents, assisted by Sidharth Dhaon, OIC Legal Cell.</p> <p style="text-align: center;">As prayed on behalf of the applicant, two weeks' further time is allowed to him to file reply.</p> <p style="text-align: center;">List this case on 09.10.2017 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

RESERVED
Court No. 1

T.A. No. 58 of 2016

Vijay Shankar Dwivedi
By Legal Practitioner for Petitioner

Petitioner

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>Judgment pronounced. Transferred Application is Partly allowed. For order, see our order of date passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) 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. 1503 of 2017 with M.A. No. 1504 of 2017
In re O.A. No. 266 of 2015

Union of India & ors Applicants-respondents
By Legal Practitioner for the Applicants-respondents

Versus

Hari Bahadur Respondent-applicant
By Legal Practitioner for Respondent-applicant

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 Asheesh Agnihotri, Ld. Counsel for the applicant assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1503 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 266 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. 1504 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 style="text-align: center;">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>

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

C.A. No. 04 of 2017 In re O.A. No. 122 of 2017

Raghuraj Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Mr. Praveen Kumar PCDA

Respondents

(Pension) Allahabad

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>Memo of appearance filed by Dr. Shailendra Sharma Atal as counsel for the respondents is taken on record. His name shall be shown in the cause list when the case is next listed.</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>Grievance of the applicant is that the Tribunal had admitted O.A. No. 122 of 2017 and interim order dated 20.04.2017 was passed in said O.A. suspending the recovery and restraining the respondents from making recovery from applicant's pension. Allegation is that in spite of the interim order of the Tribunal, the respondents are still continuing with the recovery from applicant's pensionary benefits. This amounts to obstructions in dispensation of justice.</p> <p>Let notice be issued to opposite parties no. 1 and 2 returnable by 11.10.2017 to show cause why they may not be tried and punished under Section 19 of the Armed Forces Tribunal Act, 2007 for wilful disobedience of order dated 20.04.2017 passed by this Tribunal in O.A. No. 122 of 2017 and to file their response.</p> <p>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>

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

EX-A No. 121 of 2017 In re T.A. No. 1320 of 2010

Bramh Deo Mandal
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>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 : Col (Retd) A.K. Srivastava, Ld. Counsel for the petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>In spite of order dated 05.10.2016 passed in T.A. No.1320 of 2010, even after lapse of almost one year, the respondents have not paid regular pension to the veteran of the Indian Army.</p> <p>It has been argued by learned counsel for the petitioner that the petitioner had fought the Indo-China and Indo-Pak wars 1962, 1965 and 1971. It is further submitted that the petitioner had also participated in the Goa Liberation War in 1961 and is now leading a retired life. The petitioner is aged about 82 years.</p> <p>In such situation we feel that grave injustice has been done by the respondents viz-a-viz on the one hand the respondents have denied him regular pension, and on the other hand, have kept the matter pending for payment of regular pension for about one year from the date of decision of this Tribunal. A war veteran of the Indian Army aged about 82 years cannot be permitted to suffer injustice on account of commission and omission on the part of respondents.</p> <p>In these circumstances, subject to payment of costs of Rs. 25,000/- (Rupees twenty five thousand), we grant one months' time, as prayed for by learned counsel for the respondents, to</p>

pay regular pension to the petitioner in terms of order dated 05.10.2016 passed in T.A. No 1320 of 2010 by this Tribunal.

Any formality required for payment of regular pension to the petitioner shall be completed by the respondents through special messenger so as to ensure that the petitioner is paid regular pension within the period of one month.

In case regular pension is not paid to the petitioner within the stipulated period, the Chief Controller of Defence Accounts (Pension) Allahabad shall appear in person.

Cost as aforesaid shall be paid to the petitioner by the Registry through cheque.

List the case on **11.10.2017** for further orders.

Copy of the order be supplied to learned counsel for the parties free of costs within 48 hours.

(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

M.A. No. 2440 of 2016 In re O.A. No. 311 of 2013

Gulshan Kumar Dogra
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 Vinay 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;">It has been submitted by learned counsel for the respondents and OIC Legal Cell that representation dated 12.07.2013 has already been decided by the competent authority and the Chief of the Army Staff has approved the rejection of the appeal. Copy of the letter dated 25.07.2017 has been placed on record and has also been provided to learned counsel for the applicant during course of hearing.</p> <p style="text-align: center;">In this view of the matter, the O.A. loses its efficacy and deserves to be dismissed as infructuous.</p> <p style="text-align: center;">It is accordingly dismissed with liberty to the applicant to approach the Tribunal afresh, if so advised to do so.</p> <p style="text-align: center;">No order as to cost.</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>anb</small></p>

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

M.A. No. 443 of 2017 with M.A. No. 1178 of 2017
In re Ex-A No. 238 of 2016 & T.A. No. 1052 of 2010

P.N. Mishra
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>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 J.P. Pandey, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 443 of 2017</u></p> <p>Respondents have filed affidavit along with breakage of amount paid through PPO.</p> <p>In view of above, sufficient compliance of the order dated 23.11.2015 passed in T.A. No.1052 of 2010 has been done.</p> <p>Accordingly, M.A. No. 443 of 2017 is disposed of as infructuous.</p> <p>For any pending grievance, it shall be open for the applicant to approach the Tribunal afresh.</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. 1209 of 2017 with R.A. No. 32 of 2017
In re T.A. No. 364 of 2010

Hari Babu Nishad
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>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 Shailendra Kumar Singh, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1209 of 2017</u></p> <p>This is an application for condonation of delay in preferring review application.</p> <p>Learned counsel for the respondents wants time to file objection. He further submits that the Tribunal lacks jurisdiction to condone the delay in filing review application in view of provisions of Rule 18 of The Armed Forces Tribunal (Procedure) Rules, 2008. Rule 18 (supra) provides as under:</p> <p style="text-align: center;"><i>"18. No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed".</i></p> <p>In O.A. No. 137 of 2014: <i>Sunder Singh vs. Union of India and ors</i> we have considered the provisions contained in Rule 18 (supra) and held that the Tribunal lacks merit to condone delay in filing review application.</p> <p>In view of above, since the Tribunal lacks jurisdiction to condone delay in filing the review application, the application for condonation of delay is rejected.</p> <p>In consequence thereto the application for review 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; font-size: small;">anb</p>

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

O.A. No. 37 of 2011

Narayan 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>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 Lalit Kumar, 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;">On request made by learned counsel for the applicant, the case is passed over for the day.</p> <p style="text-align: center;">As prayed, list the case again on 13.09.2017 for re-hearing in terms of earlier 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

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>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.A. Singh, 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;">From the record, it is borne out that the complainant Maj A.P. Gupta was travelling without authorised ticket in reserved coach and during the travel some scuffle took place between him on the one side and the applicant and certain other civilians on the other side, but said complainant Maj A.P. Gupta has not given anything in writing.</p> <p style="text-align: center;">During course of hearing, question cropped up as to whether the incident in question would have been tried by Court Martial (SCM) or F.I.R. should have been lodged and the case should have proceed under provisions of Railway Act and Rules framed thereunder ?</p> <p style="text-align: center;">List the case on 12.09.2017 for further hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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

O.A. No. 310 of 2013

Piyoosh Kumar Singh Parmar
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 : Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">Shri P.N. Chaturvedi, learned counsel for the applicant is reported to be sick.</p> <p style="text-align: center;">The case is accordingly passed over for the day.</p> <p style="text-align: center;">List again on 18.9.2017 for further hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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 2011 along with O.A. (A) No. 81 of 2012

Hayat Singh Bankoti
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>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 Lalit Kumar, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p style="text-align: center;">The case is released from this Bench.</p> <p style="text-align: center;">List the case on 15.09.2017 for further hearing before the Regular Bench presided over by Hon'ble SVS Rathore, Member (J).</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. 251 of 2016 with M.A. No. 1446 of 2017,
with M.A. No. 2742 of 2016, with M.A. No. 403 of 2017, with
M.A. No. 1235 of 2017 & R.A. No. 117 of 2016 In re O.A. No. 133 of 2016

Ghanshyam Tiwari
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 Lalit Kumar & Dr. Ashish Asthana, 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 style="text-align: center;">Parties counsels seem to be not prepared with the case.</p> <p style="text-align: center;">List again on 13.09.2017 for further hearing in terms of earlier 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: 20px;"><small>anb</small></p>

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

O.A. (A) No. 81 of 2012 Along with T.A. No. 59 of 2012

Manoj 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>Present : Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>We have heard Ld. Counsel for the parties at length. It has been argued by Ld. Counsel for the applicant that evidence used during course of court of inquiry, hearing of charge and court martial is typed one and undated. It is argued that no fresh statement was recorded during hearing of charge or summary of evidence and the statements are same. No further statement was recorded at later stage during court martial proceeding.</p> <p>In case it is so then it appears to be a case of fraudulent act on the part of the respondents by not following due process of law by using the same material.</p> <p>Earlier Col Dharm Raj Rai (IC-50279A) of 50 RR Battalion (Kumaon) who was the ex Presiding Officer of the court of inquiry convened on 02.06.2009 has been deleted by order dated 04.09.2014.</p> <p>Now after hearing at length and going through the record we are of the view that it is necessary to implead said Col Dharm Raj Rai. Accordingly Ld. Counsel for the petitioner is permitted to implead Col Dharm Raj Rai and submit process which shall be</p>

sent to him through regular mode as well as through registered post by the Registry through the Chief of the Army Staff, Formation Commander and Adjutant General of the Indian Army situated at Delhi. OIC Legal Cell shall also communicate the order of the Tribunal passed today to Col Dharm Raj Rai at the place where he is serving on any post in the Indian Army or even if retired.

List the case on **03.10.2017** for further hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.

Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.

Copy of the order shall 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. 59 of 2011 Along with OA. No. (A) 81 of 2012

Hayat Singh Bankoti
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 Lalit Kumar, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, list/put up on 09.09.2017 for further 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>anb</p>

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

T.A. No. 133 of 2010

Yogendra Singh Tomar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Govt of India MOD
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 D.K.S. Rathore, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>We have heard Ld. Counsel for the parties at length.</p> <p>Arguments concluded.</p> <p>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

Ex-A No. 251 of 2016 with M.A. No. 1446 of 2017, with M.A. No. 2742 of 2016, with M.A. No. 403 of 2017, with M.A. No. 1235 of 2017 & R.A. No. 117 of 2016 In re O.A. No. 133 of 2016

Ghanshyam Tiwari
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 Lalit Kumar, 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 style="text-align: center;">Copy of reply filed by the applicant has been handed over to Dr. Chet Narain Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">List the case on 09.09.2017 for further 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 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. 1019 of 2017 Along with O.A. No. 181 of 2017

Col Ran Singh Dudee
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 : Applicant In Person. Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">List the case on 12.09.2017 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

O.A. No. 162 of 2017 with M.A. No. 1422 of 2017

Ram Sagar Singh & Another
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>Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Virendra Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the applicant, list the case again 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

T.A. No. 25 of 2016

Chhote 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>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 Hitesh Pachauri, Ld. Counsel for the petitioner and Shri Mohd Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment is reserved.</p> <p>Records shall be submitted by OIC Legal Cell by tomorrow.</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. 70 of 2016

Smt. Shanti Devi
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 Ajmal Khan, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment is reserved.</p> <p>Records shall be submitted by OIC Legal Cell by tomorrow.</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>