

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

EX-A No. 246 of 2016 With R.A. No. 102 of 2016
In re O.A. No. 299 of 2011

Vishal Singh 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>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The case was taken up in the revised list.</p> <p style="text-align: center;">As prayed by the applicant's counsel, list this case for orders on 16.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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

M.A. No. 1842 of 2014

Rajesh Kumar Awasthi 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>10.08.2017</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 Namit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>This is an application for condonation of delay in preferring the OA, by means of which payment of disability pension has been prayed for. The question with regard to payment of disability pension involves recurring cause of action in view of catena of decisions of the Hon'ble Supreme Court as well as this Tribunal.</p> <p>Accordingly, the application is allowed and the delay in filing the OA is condoned.</p> <p>The OA is admitted for hearing.</p> <p>Four weeks' time is allowed to the respondents to file counter affidavit. The applicant shall also thereafter have four weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 27.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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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>10.08.2017</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>Supplementary affidavit filed by the petitioner is taken on record. The respondents may file reply within two weeks.</p> <p>List this case for hearing on 11.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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

T.A. No. 1224 of 2010

Ravindra Nath Sharma
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>10.08.2017</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 Manoj Kumar Singh, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the petitioner to file rejoinder affidavit.</p> <p>Shri R.K.Tewari, appearing on behalf of the PCDA(P), Allahabad today, shall also appear on the next date.</p> <p>List this case for hearing on 12.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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

T.A. No. 66 of 2013 With M.A. No. 1886 of 2016

Pitambar Dutt Uniyal & Another
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>10.08.2017</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 Sunil Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the petitioner's counsel, list this case for hearing on 18.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

Form No. 4
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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>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the petitioner's counsel, list this case for hearing on 04.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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Court No. 1

T.A. No. 57 of 2016 With M.A. No. 422 of 2017

Santosh Kumar Tripathi
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>10.08.2017</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. Shukla, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the petitioner's counsel, list this case for hearing on 04.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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Court No. 1

T.A. No. 63 of 2016

Shri Ram 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>10.08.2017</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 petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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Court No. 1

T.A. No. 76 of 2016

Girish Dhar Dwivedi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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 Sharma, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by respondents' counsel Shri Asheesh Agnihotri, list this case for hearing on 17.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

Form No. 4
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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>10.08.2017</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 Sharad Kumar Srivastava, Ld. Counsel for the applicant 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;">The case is adjourned and is directed to be listed on 11.08.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

Form No. 4
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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>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">After hearing the learned counsel for the Applicant as also learned counsel for the respondents at length, we framed the following question for adjudication.</p> <p style="text-align: center;">1. Whether in case on account of military service, a member of the Indian Armed is admitted to hospital and remains there for more than two months, in such event, whether the said member of the Indian Army can be deprived of his acting rank in the Army?</p> <p style="text-align: center;">List this case on 31.08.2017 for hearing in order to enable learned counsel for the respondents to produce for perusal of the Bench, the medical report, and the prescription of the period when the Applicant was in hospital for more than two months.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 192 of 2016

Subodh Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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. R.S. Pande, Ld. Counsel for the applicant and Ms Appoli Srivastava Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, the case is adjourned and is directed to be listed on 11.08.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 671 of 2010 With T.A. No. 1381 of 2010

Umakant 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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, the case is adjourned and is directed to be listed on 01.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 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>10.08.2017</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Mrs Amrita Chakraborty, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 11.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 753 of 2010 Alongwith 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>10.08.2017</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. Pandey, Ld. Counsel for the petitioner and Shri D.K. Pandey, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 11.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 69 of 2013

Smt Omi Devi W/o Col Dayanand
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>10.08.2017</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) R.N. Singh, Ld. Counsel for the petitioner and Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted further time to enable him to seek instructions in terms of the earlier order.</p> <p>List this case on 04.09.2017 for further hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 97 of 2016

Gyan Prakash Srivastava
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>10.08.2017</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) T.B. Srivastava, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>According to Presidential Notification, the petitioner was granted permanent Commission on the rank of 2nd Lt on 20.12.1981 with two years anti-dated seniority for pay and promotion.</p> <p>According to the learned counsel for the petitioner, after three years of service, he ought to have been granted the rank of Acting Captain on 20.12.1984 but the same was denied and it was granted in Feb 1986 which affected his future career as also the pensionary benefits and perks, though juniors to the petitioner have already been promoted and paid the salary accordingly.</p> <p>List this case on 31.08.2017 for further hearing. In the meanwhile, the learned counsel for the petitioner may submit typed copy of the Special Army Instructions as well as legible/readable copy of the Gazette notification.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

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>10.08.2017</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 : Applicant in person, and Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, two weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within one week thereafter.</p> <p>List this case for hearing after three weeks on 08.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 135 of 2016 With M.A. No. 2155 of 2016 & M.A. No. 2778 of 2016 (T.A. No. 127 of 2009 (Decided))

Ravinder 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>10.08.2017</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 Shailendra Kumar Singh, Ld. Counsel for the applicant 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;">As prayed, a week's time is allowed to file Suppl Rejoinder Affidavit.</p> <p style="text-align: center;">List this case on 30.08.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 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>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">A week's further time is allowed to file rejoinder affidavit.</p> <p style="text-align: center;">List for hearing on 11.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 284 of 2016 With M.A. No. 1212 of 2017

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>10.08.2017</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;"><u>Present:</u> Shri Rakesh Johri & Shri Harshvardhan, Ld. Counsel for the applicant and Dr. Shesh Narin Pandey, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed today is taken on record. Rejoinder affidavit has already been filed.</p> <p style="text-align: center;">List this case for hearing on 18.09.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 167 of 2017

Dilip 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>10.08.2017</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 Shri V.P.S. Vats, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by learned counsel for the respondents is taken on record. Let rejoinder affidavit be filed within four weeks.</p> <p style="text-align: center;">List this case on 04.10.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

Dy No. 1345 of 2017 In re: O.A. No. Nil of 2017

Aakash 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>10.08.2017</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 R.K.S. Chauhan on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri S.K. Shukla, 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>A preliminary objection has been raised by Shri R.K.S. Chauhan, Ld. Counsel for the respondents that the present petition is not maintainable under the Armed Forces Tribunal Act, 2007.</p> <p>Ld. Counsel for the parties are permitted to prepare the case with regard to maintainability of the petition.</p> <p>List the case on 13.10.2017 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. 1293 of 2017 In re O.A. No. Nil of 2017

Raj Kumar Chaturvedi 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>10.08.2017</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 Ramesh Chandra Shukla on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri Dharmesh Sinha, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, six weeks' time is granted to file objection on application for condonation of delay. Applicant may file replication within next two weeks.</p> <p>List the case on 10.11.2017 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>anb</p>

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

M.A. No. 1294 of 2017 In re O.A. No. Nil of 2017

Umesh Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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. Shesh Narain Pandey on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, six weeks' time is granted to file objection on application for condonation of delay. Applicant may file replication within next two weeks.</p> <p>List the case on 10.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

Court No. 1

M.A. No. 1295 of 2017 In re: O.A. No. Nil of 2017

Sunil 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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Shri Adesh Kumar Gupta on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondents, six weeks' time is granted to file objection on application for condonation of delay. Applicant may file replication within next two weeks.</p> <p style="text-align: center;">List the case on 10.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 292 of 2017

Abhay 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>10.08.2017</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 Sidharth Dhaon on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri Kunwar Bahadur Singh, Ld. Counsel for the applicant and Shri Sidharth Dhaon, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It has been argued by Ld. Counsel for the applicant that the applicant has been discharged from service in pursuance to impugned order of discharge. The impugned order has been challenged on the ground that it has been passed in violation of principles of natural justice.</p> <p>The controversy involved requires hearing.</p> <p>Admit.</p> <p>Respondents may file counter affidavit within six weeks. Applicant shall have two weeks' thereafter to file rejoinder affidavit.</p> <p>List the case on 17.11.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

O.A. No. 3 of 2017 In re: O.A. No. 104 of 2017

Col Ran Singh Duee
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>10.08.2017</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 : Applicant in person and Ms Appoli Srivastava, learned counsel for the respondents, assisted Maj Salen Xaxa, OIC Legal Cell.</p> <p>While moving the present petition under Section 19 of the Armed Forces Tribunal Act, 2007 for contempt on account of alleged false statement made before the Tribunal, the petitioner has not impleaded any person as a party. Contempt is an individual responsibility of the person for alleged omission or commission on his part.</p> <p>Accordingly the petition filed by the petitioner with designation of respondents seems to be not maintainable.</p> <p>It is accordingly rejected as not maintainable with liberty to file a fresh one.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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EX-A. No. 113 of 2017 In re: O.A. No. 393 of 2012

Ram Sewak
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>10.08.2017</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. Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents prays for and is granted four weeks' time to show cause why judgment and order passed by this Tribunal in O.A. No. 393 of 2012 has not been complied with. The judgment/order of this Tribunal is dated 28.09.2012. It is a serious omission on the part of the respondents by not complying order (supra) even after lapse of almost five years.</p> <p style="text-align: center;">List the case on 22.09.2017 for orders.</p> <p style="text-align: center;">On said date the respondents shall file status report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

EX-A No. 114 of 2017 In re O.A. No. (Nil) of 2012

Nahar 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>10.08.2017</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. Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents prays for and is granted four weeks' time to show cause why judgment and order passed by this Tribunal in O.A. No. Nil (12) of 2012 has not been complied with. The judgment/order of this Tribunal is dated 27.04.2012. It is a serious omission on the part of the respondents by not complying order (supra) even after lapse of almost five years.</p> <p style="text-align: center;">List the case on 22.09.2017 for orders.</p> <p style="text-align: center;">On said date the respondents shall file status report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

EX-A No. 115 of 2017 In re O.A. No. 247 of 2012

Ramesh Chandra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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.K. Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents prays for and is granted four weeks' time to show cause why judgment and order passed by this Tribunal in O.A. No. 247 of 2012 has not been complied with. The judgment/order of this Tribunal is dated 20.07.2012. It is a serious omission on the part of the respondents by not complying order (supra) even after lapse of almost five years.</p> <p>List the case on 22.09.2017 for orders.</p> <p>On said date the respondents shall file status report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No. 652 of 2017 In re O.A. No. (Nil) of 2017

Sunil 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>10.08.2017</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 applicant and Shri Ashish Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Objection on application for condonation of delay filed by the respondents is taken on record.</p> <p>Applicant may file replication within four weeks.</p> <p>List the case on 27.09.2017 for orders.</p> <p>Meanwhile respondents shall file counter affidavit to the O.A.</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. 679 of 2017 In re O.A. No. (Nil) of 2017

Adesh Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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 Yash Pal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Controversy involved in the present O.A. relates to payment of disability pension and its rounding off.</p> <p>Objection filed by the respondents is taken on record.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Keeping in view the fact that the claim of the applicant involves recurring cause of action, in view of settled proposition of law, we condone the delay. Application for condonation of delay stands disposed of.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents may file counter affidavit within six weeks. Rejoinder affidavit may be filed by the applicant within next two weeks.</p> <p>List the case on 10.11.2017 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>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
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M.A. No 682 of 2017 In re O.A. No. (Nil) of 2017

Parasuram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Controversy involved in the present O.A. relates to payment of disability pension and its rounding off.</p> <p>Objection filed by the respondents is taken on record.</p> <p>Heard Ld. Counsel for the parties.</p> <p>Keeping in view the fact that the claim of the applicant involves recurring cause of action, in view of settled proposition of law, we condone the delay. Application for condonation of delay stands disposed of.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents may file counter affidavit within six weeks. Rejoinder affidavit may be filed by the applicant within next two weeks.</p> <p>List the case on 10.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p>

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

M.A. No. 1282 of 2017 with M.A. No. 1283
In re O.A. No. 204 of 2016

Union of India & Others

Applicant-respondents

By Legal Practitioner for the Applicant-respondents

Versus

Mohan Ram

Respondent-applicant

By Legal Practitioner for Respondent-applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Ashish Kumar Singh, Ld. Counsel for the applicant-respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1282 of 2017</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. The Tribunal lacks jurisdiction to condone the delay. In view of above, application for condonation of delay in filing application for leave to appeal is rejected.</p> <p style="text-align: center;"><u>M.A. No. 1283 of 2016</u></p> <p>Since application for condonation of delay has been rejected, in consequence thereof, 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><small>anb</small></p>

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

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>10.08.2017</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 D.K. Pandey on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Office shall issue notice to the petitioner returnable at an early date.</p> <p>List the case on 13.09.2017 for orders.</p> <p>Meanwhile Ld. Counsel for the respondents shall file Bench copy.</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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri Jai Prakash Saxena, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks' time to file counter affidavit. Rejoinder affidavit may be file by the applicant within next two weeks.</p> <p>List the case on 13.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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 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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri Jai Prakash Saxena, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks' time to file counter affidavit. Rejoinder affidavit may be file by the applicant within next two weeks.</p> <p>List the case on 13.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 33 of 2017

Jeevan Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, the case is passed over for the day to enable him to prepare and argue the case.</p> <p>List the case on 01.09.2017 for orders.</p> <p>Meanwhile Ld. Counsel for the petitioner shall file Bench copy, if already not filed.</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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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1

T.A. No. 34 of 2017

Suraj
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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh on behalf of the respondents is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, the case is passed over for the day to enable him to prepare and argue the case.</p> <p>List the case on 01.09.2017 for orders.</p> <p>Meanwhile Ld. Counsel for the petitioner shall file Bench copy, if already not filed.</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>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>The judgment and order of the Tribunal is dated 03.11.2015. Earlier time was granted to the respondents on 05.07.2017 to submit compliance report. It was clarified that in case the order is not complied with by the next date of listing, the Tribunal may pass punitive orders. Almost two years have passed but the order of the Tribunal has not been complied with.</p> <p>Ld. Counsel for the respondents prays for time to submit PPO. and to submit compliance report.</p> <p>Subject to deposition of cost of Rs. 10,000/- by the respondents in this Tribunal before the next date of listing, we grant four weeks' time to the respondents to comply the order of the Tribunal (supra) and submit compliance report.</p> <p>Cost shall be paid to the applicant by the office through cheque.</p> <p>List the case on 11.09.2017 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. 99 of 2017 In re O.A. No. 63 of 2010

Rupesh Vardhan
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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted six weeks' further time to show cause why the judgment and order dated 24.03.2017 of this Tribunal has not been complied with.</p> <p style="text-align: center;">List the case on 13.10.2017 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;">an b</p>

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

M.A. No. 2475 of 2016 with M.A. No. 2476 of 2016
In re M.A. No. 452 of 2014

Sone Devi Mishrain
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>10.08.2017</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 Rakesh Kumar, Ld. Counsel for the applicant and Shri Virendra Singh, learned 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 four weeks' further time for replication to the objection filed by the respondents on application for condonation of delay.</p> <p style="text-align: center;">List the case on 09.10.2017 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. 2560 of 2016 In re O.A. No. (Nil) of 2016

Shatindra Rai
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>10.08.2017</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 Shri A.N. Tripathi, learned 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 four weeks' further time for replication to the objection filed by the respondents on application for condonation of delay.</p> <p style="text-align: center;">List the case on 10.10.2017 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. 189 of 2017 In re O.A. No. (Nil) of 2017

Satya Narayan Prasad
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>10.08.2017</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 Kumar Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, learned 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 four weeks' further time for replication to the objection filed by the respondents on application for condonation of delay.</p> <p style="text-align: center;">List the case on 09.10.2017 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. 355 of 2017 with M.A. No. 356 of 2017
In re T.A. No. 262 of 2010

Narendra Pal Singh Tomar
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>10.08.2017</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Objection on application for condonation of delay filed by the respondents is taken on record.</p> <p>Ld. Counsel for the petitioner prays for and is granted four weeks time to file replication.</p> <p>List the case on 26.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 359 of 2017 In re O.A. No. (Nil) of 2017

Ram Kripal & 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>10.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks further time to file objection on application for condonation of delay.</p> <p style="text-align: center;">Applicant may file replication within four weeks thereafter.</p> <p style="text-align: center;">List the case on 12.10.2017 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. 675 of 2017 with M.A. No. 676 of 2017
In re M.A. No. 825 of 2016

Suresh Kumar 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>10.08.2017</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 J.N. Mishra, Ld. Counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">According to office report, the applicant has not deposited the cost as directed earlier by this Tribunal vide order dated 24.04.2017.</p> <p style="text-align: center;">List the case on 17.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

M.A. No. 744 of 2017 In re O.A. No. (Nil) of 2017

Smt Pushpa Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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 J.N. Mishra, Ld. Counsel for the applicant and Shri Ashish Agnihotri, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection filed by the respondents on application for condonation of delay is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted four weeks time to file replication.</p> <p style="text-align: center;">List the case on 06.10.2017 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. 311 of 2016 with M.A. No. 2640 of 2016
& M.A. No. 1148 of 2017

Dinesh Chandra 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>10.08.2017</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 applicant and Shri Bhanu Pratap Singh, learned 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 already on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant may file rejoinder affidavit within four weeks.</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) 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. 35 of 2017

Riyasat Ali
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>10.08.2017</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.K. Pandey, Ld. Counsel for the applicant and Ms Anju Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>Applicant shall have four weeks' time thereafter to file rejoinder affidavit.</p> <p>List the case on 17.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 259 of 2017

Nb Sub Prashant 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>10.08.2017</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 applicant and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Grievance of the applicant is that in case he is transferred to Civil Postal Services (CPS) from the Army Postal Service (APS) in the rank of Nb Subedar before completing 3 years, he shall suffer a loss in terms of money. In case he goes after completing 3 years (after May 2018) he will get Rs 4600/- as grade pay (old pay commission) instead of Rs 2800/- in case transferred before 3 years. Transfer of the applicant in APS without consent followed by recurring loss in salary seems to affect the fundamental right guaranteed under Article 14 and Article 21 of the Constitution of India. It is not a normal transfer, but a transfer on account of which the applicant shall incur financial loss which per se is not permissible under the law and infringes the constitutional right (supra) conferred upon the applicant.</p> <p>Ld. Counsel for the applicant has informed that in O.A. No. 1655 of 2016 <i>Nb Subedar Munabbar Soofie Syed vs. Union of India & Ors</i> the Principal Bench has stayed transfer of the</p>

applicant in said O.A. It is further submitted by Ld. Counsel for the applicant that in case the applicant is transferred to CPS prior to completing three years of service in the rank of Nb Subedar (JCO) he shall not be considered for the rank of Inspector in CPS. Submission of Ld. Counsel for the applicant is that in case the impugned order of transfer is given effect to, the applicant shall be denied promotional avenue as well as substantial loss in salary.

We have heard Ld. Counsel for the parties.

Right to be considered for promotion is a fundamental right as held in the case of **Ajit Singh vs State of Punjab** reported in (1999) 7 SCC 209. Directly or indirectly the respondents have no right to impinge and curtail right of the applicant to be considered for promotion to the next higher post.

The controversy requires detailed hearing.

Admit.

Counter affidavit may be filed by Ld. Counsel for the respondents within six weeks. Applicant shall have two weeks thereafter to file rejoinder affidavit.

List the case on **16.11.2017** for orders.

Applicant's transfer to CPS is stayed till the date he completes period of three years of service in the rank of Nb Subedar (JCO). However, this order shall not preclude the respondents to transfer him to any Postal Department of the Army while holding rank of Nb Subedar/JCO.

Copy of the order be supplied to Ld. Counsel for the parties on payment of usual charges within two days.

(Air Marshal Anil Chopra)
Member (A)

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

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

M.A. No. 1077 of 2017 With R.A. No.29 of 2017
In re T.A. No. 73 of 2010

Hira Ballabh Pandey
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>10.08.2017</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 petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">By means of application (RA-29 of 2017) the applicant has prayed for reviewing order dated 26.07.2010 passed in T.A. No. 73 of 2010.</p> <p style="text-align: center;">By aforesaid order the Tribunal has rejected the T.A. against which the petitioner has preferred the present review application after lapse of seven years.</p> <p style="text-align: center;">A preliminary objection has been raised by Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by OIC Legal Cell that review after the statutory period of limitation is not maintainable. Ld. Counsel for the respondents has placed reliance on our order dated 26.05.2017 passed in O.A. No. 137 of 2014, <i>Union of India vs. Sundar Singh</i>. Ld. Counsel for the applicant could not invite attention of the Tribunal to any law over the subject by which a review petition may be maintainable after statutory period, that too in the teeth of fact that Section 18 of the Armed Forces Tribunal Act, 2007 does not empower the Tribunal to condone the delay.</p> <p style="text-align: center;">In view of the above, keeping in view order 26.05.2017 passed in O.A. No. 137 of 2014 (supra) the present review petition is not maintainable.</p> <p style="text-align: center;">It is accordingly rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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

O.A. No. 64 of 2011

Vijay Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>10.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Applicant appeared in person and submitted that inadvertently he made an incorrect statement that the file has been retained by Shri V.K. Pandey, Advocate. Order sheet dated 17.07.2017 shows that Shri K.K. Mishra, Advocate appeared before the Tribunal on the earlier date and made a statement that the record is with him.</p> <p style="text-align: center;">In such situation, the applicant seems to have made an incorrect statement before the Tribunal and committed contempt under Section 19 of the Armed Forces Tribunal Act, 2007. However since the applicant has tendered unconditional apology, we feel that it would suffice to saddle him with cost.</p> <p style="text-align: center;">Accordingly cost of Rs 500/- is imposed upon the applicant to be deposited by him within a week. The cost so deposited shall be remitted to Bar Association of Armed Forces Tribunal, Regional Bench, Lucknow.</p> <p style="text-align: center;">List the case on 31.08.2017 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; font-size: small;">anb</p>

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

T.A. No. 156 of 2010

Babu Lal Yadav

By Legal Practitioner for the Applicant

Petitioner

Versus

Union of India & others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 Ashish Agnihotari, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Judgment pronounced.</p> <p>The Transferred Application is dismissed.</p> <p>For orders, see our order of date passed on separate sheets.</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 (List A)

T.A. No. 34 of 2017

Vinay Kumar
By Legal Practitioner for the Applicant

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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;">T.A is allowed.</p> <p style="text-align: center;">For orders, see our judgment and order of date passed on separate sheets.</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>LN/</p>

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

M.A. No. 1274 of 2017 In re O.A. No. Nil of 2017

Karan 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>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri G.S.Sikarwar, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri G.S.Sikarwar be shown as counsel for the respondents.</p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri G.S.Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time, as prayed, is allowed to the respondents' counsel to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 25.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1277 of 2017 In re O.A. No. Nil of 2017

Vijay Pal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Ashish Saxena, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Ashish Saxena be shown as counsel for the respondents.</p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time, as prayed, is allowed to the respondents' counsel to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 26.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1278 of 2017 In re O.A. No. Nil of 2017

Bhagwati Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Ms Amrita Chakraborty, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Ms Amrita Chakraborty be shown as counsel for the respondents.</p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Ms Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Three weeks' time, as prayed, is allowed to the respondents' counsel to file objection to the application for condonation of delay as well as counter affidavit. The applicant shall thereafter have two weeks' time to file replication and rejoinder affidavit.</p> <p>List this case for orders/hearing on 28.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

Court No. 1

M.A. No. 1287 of 2017 In re: O.A. No. Nil of 2017

Ajay Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Yogesh Kesarwani, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Yogesh Kesarwani be shown as counsel for the respondents</p> <p>Present : Col (Retd) R.N.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>Six weeks' time, as prayed, is allowed to the respondents' counsel to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 25.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

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

Bramh Deo Mandal Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Rajiv Pandey, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Rajiv Pandey be shown as counsel for the respondents.</p> <p>Present : Col (Retd) A.K.Srivastava, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>According to the respondents' counsel, Government sanction has already been accorded.</p> <p>As prayed, three weeks' time is allowed to the respondents to file compliance report and produce the PPO.</p> <p>List this case for orders on 09.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 653 of 2017 with M.A. No. 1289 of 2017
In re: O.A. No. Nil of 2017

Smt. Jinntun Nisha
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>09.08.2017</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.K. Shukla, 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;">Objection filed by the respondents' counsel against the application for condonation of delay is taken on record.</p> <p style="text-align: center;">As prayed, four weeks' time is allowed to the applicant to file reply.</p> <p style="text-align: center;">List this case for orders on 23.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1280 of 2017 with M.A. No. 1281 of 2017

In re : T.A. No. 112 of 2012

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Rajender Singh

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 Ashish Kumar Singh, Ld. Counsel for the applicants, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A.No. 1280 of 2017</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A.No. 1281 of 2017</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of the Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1284 of 2017 with M.A. No. 1285 of 2017
In re: T.A. No. 1207 of 2010

Union of India & Others

By Legal Practitioner for the Applicants

Versus

Smt. Vimla Devi

By Legal Practitioner for Respondent

Applicants

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 : Mrs Amrita Chakraborty, Ld. Counsel for the applicants, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A.No. 1284 of 2017</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A.No. 1285 of 2017</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of the Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

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

Keshav Datt Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 & Mrs Kavita Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">According to the respondents' counsel, Government sanction has already been accorded.</p> <p style="text-align: center;">As prayed, three weeks' time is allowed to the respondents to file compliance report and produce the PPO.</p> <p style="text-align: center;">List this case for orders on 05.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 2474 of 2016 In re O.A. No. Nil of 2016

Jitendra Kumar Chaubey
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>09.08.2017</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 : Ms Appoli Srivastava, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, three weeks' time is allowed to the applicant to file reply to the objection filed by the respondents.</p> <p style="text-align: center;">List this case for orders on 04.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 304 of 2017 In re O.A. No. Nil of 2017
Court No. 1

Ram Khelawan 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>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by the applicant's counsel, four weeks' time is allowed to file reply to the objection filed by the respondents.</p> <p style="text-align: center;">List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 372 of 2017 with M.A. No. 736 of 2017
In re O.A. No. Nil of 2017

Bijai 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>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Shesh Narain Pandey, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Dr. Shesh Narain Pandey be shown as counsel for the respondents.</p> <p>Present : Shri Yash Pal Singh, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The controversy relates to rounding off of the pension, which involves recurring cause of action as per catena of decisions rendered by the Hon'ble Apex Court. Accordingly, the delay in filing the OA is condoned.</p> <p>Admit.</p> <p>Two weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have one week's time to file rejoinder affidavit.</p> <p>List this case for hearing on 29.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 5px;">LN/-</p>

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

M.A. No. 1218 of 2017 In re O.A. No. 200 of 2015

V.J.S. Varaich

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>09.08.2017</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, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1218 of 2017</u></p> <p style="text-align: center;">This is an application moved by the applicant for correction of our order dated 17.07.2017.</p> <p style="text-align: center;">The error pointed out is apparent on the face of record.</p> <p style="text-align: center;">Accordingly, the application is allowed. The operative portion of order dated 17.07.2017 is corrected by adding the word '/FTO' after the word 'IO'.</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>LN/-</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>09.08.2017</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 : Maj (Retd) R.D. Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Maj (Retd) R.D.Singh, learned counsel for the applicant has moved an application for adjournment on personal ground. The adjournment is not opposed by respondents' counsel.</p> <p>Accordingly, the application is allowed.</p> <p>List this case for orders on 30.08.2017.</p> <p>The affidavit filed by the applicant is taken on record.</p> <p>Vakalatnamas filed by Shri Shailendra Kumar Singh and Dr. Ashish Asthana on behalf of the applicant are taken on record. When the case is next listed, their names shall be shown as counsel for the applicant.</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>LN/-</p>

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

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>09.08.2017</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 for the applicant and Shri Ashish Saxena, counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case for orders on 13.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

T.A. No. 43 of 2016

Gama Shanker 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>09.08.2017</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 : V.P.S. Vats, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by the petitioner though his application dated 26.07.2017, the case is adjourned.</p> <p style="text-align: center;">List this matter for orders on 15.11.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</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>09.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Additional counter affidavit filed by the respondents' counsel is taken on record. The applicant may file additional rejoinder affidavit within two weeks.</p> <p style="text-align: center;">List this case for re-hearing on 13.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

T.A. No. 388 of 2010

Brijesh Kumar Singh
By Legal Practitioner for the

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">List this case for re-hearing on 11.08.2017 to enable the respondents to file an affidavit in terms of the order dated 12.07.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1077 of 2017 with R.A. No. 29 of 2017
In re T.A. No. 73 of 2010

Hira Ballabh Pandey
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>09.08.2017</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 petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, put up/list this case for further hearing on 10.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

O.A. No. 123 of 2010

Durgawati Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.A. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case for further hearing on 31.08.2017. The Registry shall flag the record and maintain the file as per Rules of the Tribunal.</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>LN/-</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>09.08.2017</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, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case for further hearing on 30.08.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

T.A. No. 93 of 2012 with M.A. No. 643 of 2017

Sanjay Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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 Yashpal Singh, Ld. Counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Counsel for the petitioner wants time to prepare the brief.</p> <p>As prayed, list this case for further hearing on 04.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

O.A. No. 246 of 2015

Mohd. Shamim Khan
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>09.08.2017</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 Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Judgment pronounced.</p> <p style="text-align: center;">Original Application No. 246 of 2015 is dismissed.</p> <p style="text-align: center;">For order, see our order of date passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

D.Y. No. 2553 of 2015, With D.Y. No. 2706 of 2016, M.A. No. 245 of 2016
& M.A. No. 231 of 2017

Ram Raj 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>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : None for the applicant and Shri Namit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">On a mention made by Shri S.K.Singh on behalf of Shri Rohit Kumar , learned counsel for the Applicant, the case is adjourned and is directed to be listed on 15.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 205 of 2014

Kumar Man 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>09.08.2017</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 Raghvendra Kumar Singh, Ld. Counsel for the applicant and Shri A.N. Tripathi, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Supplementary affidavit filed by learned counsel for the Applicant is taken on record.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted two weeks' time to file reply to it.</p> <p style="text-align: center;">List this case on 15.09.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 165 of 2016

Ajit 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>09.08.2017</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.P. Singh, Ld. Counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Rejoinder affidavit filed today is taken on record.</p> <p style="text-align: center;">List for hearing on 24.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 167 of 2016 with M.A. No. 2177 of 2016

Ramesh Kumar 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>09.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' time is allowed to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for hearing on 26.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 15 of 2017

Om Prakash 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>09.08.2017</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.K. Shukla, Ld. Counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, three weeks' time is allowed to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 30.08.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 20 of 2017

Sanjay Prakash Agnihotri
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>09.08.2017</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 J.N. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit if any, may be filed within four weeks next thereafter.</p> <p style="text-align: center;">List this case on 30.10.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

O.A. No. 122 of 2017 With M.A. No. 1288 of 2017
In re O.A. No. Nil of 2017

Raghuraj 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>09.08.2017</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.K. Shukla, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Four weeks further time is allowed to file counter affidavit. Rejoinder Affidavit if any may be filed within two weeks next thereafter. The respondents may also file response to supplementary affidavit filed by learned counsel for the Applicant by the next date fixed in the case.</p> <p style="text-align: center;">List this case on 13.11.2017 for hearing.</p> <p style="text-align: center;">Interim order dated 20.04.2017 is confirmed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 67 of 2011

Rameshwar 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>09.08.2017</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 Rajeev Srivastava, Ld. Counsel for the petitioner and Shri Rajiv Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The Application for treating the prayer no 1 as not pressed was allowed but requisite amendment has not been carried out in terms of order dated 28.02.2017 and 21.07.2017.</p> <p>Let the amendment be carried out in the course of the day. List this case on 17.08.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>

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

T.A. No. 55 of 2016

Mani Ram
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.08.2017</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. Mishra, Ld. Counsel for the petitioner and Shri A.K. Sahu, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>In the instant case, a preliminary objection has been raised by learned counsel for the respondents that the T.A is not maintainable in this Tribunal as the petitioner is a native of Rajasthan while his services were dismissed when he was posted at Srinagar.</p> <p>We have perused the records. It remains a fact on record that the petitioner is a native of Rajasthan while his services were dismissed when he was posted at Srinagar. In this view of the matter, the Tribunal at Lucknow ostensibly lacks jurisdiction.</p> <p>At this stage, learned counsel for the petitioner argued that in the instant case, initially the writ petition was filed in the High Court at Allahabad in the year 2007 and in due course of time, it stood transferred to this Tribunal under section 34 of the Armed Forces Tribunal Act. He also argued that issue was jurisdiction was raised at initial stage in the High Court of Judicature at Allahabad. There is nothing on record to show that the High Court at Allahabad was ever seized of the issue raised at this</p>

stage. Even if it be assumed that the High Court at Allahabad was seized of the issue, this would not create any jurisdiction in the Tribunal under the Armed Forces Tribunal Act 2007. There is settled proposition of law that the forum cannot be created even by judicial decision or pronouncement.

In view of the above, since present Tribunal lacks jurisdiction, the record is ordered to be sent to the Principal Bench at New Delhi for appropriate orders either for transfer of the records to Armed Forces Tribunal, Regional Bench at Jaipur or to a forum as decided by the Hon'ble Chair-person of the Armed Forces Tribunal.

Let the record be sent to the principal Bench at New Delhi within a week from today.

(Air Marshal Anil Chopra)
Member (A)

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

MH/-

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

MA No. 1265 of 2017
In Re O.A. No. (Nil) of 2017

Radhey Shyam
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 has been filed by Shri V.P.S. Vats on behalf of respondents. His name shall be shown in cause list.</p> <p style="text-align: center;">Present : Shri K.K. Misra, 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;">Learned counsel for the respondents prays for and is granted six weeks' time to file objection to application for condonation of delay.</p> <p style="text-align: center;">Applicant shall have two weeks' thereafter to file replication.</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><small>anb</small></p>

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

MA No. 1271 of 2017
In Re O.A. No. (Nil) of 2017

Ram Vilas & ors
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>08.08.2017</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 has been filed by Dr. Shailendra Sharma Atal on behalf of respondents. His name shall be shown in cause list.</p> <p>Present : Shri Veer Raghav Chaubey, 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>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to application for condonation of delay.</p> <p>Applicant shall have two weeks' thereafter to file replication.</p> <p>List the case on 24.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

MA No. 1272 of 2017
In Re O.A. No. (Nil) of 2017

Onkar Nath Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 has been filed by Shri Shyam Singh on behalf of respondents. His name shall be shown in cause list.</p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to application for condonation of delay.</p> <p>Applicant shall have two weeks' thereafter to file replication.</p> <p>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>

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

OA No. 281 of 2017

Ashutosh 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>08.08.2017</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 has been filed by Shri Rajiv Pandey on behalf of respondents. His name shall be shown in cause list.</p> <p>Present : Shri Ravindra Sharma, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties and perused the records.</p> <p>With the consent of Ld. Counsel for the parties, we proceed to dispose of the O.A. at the admission stage itself.</p> <p>Applicant who is a member of the Indian Army had applied for discharge on compassionate grounds from the Army vide application dated 09.09.2015. Ld. Counsel for the applicant submits that under compelling circumstances, the applicant intends to leave the Army for the cause of his family and some personal requirements. However, application moved by the applicant for discharge (supra) is still pending. Ld. Counsel for the applicant confined his prayer to the extent that a direction be issued to the authorities concerned for disposal of his pending application.</p> <p>Accordingly, without entering into the merit of the controversy, we direct the respondents/competent authority to take a decision on applicant's application dated 09.09.2015 in accordance to rules by a speaking and reasoned order</p>

expeditiously, say, within two months from today.

With the aforesaid direction we **dispose** of the O.A. finally.

No order as to costs.

Ld. Counsel for the respondents shall communicate the order to the appropriate authority.

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

(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. 282 of 2017

Lt Col Harshwardhan 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>08.08.2017</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 has been filed by Shri R.K.S. Chauhan on behalf of respondents. His name shall be shown in cause list.</p> <p>Present : Shri Vivek Raj Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It is submitted by Ld. Counsel for the applicant that the earlier judgment and order of the Tribunal dated 21.07.2016 has not been complied with in its letter and spirits in spite of the fact that Hon'ble Supreme Court has upheld the directions contained in para 76 of judgment and order dated 21.07.2016. It has also been submitted that though entries have been expunged in terms of judgment and order passed by this Court, but value judgment has been reduced although the applicant possessed outstanding entries.</p> <p>The controversy requires hearing.</p> <p>Admit.</p> <p>Respondents may file counter affidavit within four weeks.</p> <p>Applicant shall have two weeks thereafter to file rejoinder affidavit.</p> <p>List the case on 25.10.2017 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 including record of December 2013 and April 2017.</p> <p>Copy of the order be supplied to Ld. Counsel for the parties free of cost today.</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/120 of 2017 Inre T.A. No. 1454 of 2010

Mohd. Ali Sahid
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>08.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Respondents are granted four weeks' time to show cause why order of this Tribunal dated 04.02.2016 has not been complied with.</p> <p>List the case on 12.09.2017 for orders.</p> <p>On the next date of listing an officer of the office of JCDA, (Air Force) shall appear along with the records to show cause why order of this Tribunal has not been complied with in its letter and spirits.</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. 651 of 2017 Inre O.A. No. Nil of 2017

Priya Brat Shukla
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Objection to application for condonation of delay has been filed by the respondents which is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant is granted two weeks' time to file replication.</p> <p style="text-align: center;">List the case on 14.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 1269 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>08.08.2017</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 : Applicant in person. Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Order dated 25.07.2017 is recalled subject to payment of cost of Rs 500/- which shall be remitted to Bar Association, AFT Lucknow.</p> <p>Subject to deposition of cost, the case shall be restored to its original number.</p> <p>List the case on 12.09.2017 for orders and to enable Ld. Counsel for the respondents to produce the record in terms of order dated 29.06.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 1263 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>08.08.2017</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. Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Conscious order passed by this Tribunal does not suffer from any error apparent on the face of record.</p> <p style="text-align: center;">Application 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><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. 26 of 2017

Radhey Raman 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>08.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : None for the petitioner. Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Affidavit filed by DIG., CRPF, Lucknow is taken on record.</p> <p>The present petition has been transferred by the High Court of Judicature at Allahabad in pursuance to provisions contained in Section 34 of the Armed Forces Tribunal Act, 2007.</p> <p>Objection has been raised by Ld. Counsel for the respondents that the matter is not amenable to the provisions of Army Act 1950 and Army Rules, 1954 framed thereunder.</p> <p>The petitioner is a member of the Central Reserve Police Force whose services are not governed by the Army Act, 1950 and the Army Rules, 1954 framed therein. Under Section 3 (o) of the Armed Forces Tribunal Act, 2007, this Tribunal has jurisdiction to decide issues governed by the Army Act, 1950 and Army Rules, 1954 framed thereunder. Service matters in relation to members of Para Military Forces like the Central Reserve Police Force are not governed by the Army Act, 1950 or the Army Rules, 1954 framed thereunder in pursuance to the provisions of the Armed Forces Tribunal Act, 2007.</p> <p>Accordingly, let the record be sent back to the Registrar General of the High Court of Judicature at Allahabad who shall cause to list the present petition before the appropriate Bench on 23.08.2017.</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 style="text-align: left; font-size: small;">arb</p>

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

T.A. No 29 of 2017

Lakhmi Chand
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>08.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : None for the petitioner. Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Affidavit filed by DIG, P GC CRPF, Lucknow is taken on record.</p> <p>The present petition has been transferred by the High Court of Judicature at Allahabad in pursuance to provisions contained in Section 34 of the Armed Forces Tribunal Act, 2007.</p> <p>Objection has been raised by Ld. Counsel for the respondents that the matter is not amenable to the provisions of Army Act 1950 and Army Rules, 1954 framed thereunder.</p> <p>The petitioner is a member of the Central Reserve Police Force whose services are not governed by the Army Act, 1950 and the Army Rules, 1954 framed therein. Under Section 3 (o) of the Armed Forces Tribunal Act, 2007 this Tribunal has jurisdiction to decide issues governed by the Army Act, 1950 and Army Rules, 1954 framed thereunder. Service matters in relation to members of Para Military Forces like the Central Reserve Police Force are not governed by the Army Act, 1950 or the Army Rules, 1954 framed thereunder in pursuance to the provisions of the Armed Forces Tribunal Act, 2007.</p> <p>Accordingly, let the record be sent back to the Registrar General of the High Court of Judicature at Allahabad who shall cause to list the present petition before the appropriate Bench on 23.08.2017.</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 style="text-align: left;"><small>arb</small></p>

Ex-A/72 of 2017 Inre T.A. No. 11 of 2013

Jagat Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 Ms Amrita Chakraborty Ld. Counsel for the respondents.</p> <p>As prayed by Ms Amrita Chakraborty, Ld. Counsel for the respondents, list the case on 31.08.2017 for orders and to enable her to receive instructions in terms of order dated 31.05.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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/91 of 2017 Inre 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>08.08.2017</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Order dated 07.09.2015 passed by this Tribunal has yet not been complied with in spite of time granted to the respondents. Almost two years time is likely to elapse but the order has neither been complied with not instructions have been received by Ld. Counsel for the respondents. This is a sorry state of affair on the part of PCDA (P) Allahabad and other authorities.</p> <p style="text-align: center;">Subject to payment of cost of Rs 10,000/- to be paid by the respondents, further proceeding in the matter is deferred for a month to enable the respondents to comply with the order (supra) and to show cause why the Tribunal may not proceed further against the respondents in accordance with rules on account of non compliance of the order.</p> <p style="text-align: center;">Registry shall release the amount of cost in favour of the applicant immediately on deposition of cost.</p> <p style="text-align: center;">List the case on 11.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">arb</p>

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

Ex-A/94 of 2017 Inre T.A. No. 288 of 2010

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>08.08.2017</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 Ramesh Chandra Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>OIC Legal Cell very fairly admits that service element has not been included inadvertently in the PPO. She stated that the respondents are ready to correct their stance after receipt of government sanction.</p> <p>List the case on 03.10.2017 for orders and to enable Ld. Counsel for the respondents to issue corrigendum including service element and extending benefits in terms of order dated 31.07.2012 passed by this Tribunal and submit status report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 2024 of 2016 with M.A. No. 2025 of 2016
Inre O.A. No. Nil of 2016

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>08.08.2017</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. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Objection to application for condonation of delay filed by the respondents is taken on record.</p> <p style="text-align: center;">Applicant may file replication within three weeks.</p> <p style="text-align: center;">List the case for orders on 25.09.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 104 of 2017 Inre O.A. No. Nil of 2017

Raja 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>08.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Yash Pal Singh, Ld. Counsel for the applicant and Shri Siddharth Dhaon, 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 four weeks' time to file replication to objection filed by the respondents on application for condonation of delay.</p> <p style="text-align: center;">List the case on 22.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 227 of 2017 Inre O.A. No. Nil of 2017

Hind Pal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Replication filed by the applicant to objection filed by the respondents on application for condonation of delay is taken on record.</p> <p>The matter relates to payment of disability pension which inhibits in itself recurring cause of action.</p> <p>Cause shown is sufficient and delay is condoned.</p> <p>Admit.</p> <p>Counter and rejoinder affidavits have been exchanged.</p> <p>List the case on 30.08.2017 for 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><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. 357 of 2017 Inre O.A. No. Nil of 2017

Jhaboo Lal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 Virat Anand Singh, 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>Replication filed by the applicant to objection filed by the respondents on application for condonation of delay is taken on record.</p> <p>The matter relates to payment of disability pension which inhibits in itself recurring cause of action.</p> <p>Cause shown is sufficient and delay is condoned.</p> <p>Admit.</p> <p>Counter and rejoinder affidavits have been exchanged.</p> <p>List the case on 30.08.2017 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. 603 of 2017 with M.A. No. 1147 of 2017
Inre O.A. No. Nil of 2017

Prem Chand 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>08.08.2017</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 Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1147 of 2017</u></p> <p style="text-align: center;">Objection filed by the respondents on application for condonation of delay filed by the applicant is taken on record. M.A. stands disposed off.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two weeks' time to file replication to objection filed by the respondents.</p> <p style="text-align: center;">List the case on 15.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal 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. 164 of 2013

Warrant Officer Shashi Kant Chaturvedi
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>08.08.2017</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 Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Earlier the applicant had filed M.A. No. 2035 of 2016 for amendment of O.A. for change of address. The application was allowed and amendment has been carried out.</p> <p>Yet another application has been moved for amendment in the relief clause, more so when counter and rejoinder affidavits have been exchanged.</p> <p>Since affidavits have been exchanged and the matter is ripe for hearing, as such at this belated stage we find no good ground to allow the application for amendment. It is accordingly rejected.</p> <p>As prayed by Ld. Counsel for the applicant list the case on 18.08.2017 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 including record of December 2013 and April 2017.</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 style="text-align: left; font-size: small;">arb</p>

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

O.A. No. 117 of 2017

Col Puran Chandra Lohani (Retd)
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>08.08.2017</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 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 the respondents is taken on record. Applicant may file rejoinder affidavit within four weeks. List the case on 25.10.2017 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;">arb</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

T.A. No. 35 of 2013 with M.A. No. 535 of 2017

Hira Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.08.2017</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 applicant and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>A week's further time is prayed for and granted to learned counsel for the respondents to file objection to application for amendment.</p> <p>Ld. Counsel for the applicant may file replication to objection within next two weeks.</p> <p>List the case on 15.09.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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. 87 of 2013 with M.A. No 662 of 2017

Mahendra Singh Bisht
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>08.08.2017</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 Alam Singh, 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><u>M.A.No 662 of 2017</u></p> <p>Supplementary Affidavit filed by the respondents is taken on record. M.A. stands disposed of.</p> <p><u>T.A. No. 87 of 2013</u></p> <p>As prayed by learned counsel for the respondents, list the case on 31.08.2017 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>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>arb</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

EX-A. No. 17 of 2017 In re : M.A. No. 222 of 2016
& O.A. No. Nil of 2016

B.B.S. 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : None for the applicant. Shri Virendra Kumar Singh, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">It is informed at the Bar that Ld. Counsel for the applicant is ill and is unable to attend the Court.</p> <p style="text-align: center;">List the case on 17.08.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 2275 of 2016 In re : O.A. No. Nil of 2016

Gaya 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Om Prakash Kushwaha, Advocate holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Shri Om Prakash Kushwaha, Advocate holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant prays for adjournment to enable the applicant to file replication to the objection against application for condonation of delay.</p> <p style="text-align: center;">The case is accordingly passed over for the day.</p> <p style="text-align: center;">List the case on 03.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 2409 of 2016 with M.A. No. 353 of 2017 & M.A. No. 44 of 2017
In re : O.A. No. Nil of 2016

Ram Ji Rai
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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Balwant Rai, Advocate holding brief for Shri K.S. Rathore, Ld. Counsel for the applicant and Shri A.N. Tripathi, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">It is informed at the Bar by Shri Balwant Rai, Advocate that Shri K.S. Rathore, Ld. Counsel for the applicant is unable to attend the Court today. Prayer for adjournment has been made.</p> <p style="text-align: center;">The case is accordingly adjourned.</p> <p style="text-align: center;">List again on 04.10.2017 for orders.</p> <p style="text-align: center;">Meanwhile Ld. Counsel for the applicant may file replication as well as rejoinder affidavit in terms of earlier orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

O.A. No. 77 of 2016

Brig (Retd) S.K. Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri S.S. Rajawat, Ld. Counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant made a statement that connected matter is pending before the Hon'ble Apex Court. He prayed for adjournment of the case.</p> <p style="text-align: center;">The case is accordingly adjourned.</p> <p style="text-align: center;">List the case on 23.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, 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, counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted four weeks' further and no more time to file counter affidavit.</p> <p style="text-align: center;">Applicant may file rejoinder affidavit within a week thereafter.</p> <p style="text-align: center;">List the case on 12.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 24 of 2013

Bishvendra Nayak

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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Vishwa Deep Pandey, Advocate holding brief for Shri Ram Lagan Mishra, Ld. Counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Shri Vishwa Deep Pandey, Advocate holding brief for Shri Ram Lagan Mishra, Ld. Counsel for the applicant prays for adjournment of the case.</p> <p>A perusal of the order sheet dated 22.08.2016 shows that the applicant had informed this Tribunal that it shall be convenient for him if the case is transferred to the Kolkata Bench of the Tribunal and was advised to take necessary steps for the same.</p> <p>Ld. Counsel is not having correct instructions as to whether application has been moved before the Principal Bench or not.</p> <p>The case is adjourned to enable Ld. Counsel for the applicant to obtain instructions.</p> <p>List again on 27.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 1019 of 2017 In re : 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Applicant in person and Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by applicant in person, the case is passed over for the day.</p> <p style="text-align: center;">List again on 10.08.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Applicant in person and Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by applicant in person, the case is passed over for the day.</p> <p style="text-align: center;">List again on 10.08.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

O.A. No. 145 of 2015 with M.A. No. 2583 of 2016

Lt Col Pawan Kumar Gaur
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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant. Ms Appoli Shrivastava, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It is informed at the Bar that Shri R.K. Verma, Ld. Counsel for the applicant is not attending the Court today.</p> <p>The case is accordingly passed over for the day.</p> <p>List again on 28.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the 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;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

O.A. No. 319 of 2015

Sanjay 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri V.A. Singh, Ld. Counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Prayer for adjournment has been made by Ld. Counsel for the applicant.</p> <p>The case is accordingly passed over for the day.</p> <p>List again on 13.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the 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;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

T.A. No. 40 of 2009

Sushil 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri V.A. Singh, Ld. Counsel for the petitioner and Ms. Appoli Shrivastava, learned counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The case is adjourned on the request made by Ld. Counsel for the applicant.</p> <p>List again on 16.08.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the 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;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>BLY/-</small></p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2

O.A. No. 61 of 2014

Sukhvir Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p>In compliance of the order dated 25.05.2017, the status report could not be filed by the learned counsel for the respondents and prays for further time for the same.</p> <p>List this case on 19.09.2017 for orders. Meanwhile, status report may be filed by the learned counsel for the respondents.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

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

Court No. 2

O.A. No. 95 of 2017

Gaganjot Kaur
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">It is informed at the Bar that Maj RD Singh (Retd), learned counsel for the applicant is out of station.</p> <p style="text-align: center;">Learned counsel for the respondents prays for further time to file counter affidavit.</p> <p style="text-align: center;">List this case on 13.10.2017 for orders.</p> <p style="text-align: center;">Meanwhile, counter affidavit may be filed by the learned counsel for the respondents.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 17 of 2010

Smt Suman Devi & Others
By Legal Practitioner for Petitioners

Petitioners

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri PN Chaturvedi, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p><u>M.A.No.1268 of 2017</u></p> <p style="text-align: center;">This is a Recall Application for recall of the order dated 08.05.2017 passed by the Tribunal in T.A.No.10 of 2017.</p> <p style="text-align: center;">This application was invited by us only to remove a technical defect because by order dated 08.05.2017, the Bench of this Tribunal had dismissed the T.A. for non compliance of the earlier orders of the Tribunal and two days' time was granted to file two typed copies of the amended petition. Thus, the intention of the Tribunal was to continue to deal with the case, but technically the order of dismissal of the T.A. was not recalled.</p> <p style="text-align: center;">Therefore, in order to remove the technical defect, we hereby allow the application and the order dated 08.05.2017 passed by the Tribunal, so far as it relates to dismissing the T.A. for non compliance of the order, is hereby recalled.</p> <p style="text-align: center;">The application stands disposed of. Counter and rejoinder affidavits have been exchanged. List this case on 24.08.2017 for hearing. On the date fixed, the parties shall file compilation of the case law and chart of events.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2

T.A. No. 10 of 2016

Yogendra Prasad
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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri OP Kushwaha, learned counsel for the petitioner and Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Learned counsel for the petitioner prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 22.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p><small>PKG</small></p>

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

Court No. 2

T.A. No. 41 of 2016

Smt Shakuntala Devi
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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Pranat Sharma, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Supplementary rejoinder affidavit filed by the learned counsel for the petitioner is taken on record.</p> <p style="text-align: center;">List this case on 27.09.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, the parties shall file compilation of the case law and chart of events.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

EX-A. No. 118 of 2017
(Inre: O.A. No. 243 of 2016)

Raghvendra Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed by Mrs Anju Singh, Advocate, on behalf of respondents is taken on record. Her name be shown as learned counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Present: Shri KK Mishra, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;"><u>EX.-A. No. 118 of 2017</u></p> <p style="text-align: center;">This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the order dated 09.11.2016 passed in O.A. No. 243 of 2016 which relates to the payment of consequential benefits of Battle Casualty.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to seek instruction from the competent authority.</p> <p style="text-align: center;">List this case on 19.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: right;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

EX.-A. No. 119 of 2017
(Inre: O.A. No. 215 of 2013)

Pooja Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri KK Mishra, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;"><u>EX-A No.119 of 2017</u></p> <p style="text-align: center;">This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the order dated 31.08.2016 passed in O.A. No. 215 of 2013 which relates to the payment of special family pension commensurate to Battle Casualty status of her husband.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to seek instruction from the competent authority.</p> <p style="text-align: center;">List this case on 19.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 467 of 2017(Inre: O.A. No. Nil of 2017)

Ram Chandra
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Objection against the application for condonation of delay filed by Shri VPS Vats, learned counsel for the respondents, in Court today, is taken on record.</p> <p style="text-align: center;"><u>M.A. No. 467 of 2017</u></p> <p style="text-align: center;">We have gone through the affidavit filed in support of the application for condonation of delay in filing the original application which as per office report is delayed by 29 days.</p> <p style="text-align: center;">It appears that there was no intentional and deliberate delay on the part of the applicant challenging the impugned orders. Accordingly, the cause shown seems to be sufficient. The application for condonation of delay is allowed and the delay in filing the Original Application is hereby condoned.</p> <p style="text-align: center;">Objection raised by learned counsel for the respondents is hereby rejected.</p> <p style="text-align: center;">Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List this case on 12.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 593 of 2017
(Inre: O.A. No. Nil of 2017)

Arun Kumar Rai
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Arvind Kumar Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Dr Shailendra Sharma Atal, learned counsel for the respondents prays for and is granted four weeks' further time to file objection against the application for condonation of delay.</p> <p style="text-align: center;">List this case on 13.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 636 of 2017
(Inre: O.A. No. Nil of 2017)

Kishan Bahadur Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Birendra Singh Singraur, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Shri Shyam Singh, learned counsel for the respondents prays for and is granted four weeks' further time to file objection against the application for condonation of delay.</p> <p style="text-align: center;">List this case on 05.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 698 of 2017 (Inre: O.A. No. Nil of 2017)

Rajendra Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri VR Chaubey, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Objection against the application for condonation of delay filed by Shri Rajiv Pandey, learned counsel for the respondents, in Court today, is taken on record.</p> <p style="text-align: center;"><u>M.A. No. 698 of 2017</u></p> <p style="text-align: center;">We have gone through the affidavit filed in support of the application for condonation of delay in filing the original application which as per office report is delayed by 26 days only.</p> <p style="text-align: center;">It appears that there was no intentional and deliberate delay on the part of the applicant challenging the impugned orders. Accordingly, the cause shown seems to be sufficient. The application for condonation of delay is allowed and the delay in filing the Original Application is hereby condoned.</p> <p style="text-align: center;">Objection raised by learned counsel for the respondents is hereby rejected.</p> <p style="text-align: center;">Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let the case be registered as O.A.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List this case on 23.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case of Court No. 1 taken in Court No. 2

M.A. No. 717 of 2017 with M.A. No. 1198 of 2017
(Inre: O.A. No. Nil of 2017)

Yogesh Chandra Singh Yadav
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Replication to the objection against the application for condonation of delay filed by Shri Yash Pal Singh, learned counsel for the applicant, in Court today, is taken on record.</p> <p style="text-align: center;">Learned counsel for the respondents at this stage has raised a preliminary objection that the applicant has not preferred the alternative remedy by preferring the statutory appeal.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' to file reply.</p> <p style="text-align: center;">List this case on 11.09.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

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

Court No. 2

O.A. No. 98 of 2016

Girish Chandra
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">O.A. No. 98 of 2016, Girish Chandra Vs Union of India is allowed.</p> <p style="text-align: center;">For orders, see our orders of date passed on separate sheets.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 742 of 2017
Inre O.A. No. Nil of 2017

Vishv Ranjan Prasad
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri VP Pandey, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents, alongwith Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Shri RKS Chauhan, learned counsel for the respondents prays for and is granted four weeks' further time to file objection on the application for condonation of delay. Replication, if any may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: center;">List this case on 09.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 743 of 2017
Inre O.A. No. Nil of 2017

Govind Prasad
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Vinay Pandey, learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">Dr Shailendra Sharma Atal, appeared for learned counsel for the respondents and submitted that Shri AK Sahu, learned counsel for the respondents is attending the Bench at Nainital. He prays for and is granted four weeks' further time to file objection on the application for condonation of delay. Replication, if any may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p style="text-align: center;">List this case on 10.10.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 1253 of 2017 With M.A. No. 1254 of 2017
Inre: O.A. No. 135 of 2010 & M.A. No. 914 of 2017

Union of India & Others
By Legal Practitioner for Applicant

Applicant

Versus

Smt Jyoti Singh
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri Amit Jaiswal, learned counsel for the applicant, alongwith Maj Salen Xaxa, Departmental Representative.</p> <p><u>MA. No. 1253 of 2017</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 26.05.2017 passed by this Court in O.A. No. 135 of 2010.</p> <p>As per stamp reporter's report, there is delay of 01 months and 04 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly</i></p>

binds everybody including the Government.”

The Hon’ble Supreme Court further observed as under :

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

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

M.A. No 1254 of 2017

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also rejected.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice S.V.S. Rathore)
Member (J)

RS/-

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 1257 of 2017 With M.A. No. 1258 of 2017
Inre: T.A. No. 218 of 2010

Union of India & Others
By Legal Practitioner for Petitioner

Petitioner

Versus

Rajesh Pandey
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri DK Pandey, learned counsel for the petitioner alongwith Maj Salen Xaxa, Departmental Representative.</p> <p><u>MA. No. 1257 of 2017</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 29.05.2017 passed by this Court in T.A. No. 218 of 2010.</p> <p>As per stamp reporter's report, there is delay of 01 months and 01 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p style="text-align: center;"><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p>

The Hon'ble Supreme Court further observed as under :

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

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

M.A. No 1258 of 2017

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also rejected.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice S.V.S. Rathore)
Member (J)

RS/-

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 1255 of 2017 With M.A. No. 1256 of 2017
Inre: O.A. No. 149 of 2013

Union of India & Others
By Legal Practitioner for Applicant

Applicant

Versus

Smt Munni Devi
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri DK Pandey, learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative.</p> <p style="text-align: center;">List this case on 08.08.2017 for orders before appropriate Bench</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Case listed in Court No. 1, taken up in Court No. 2

M.A. No. 1259 of 2017 With M.A. No. 1260 of 2017
Inre: T.A. No. 1462 of 2010

Bhartendu Kumar 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>04.08.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance file by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the petitioner and Mrs Anju Singh, learned counsel for the respondents alongwith Maj Salen Xaxa, Departmental Representative.</p> <p>Learned counsel for the petitioner has submitted that the petitioner had filed Civil Misc. Writ Petition before Hon'ble High Court of Judicature at Allahabad bearing No. 46020 of 2016 which was dismissed on 23.09.2016. It transpires from the order of Hon'ble High Court of Judicature that learned counsel for the petitioner was not able to point out any extra ordinary circumstances which may entertain this writ petition. It appears that learned counsel for the petitioner filed this T.A. only to explain the delay in preferring the application for Leave to appeal.</p> <p><u>MA. No. 1259 of 2017</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 23.05.2011 passed by this Court in T.A. No. 1462 of 2010.</p> <p>As per stamp reporter's report, there is delay of 06 years, 01 month and 07 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in</p>

view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC.

M.A. No 1260 of 2017

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also rejected.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice S.V.S. Rathore)
Member (J)

RS/-