

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

D.Y. No. 1721 of 2017 In re O.A. No. (Nil) of 2017

Jahad 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Yogesh Kesarwani, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name shall be shown as counsel for the respondents.</p> <p>Present : Shri Bhanu Pratap Singh Chauhan, 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 is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 23.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 1440 of 2017 In re O.A. No. (Nil) of 2017

Sohan Lal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Mohd Zafar Khan, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name shall be shown as counsel for the respondents.</p> <p>Present : Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Mohd Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 24.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>JPT</small></p>

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

M.A. No. 1448 of 2017 In re O.A. No. (Nil) of 2017

Y.P.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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri R.C.Shukla, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name shall be shown as counsel for the respondents.</p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Six weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 28.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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

O.A. No. 370 of 2017

Smt Archana Singh Tomar
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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Ashok Kumar, 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;">The dispute relates to payment of AGI fund, etc to the applicant, who is alleged to be the second wife of late L/Hav Rakesh Kumar. The matter requires hearing.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Issue notices to respondents No. 4, 5 and 6 returnable at an early date.</p> <p style="text-align: center;">Four weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for hearing on 16.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

M.A. No. 583 of 2017 with M.A. No. 1223 of 2017
In re O.A. No. (Nil) of 2017

Nandji 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Objection filed by the respondents is taken on record. The applicant may file reply within three weeks.</p> <p>List this case for orders on 27.10.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

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

M.A. No. 1450 of 2017 In re T.A. No. 34 of 2010

Union of India & Others

Petitioners-Applicant

By Legal Practitioner for the Petitioners-Applicant

Versus

Vinay Kumar

Respondent-Petitioner

By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri Asheesh Agnihotri, Ld. Counsel for the petitioners-Applicant, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Passed over.</p> <p>Put up today before the Bench comprising one of us (Justice D.P.Singh, Member (J) and Hon'ble Air Marshal Anil Chopra, Member (A).</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>LN/</small></p>

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

M.A. No. 1451 of 2017 In re T.A. No. 15 of 2014

Union of India & Others

Petitioners-Applicant

By Legal Practitioner for the Petitioners-Applicant

Versus

Maj Kunwar Ambreshwar Singh

Respondent-Petitioner

By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri Asheesh Agnihotri, Ld. Counsel for the petitioners-applicant, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Passed over.</p> <p>Put up today before the Bench comprising one of us (Justice D.P.Singh, Member (J) and Hon'ble Air Marshal Anil Chopra, Member (A).</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN</p>

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

EX-A. No. 151 of 2016 In re O.A. No. 130 of 2014

Adesh 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the applicant and Maj Salen Xaxa, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">Maj Salen Xaxa, OIC Legal Cell submits that PPO has been issued, which includes the amount of gratuity etc. Thus, there appears to be sufficient compliance of the Tribunal's order under execution.</p> <p style="text-align: center;">However, if the applicant has still any grievance, it shall be open to him to approach the Tribunal afresh.</p> <p style="text-align: center;">The Bank concerned is directed to release the amount under the PPO within a period of one month from the date of receipt of a certified copy of this order.</p> <p style="text-align: center;">With the aforesaid direction, the application stands finally disposed of.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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Court No.1

M.A No. 155 of 2016 In re O.A. No. (Nil) of 2016

Prathi @ Prithvi 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri Ashok Kumar, 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;">The applicant has not filed reply in terms of the earlier order dated 21.07.2017.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to file reply.</p> <p style="text-align: center;">List this case for orders on 01.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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Court No.1

M.A No. 1067 of 2016 with M.A. No. 1380 of 2017
In re O.A. No. (Nil) of 2016

Pratap Singh Negi
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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">The applicant has not filed reply in terms of the earlier order dated 11.07.2017.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted four weeks' time to file reply.</p> <p style="text-align: center;">List this case for orders on 01.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1659 of 2016 In re O.A. No. (Nil) of 2016

Satyapal 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Anurag Mishra, 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 a week's further time to file objection on application for condonation of delay.</p> <p style="text-align: center;">Applicant shall have one week thereafter to file replication.</p> <p style="text-align: center;">List the case on 19.09.2017 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>anb</p>

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

M.A. No. 108 of 2017 In re M.A. No. 2284 of 2016

Rajesh Singh Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Mohd Murtaza Hasan, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Cost has already been deposited.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks' further time to file replication on objection filed by the respondents.</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><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. 256 of 2017 In re O.A. No. (Nil) of 2017

Faujdar 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri O.P. Kushwaha, 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;">Learned counsel for the applicant prays for and is granted two weeks' further time to file replication on objection filed by the respondents.</p> <p style="text-align: center;">List the case on 23.11.2017 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. 450 of 2017 with M.A. No. 1123 of 2017
In re O.A. No. (Nil) of 2017

Chhathu 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks' further time to file replication on objection filed by the respondents.</p> <p style="text-align: center;">List the case on 01.11.2017 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. 638 of 2017 In re O.A. No. (Nil) of 2017

Pramod 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant is granted two weeks' further time to file replication on objection filed by the respondents as well as rejoinder affidavit.</p> <p style="text-align: center;">List the case on 01.11.2017 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. 758 of 2017 In re O.A. No. (Nil) of 2017

Yogendra Singh
By Legal Practitioner for the Petitioner

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Mohd Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks' further time to file replication on objection filed by the respondents.</p> <p style="text-align: center;">List the case on 06.11.2017 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. 907 of 2017 In re O.A. No. (Nil) of 2017

Uma Datt 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mishra, Ld. Counsel 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;">Objection on application for condonation of delay filed by the respondents is taken on record.</p> <p style="text-align: center;">Replication may be filed by the applicant within three weeks.</p> <p style="text-align: center;">List the case on 08.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

M.A. No. 972 of 2017 In re O.A. No. (Nil) of 2017

Shailesh Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted three weeks' further time to file replication.</p> <p style="text-align: center;">List the case on 14.11.2017 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. 979 of 2017 with M.A. No. 1420 of 2017
In re O.A. No. (Nil) of 2017

Jai Prakash Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted three weeks' further time to file replication.</p> <p style="text-align: center;">List the case on 20.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

M.A. No. 1365 of 2017 In re EX-A No. 123 of 2017
In re T.A. No. 943 of 2010

Devendra Singh Bhadauria
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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1365 of 2017</u></p> <p>This is an application for recall of order dated 11.08.2017. It has been submitted by Ld. Counsel for the applicant that though PPO has been issued but back wages of 50% in terms of order of the Tribunal dated 05.11.2015 has not been paid to the applicant.</p> <p>Ld. Counsel for the respondents may obtain instructions.</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>anb</p>

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

O.A. No. 322 of 2016 with M.A. No. 2729 of 2016
alongwith O.A. No. 2 of 2017

Hari Shankar Tripathi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Applicant In Person. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Respondents are directed to restore the original pension payable to the applicant in terms of order dated 19.12.2016.</p> <p>Copy of the notice has been served on the applicant in person during course of hearing. He may submit reply to it within four weeks. Thereafter the respondents shall take a decision and produce it before the Tribunal. However, interim order shall continue till further orders.</p> <p style="text-align: center;"><u>M.A. No. 2729 of 2016</u></p> <p>Since no objection has been filed by the respondents we allow the amendment application. Applicant may incorporate the amendments within a week. Respondents shall file counter affidavit containing parawise reply to the amended O.A. within four weeks.</p> <p>In the meantime we fix the case on 13.09.2017 to ensure compliance of interim order and to enable the respondents to submit compliance report.</p> <p>Copy of the order be supplied to Ld. Counsel for the parties free of cost by tomorrow</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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

O.A. No. 133 of 2017 with M.A. No. 1105 of 2017

Hari Shankar 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted a week's time to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 18.09.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 149 of 2017

SK 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted further four weeks time to file counter affidavit.</p> <p style="text-align: center;">Applicant may file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) 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. 61 of 2016

Jamil Ahmad
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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri A.K. Singh Ld. Counsel for the petitioner and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Being aggrieved with denial of payment of disability pension, the petitioner preferred Writ Petition No 51381 of 1999 in the High Court of Judicature at Allahabad which on establishment of the Armed Forces Tribunal has been transferred to this Tribunal in pursuance to provisions of Section 34 of the Armed Forces Tribunal Act, 2007 and has been re-numbered as T.A. No. 61 of 2016.</p> <p>We have heard Ld. Counsel for the parties and perused the records.</p> <p>A prayer has been made for payment of disability pension by deciding the statutory appeal preferred by the petitioner dated 10.02.1981.</p> <p>It is unfortunate that appeal preferred by the petitioner as far back as in the year 1981 is still to see the light of the day. Though the matter was sub judice before the High Court, it was incumbent on the respondents to decide the appeal during the pendency of the appeal in the High Court without waiting for any order.</p>

Ld. Counsel for the respondents submitted that they would have no objection in case order is passed directing the respondents to decide the appeal within a stipulated period.

Now the matter with regard to grant of disability pension is no more res integra and the disability has to be considered as attributable to and aggravated by military service in terms of judgment of *Dharamvir Singh vs. Union of India & Ors* reported in (2013) 7 SCC 316, *Sukhvinder Singh vs. Union of India*, reported in (2014) 14 SCC 364, *Union of India & Ors vs. Angad Singh Titaria*, reported in (2015) 12 SCC 257 and *Union of India & Ors. vs. Rajbir Singh*, reported in (2015) 12 SCC 264.

We also feel to recall the judgment of Hon'ble Apex Court in the case of *K.J.S. Buttar vs. Union of India & Ors*, reported in (2011) 11 SCC 429 and Review Petition (C No 2688 of 2013) in Civil Appeal No 5591/2006, *UOI & Anr vs. K.J.S. Buttar* wherein Hon'ble Apex Court had observed that a person who was discharged on completion of terms of service with a disability has to be held to be invalided out and entitled to the benefits of broad banding.

In view of the consensus between the parties, we dispose of the T.A. finally with a direction to the respondents to decide the statutory appeal preferred by the petitioner expeditiously, say, within four months from the date of presentation of certified copy of this order along with a copy of the statutory appeal keeping in view the aforesaid pronouncement of the Supreme Court ignoring the delay, if any.

T.A. is **allowed** accordingly.

No order as to costs.

(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

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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Yashpal Singh, Ld. Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The petitioner belongs to the state of Bihar and he was locally discharged from Army service from Nasirabad (Rajasthan) only because some certificate had been served upon him from AMC Lucknow, does not seem to create cause of action to be adjudicated upon by the Armed Forces Tribunal, Regional Bench, Lucknow.</p> <p>In view of above, the matter may be placed before Hon'ble the Chairperson, Principal Bench, Armed Forces Tribunal, New Delhi to consider transfer of the T.A. to Armed Forces Tribunal, Regional Bench, Kolkata or any other Bench of Armed Forces Tribunal as his Lordship pleases.</p> <p>Registry shall send the records to the Principal Bench within a week.</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. 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Col R.N. Singh (Retd), Ld. Counsel for the petitioner and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Relying upon the judgment of Delhi High Court in the case of <i>K.K. Taneja vs. Union of India & Ors</i>, (Civil Writ Petition No 1253 of 1978) decided on 02.11.1987 Ld. Counsel for the petitioner submits that in view of provisions contained in Section 153, 154, 155 and 156 of the Army Act, 1950 read with provisions of Army Regulation 472, only the General Officer Commanding-in-Chief (GOC-in-C) of the Command could have revised the sentence as confirming authority. It is submitted that the General Officer Commanding 9 Infantry Division who issued the revisional order commuting the sentence of five years" imprisonment to dismissal from service was not competent; hence in view of Army Regulation 453, the punishment awarded to the petitioner vitiates.</p> <p>In response to argument advanced by Ld. Counsel for the petitioner, Ld. Counsel for the respondents assisted by OIC Legal Cell submitted that A3 Warrant was issued in favour of General Officer Commanding, 9 Infantry Division in pursuance to which he has exercised power. However, nothing has been</p>

brought on record to establish that some Warrant was issued delegating power to the General Officer Commanding, 9 Infantry Division. Copy of the A3 warrant and decision taken in pursuance thereto has also not been produced or filed along with the counter affidavit.

List the case for orders on **18.09.2017** to enable Ld. Counsel for the respondents to clarify the position.

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

(Air Marshal Anil Chopra)
Member (A)

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

anb

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

T.A. No. 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Sudhir Kumar Singh, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the petitioner, list the case again on 11.09.2017 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 57 of 2016

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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : S.K. Shukla Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>List the case on 14.09.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 87 of 2016

Yuvraj 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>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Respondents have served copy of the counter affidavit upon Ld. Counsel for the petitioner without annexing copies of the documents. Let documents be provided by Ld. Counsel for the respondents to Ld. Counsel for the petitioner who may file rejoinder affidavit within two weeks.</p> <p>List the case on 20.09.2017 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>ANB</small></p>

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

M.A. No. 1450 of 2017 in re: T.A. No. 34 of 2010

Union of India & ors **Applicant-Respondents**
By Legal Practitioner for the Applicant Respondents

Versus

Vinay Kumar **Petitioner-Respondent**

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Asheesh Agnihotri, Ld. Counsel for the applicant-respondents assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">This is an application under Section 31 of the Armed Forces Tribunal Act, 2007 for grant of leave to appeal.</p> <p style="text-align: center;">Provisions contained in Section 31 of the Act (supra) provide that the Tribunal may grant leave to appeal to Hon'ble Supreme Court on question of law involving public importance.</p> <p style="text-align: center;">A perusal of the application coupled with arguments advanced by Ld. Counsel for the applicant-respondents does not indicate what is the substantial question of law of public importance involved to grant leave to appeal.</p> <p style="text-align: center;">The petition has been decided in view of settled proposition of law enunciated by Hon'ble Supreme Court.</p> <p style="text-align: center;">Keeping in view the catena of decisions of Hon'ble Supreme Court, we do not find any question of public importance for grant of leave to appeal.</p> <p style="text-align: center;">Accordingly, 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 style="text-align: left;"><small>anb</small></p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

M.A. No. 1451 of 2017 in re: T.A. No. 15 of 2014

Union of India & ors

Applicant-Respondents

By Legal Practitioner for the Applicant Respondents

Versus

Major Kunwar Ambrewshwar Singh

Petitioner-Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>04.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Asheesh Agnihotri, Ld. Counsel for the applicant-respondents assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>This is an application under Section 31 of the Armed Forces Tribunal Act, 2007 for grant of leave to appeal.</p> <p>Provisions contained in Section 31 of the Act (supra) provide that the Tribunal may grant leave to appeal to Hon'ble Supreme Court on question of law involving public importance.</p> <p>A perusal of the application coupled with arguments advanced by Ld. Counsel for the applicant-respondents does not indicate what is the substantial question of law of public importance involved to grant leave to appeal.</p> <p>The petition has been decided in view of settled proposition of law enunciated by Hon'ble Supreme Court.</p> <p>Keeping in view the catena of decisions of Hon'ble Supreme Court, we do not find any question of public importance for grant of leave to appeal.</p> <p>Accordingly, application is rejected.</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

D.Y. No. 1725 of 2017 In re O.A. No. (Nil) of 2017

Prakash Chandra Tewari 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Kaushik Chatterji, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Thakur Balram Ji Srivastava, Ld. Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Heard learned counsel for the parties.</p> <p>Learned counsel for the respondents has raised objection that this OA has been filed without any application for condonation of delay, though there is an inordinate delay in preferring the OA.</p> <p>The applicant, who retired in the year 1973, is claiming reservist service pension. Submission of learned counsel for the applicant is that the representation of the applicant, praying for reservist service pension, was rejected on 28.06.2017; as such there is no delay in preferring this OA, but the fact remains that the applicant had retired in the year 1973 and since then, more than 40 years have passed. The applicant has not explained day-to-day delay from 1973 till date in preferring this OA.</p> <p>As prayed, the applicant is granted four weeks' time to file an application alongwith affidavit explaining each day delay so</p>

that question with regard to delay, as objected to by the learned counsel for the respondents, may be looked into. The respondents shall file objection to the delay condonation application within two weeks thereafter. The applicant shall thereafter have two weeks' time to file replication.

List this case for orders on **23.11.2017**.

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

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

LN/-

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

M.A. No. 1428 of 2017 In re O.A. No. (Nil) of 2017

Nitesh Kumar Tiwari Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Dr. Shailendra Sharma Atal, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Ravi Shankar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 27.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1434 of 2017 In re O.A. No. (Nil) of 2017

Sqn Ldr (Retd) DH Prasad & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Namit Sharma, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Ravi Shankar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 28.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1438 of 2017 In re O.A. No. (Nil) of 2017

Tarkeshwar 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Amit Jaiswal, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Ravi Shankar Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 28.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPt</p>

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

M.A. No. 1439 of 2017 In re: O.A. No. (Nil) of 2017

Shailendra Singh (Deceased)
Through Savita Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri Ashish Saxena, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present : Shri Ravi Shankar Pandey, Ld. Counsel for the applicant and Shri Ashish Saxena, Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders on 29.11.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 369 of 2017

Brij Bhushan 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Shri G.S.Sikarwar, Advocate files memo of appearance on behalf of the respondents, which is taken on record.</p> <p>Heard Shri V.A. Singh, Ld. Counsel for the applicant and Shri G.S.Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Since the matter is a trivial one, we, with the consent of parties' counsel dispose of this petition finally at the admission stage itself.</p> <p>Submission of learned counsel for the applicant is that the applicant went on leave for treatment of her mother and when he reported back for duty, he has not been permitted to join.</p> <p>Whether a person is absent without leave or has overstayed the leave, in case such person comes back to join duty, it is not open for the authorities concerned not to permit him to resume duty of course it shall be open to the authorities to proceed against such person if they so desire and take action in accordance to law.</p> <p>In view of above, we direct the applicant to report in his Unit within three weeks from today. If the applicant reports for duty as directed above, the respondents shall take him on</p>

strength. However, liberty is given to the respondents to proceed against the applicant with regard to absence from duty or overstayal of leave if they so desire.

With the aforesaid directions, this petition stands disposed of finally.

Let certified copy of this order be provided to the parties on payment of usual charges within three days.

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

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

LN/-

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

M.A. No. 1433 of 2017 In re O.A. No. (Nil) of 2017

Maj Rajendra Singh & 23 Others
By Legal Practitioner for the Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Ms Appoli Srivastava, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, her name shall be shown as counsel for the respondents.</p> <p>Present : Shri P.K.Shukla, Advocate holding brief of Shri Vijay Kumar Pandey, Ld. Counsel for the applicants and Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>A preliminary objection has been raised by learned counsel appearing for the respondents that the affidavit filed in support of the OA has been sworn by one person i.e. applicant No. 1 only whereas there are 23 other applicants also. Her objection further is that this is a combined petition filed on behalf of 24 applicants whereas each and every applicant should file his petition separately.</p> <p>The averments made in the affidavit show that the deponent has mentioned himself as Pairokar. 'Pairokar' is a Hindi-Urdu mixed word, which means a person who stands to plead the case of others. Accordingly, we do not feel that the affidavit sworn in by applicant No. 1 as Pairokar is defective and it suffers from any illegality or infirmity.</p>

So for filing of combined petition is concerned, learned counsel for the respondents failed to invite our attention to any rule which bars the filing of combined petition. In the absence of any bar under the Armed Forces Tribunal Act or Rules framed thereunder, we may ourselves cannot create a provision depriving the filing of a combined petition before the Tribunal.

So far as the court-fee is concerned, our attention has been invited to Rule 7 of the Armed Forces Tribunal (Procedure) Rules, 2008. For convenience, the same is reproduced as under:

“7. Application fee. Every application filed with the Registrar shall be accompanied by a fee of rupees two hundred and fifty to be remitted either in the form of crossed demand draft on a nationalized bank in favour of the Registrar of the concerned Bench and payable at the main Branch of that bank at the station where the seat of the said Bench is situated, or remitted through a crossed Indian Postal Order drawn in favour of the Registrar of the concerned Bench and payable at the post office of the station where the said Bench is situate:

Provided that where the Tribunal permits a single application to be filed on behalf of more than one person, the fee payable shall be rupees five hundred:

Provided further that where the Tribunal is satisfied that an applicant is unable to pay the prescribed fee on ground of indigence, it may exempt such an applicant from the payment of application fee.”

A bare reading of the aforesaid rule indicates that a court fee of rupees two hundred and fifty is payable, if the petition is filed by a single applicant and in case there are more than one applicant, then the court- fee payable shall be rupees five hundred. Since court fee of rupees five hundred has been paid by the applicant, there is no deficit in payment of court-fee. The objection raised by the respondents’ counsel is, therefore, not tenable and is hereby rejected.

So far as the affidavit filed in support of the application for condonation of delay is concerned, even oral prayer made by one of the applicants is enough to deal with the controversy.

The dispute involved in this OA relates to grant of One Rank One Pension, which requires hearing.

Accordingly, we permit the respondents to file objection to the application for condonation of delay within four weeks. The applicant shall thereafter have two weeks' time to file replication.

List this case for orders on **31.10.2017**.

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

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

LN/-

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

M.A. No. 1436 of 2017 with M.A. No. 1437 of 2017
In re O.A. No. 281 of 2013

Rajendra Kumar Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Lt Cdr Nilaksh Sharma, OIC Legal Cell.</p> <p><u>M.A.No. 1436 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. 1437 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 B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

Ex-A No. 24 of 2017 In re T.A. No. 93 of 2010

Prayag Singh Parihar
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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri P.K. Shukla, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Lt Cdr Nilaksh Sharma, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Lt Cdr Nilaksh Sharma, OIC Legal Cell has made a statement at Bar that sanction has been accorded for deposit of costs and it will take further four weeks time to deposit the same after release of the amount by PCDA.</p> <p>As prayed, four weeks' time is granted to the respondents to deposit the costs.</p> <p>List this case for orders on 09.10.2017.</p> <p>This order has been passed in the presence of Dr. Shailendra Sharma Atal, learned counsel for the respondents and Lt Cdr Nilaksh Sharma, OIC Legal Cell. In the meantime, the respondents shall also show cause why the order of the Tribunal under execution has not been complied with.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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

EX-A No. 72 of 2017 In re 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Mrs Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Lt Cdr Nilaksh Sharma, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Lt Cdr Nilaksh Sharma, OIC Legal Cell has made a statement at Bar that the Command Hospital, Lucknow has been communicated for Re-survey Medical Board (RSMB) of the petitioner and it is for the petitioner to approach them and appear before the RSMB. We also direct the Command Hospital, Lucknow to convene RSMB for the petitioner within three weeks so that his claim regarding further disability pension may be settled.</p> <p>List this case for orders on 09.10.2017.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

M.A. No. 9 of 2016 with M.A. No. 604 of 2016
M.A. No. 730 of 2016 & M.A. No. 57 of 2017

Rajendra 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p>Present : Shri Bachchan Singh, Ld. Counsel for the applicant and Shri Virendra Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p>Controversy relates to payment of disability pension. The applicant was discharged from service in the year 1972. As per office report, there is a delay of 40 years, 05 months and 28 days in preferring this petition. However, in view of the law settled by the Hon'ble Supreme Court, the payment of disability pension involves recurring cause of action and if the applicant is entitled for the same, he may be paid pension from three years preceding the date of filing of the petition. Accordingly, the reasons shown for delay are sufficient and the delay in filing the petition is hereby condoned.</p> <p>Admit.</p> <p>The respondents are granted four weeks' time to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 07.11.2017.</p> <p>(Air Marshal B.B.P.Sinha) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 492 of 2017 with M.A. No. 493 of 2017
In re T.A. No. 55 of 2009

Smt Poonam Rana & Others 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: justify;">Present : Shri Manoj Kumar Singh, Ld. Counsel for the petitioner, and Ms Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: justify;">Petitioners' reply to the objection filed by the respondents against the application for condonation of delay in filing the restoration application is taken on record.</p> <p style="text-align: justify;">This petition was filed by the husband of petitioner no. 1 in the High Court, which was transferred to this Tribunal and had been registered as TA No. 55 of 2009. In view of the fact that the husband of petitioner No. 1 has died and his legal heirs have approached this Tribunal for their substitution, we find that the reasons shown for delay in filing the restoration application are sufficient.</p> <p style="text-align: justify;">Accordingly, the delay in filing the restoration application is condoned. The restoration application is allowed and the order dated 25.02.2013 is recalled. The TA is restored to its original number.</p> <p style="text-align: center;">List this case for orders on 03.10.2017.</p> <table border="0" style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</td><td style="width: 50%; text-align: center;">(Justice D.P. Singh) Member (J)</td></tr></table> <p style="margin-top: 10px;">LN/-</p>	(Air Marshal B.B.P.Sinha) Member (A)	(Justice D.P. Singh) Member (J)
(Air Marshal B.B.P.Sinha) Member (A)	(Justice D.P. Singh) Member (J)		

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

O.A. No. 129 of 2015

Ravi Shankar 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P.Sinha, Member (A)</u></p> <p style="text-align: center;">Present : Shri S.S. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Heard learned counsel for the parties and perused the record.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Orders reserved.</p> <p style="text-align: center;">(Air Marshal B.B.P.Sinha) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

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

Mahendra Sharma

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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">On request made by Ld. Counsel for the parties, the case is adjourned for the day.</p> <p style="text-align: center;">List the case on 05.09.2017 for further hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><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. 233 of 2016

Layak 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted two week's time to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 19.09.2017 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. 222 of 2017

Akash Vishwakarma
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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit.</p> <p style="text-align: center;">Applicant may file rejoinder within next two weeks.</p> <p style="text-align: center;">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><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. 333 of 2017

Col Dilip Singh Shekhawat
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Indra Sen Singh & Shri V.A. Singh, Ld. Counsel for the applicant and Shri Alok Mathur and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Shri Alok Mathur appearing for the respondents submits that order of termination of the petitioner dated 28.07.2017 has been passed. Copy of the same be provided to Ld. Counsel for the applicant during course of the day.</p> <p style="text-align: center;">Since subsequent order terminating the petitioner has been passed, we dispose of the O.A. with liberty to the applicant to file afresh O.A., if so advised.</p> <p style="text-align: center;">No order as to costs.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

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

Baleshwar Yadava
 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">This is an application for review of order dated 18.07.2017.</p> <p style="text-align: center;">Review has been preferred in pursuance to provisions contained in Rule 18 of the Armed Forces Tribunal (Tribunal Rules 2008) read with Order 41 Rule 1, Code of Civil Procedure.</p> <p style="text-align: center;">It is trite law that a review petition may be preferred only on the ground of error apparent at the face of record. In the guise of review, the Tribunal shall not proceed for de novo hearing like appellate forum.</p> <p style="text-align: center;">The law on Review is well enunciated that the scope of review is limited. It is settled law that Review Application may lie if there is any error apparent on the face of the record. Order 47 Rule 1 Sub-rule (1) of the Code of Civil Procedure, being relevant, is being reproduced below:-</p> <p style="text-align: center;"><i>“1. Application for Review of judgment. – (1) Any person considering himself aggrieved---</i></p> <p style="text-align: center;"><i>(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,</i></p> <p style="text-align: center;"><i>(b) by a decree or order from which no appeal is allowed by this Code, or</i></p> <p style="text-align: center;"><i>(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a Review of the decree passed or order made against him, may apply for a Review of judgment of the Court which passed the decree or made the order.</i></p> <p style="text-align: center;">The Hon'ble Apex Court in a plethora of decisions has clearly laid down that the scope of Review is very limited and re-hearing is not permitted. The Apex Court has drawn a clear distinction between an</p>

'erroneous decision' and 'an error apparent on the face of the record'. It has been laid down that the while the first can be corrected by higher forum, the latter only can be corrected by exercise of Review jurisdiction. Any attempt of Court except an attempt to correct an apparent error or an attempt not based on any ground mentioned in Order 47 Rule 1 and 2 CPC, would amount to an abuse of power to review its judgment, vide, (1999) 9 SCC 596 **Ajit Kumar Rath, Vs. State of Orissa**.

Power of review conferred on the Court may be exercised when error is apparent at the face of record under Order 47 Rule 1 and 2 of CPC. It is the statutory power conferred on Court. It is neither inherent power nor a power to re-appreciate the evidence, vide (2000) 6 SCC 224: **Lily Thomas Vs. Union of India**.

It is needless to mention that review is perfectly distinguished from an appeal i.e.; quite clear from statutory provision (Order 47 Rule 1 of CPC) that the primary intention of granting a review is the reconsideration of the same subject by the same Judge as contra-distinguished to an appeal which is a hearing before another Tribunal, vide (2005) 2 SCC 334 **Ishwar Singh, Vs. State of Rajasthan & Ors**.

In (1995) 1 SCC 170: **Meera Bhanja (Smt.) Vs. Nirmala Kumari Chaudhary (Smt.)** followed by (1997) 8 SCC 715: **Parsion Devi Vs Sumitri Deviu**, their Lordships of Hon'ble Supreme Court held that power of review does not mean to exercise de novo hearing.

In view of the above, the present application for review appears to be not sustainable. As observed above, the jurisdiction conferred under review is not an appellate jurisdiction under the guise of review. No de novo hearing or re-appreciation of evidence is permissible, except where there is error apparent on the face of record, following the principles laid down for reviewing the order under Order-47, Rule-1 of the Code of Civil Procedure, 1908. After considering the pleadings on record the impugned order has been passed. No new ground may be raised or considered in an application filed for review of the order.

In view of above the review petition is **rejected**.

(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. 1013 of 2017 In re: T.A. No. 25 of 2016

Chhote Lal
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Mohd. Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1013 of 2017</u></p> <p>This is an application for amendment.</p> <p>In view of the fact counter and rejoinder affidavits have exchanged and the petition is ripe for hearing, at this belated stage, we are not inclined to allow the application.</p> <p>It is accordingly rejected.</p> <p style="text-align: center;"><u>T.A. No. 25 of 2016</u></p> <p>List the case on 08.09.2017 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 92 of 2016

Alopi Shanker Bajpae
By Legal Practitioner for the Petitioner

Petitioner

Versus

**The Commandant Rajput Regimental
Centre, Fatehgarh & Others**
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Praveen Kumar Singh Chauhan, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The petitioner has filed typed copy of the plaint of OS No. 62 of 2004.</p> <p>Supplementary affidavit filed by the respondents in Court today is taken on record.</p> <p>Petitioner may file supplementary rejoinder affidavit within four weeks.</p> <p>List the case of 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><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. 93 of 2016

Smt Sushma Devi
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Praveen Kumar Singh Chauhan, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Supplementary affidavit filed by the respondents in Court today is taken on record.</p> <p>Petitioner may file supplementary rejoinder affidavit within four weeks.</p> <p>List the case of 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><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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>List the case on 27.10.2017 for hearing.</p> <p>Petitioner shall serve copy of the rejoinder affidavit on Ld. Counsel for the respondents.</p> <p>It shall be open for the respondents to argue on point of maintainability for the petition.</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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>List the case on 27.10.2017 for hearing.</p> <p>Petitioner shall serve copy of the rejoinder affidavit on Ld. Counsel for the respondents.</p> <p>It shall be open for the respondents to argue on point of maintainability for the petition.</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 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. 81 of 2016 with M.A. No. 1564 of 2016

Mahendra Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Ms Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that medical examination of the applicant has already been conducted on 24.08.2017 but instructions have not been received.</p> <p style="text-align: center;">List the case on 13.10.2017 for orders and to enable Ld. Counsel for the respondents to inform the Tribunal the outcome of the medical examination.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>anb</small></p>

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

M.A. No. 1442 of 2017 In re: O.A. No. 302 of 2017

Nb Sub Devendra 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p>Ld. Counsel for the applicant submitted that the applicant shall be completing his tenure on the rank of Naib Subedar (JCO) on 11.04.2018. He relied upon on interim order passed by this Tribunal in O.A. 259 of 2017: Nb Subedar Prashant Pal vs. Union of India and prayed for interim order in the present case seeking parity.</p> <p style="text-align: center;">List the case on 06.09.2017 for orders.</p> <p>Meanwhile, learned counsel for the respondents may file counter affidavit.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

O.A. No. 146 of 2015

Devendra Singh Bhandari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Dr. Ashish Asthana, Advocate holding brief of Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh and Shri Rohit Tripathi Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Shri Rohit Tripathi, Ld. Counsel appeared on behalf of respondent no. 9 and argued the case. In sum and substance his argument is that respondent no. 9 was on leave from 23rd December, 2011 to 30th December, 2011 and during aforesaid period was away from the station.</p> <p>Shri Rohit Tripathi may file affidavit by the next date of listing to specifically point out the date of his departure on leave from the station and his returning back to the station after exhausting leave.</p> <p>Respondents shall also produce entire record including record of the Unit for the relevant period, mess register with regard to allotment of mess accommodation as well as family quarter to the deceased lady and different decisions taken from time to time in this regard. Respondents shall also produce duty register(s) of the officers of the Unit of the month when the incident took place including that the Commanding Officer and the deceased lady officer.</p>

On the next date of listing Sri Lalit Kumar, Ld. Counsel for the applicant shall argue in rejoinder.

It is further directed that on the next date of listing, some responsible officer of the Unit shall appear in person along with the records to assist the Tribunal. He shall also bring the photographs of the surroundings of temporary married accommodation.

List the case on **07.09.2017** for further hearing.

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

(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. 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.A. Singh, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Dr S.N. Pandey, learned counsel for the respondents appearing for the respondents submits that he is not feeling well for the last few months.</p> <p style="text-align: center;">Let the brief of the present case be given to some other Central Government Counsel by the Incharge, Litigation in lieu of the present case, Dr S.N. Pandey be given some other case.</p> <p style="text-align: center;">List the present case on 08.09.2017 for further hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

O.A. No. 54 of 2016

Smt Maya Verma & 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Wg Cdr A.K. Singh (Retd), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the parties, the case is adjourned for the day.</p> <p>List the case on 05.09.2017 for further 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Petitioner in person. Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Petitioner appeared in person and sought adjournment of the case.</p> <p>Case is accordingly adjourned.</p> <p>List the case on 13.10.2017 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 75 of 2011

Ashok Kumar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Bachchan Singh, Ld. Counsel for the petitioner and Dr. S.N. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the parties, list the case again on 05.09.2017 for further 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 58 of 2016

Vijay Shanker 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.A. Singh, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>List the case again on 07.09.2017 for further 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, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

M.A. No. 1073 of 2017 with M.A. No. 1417 of 2017
In re O.A. No. (Nil) of 2017

Shailendrabeer 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>The controversy involved in the present O.A. relates to payment of disability pension. Being aggrieved with the omission and commission of the respondents, the applicant has preferred the present O.A.</p> <p>We have heard Ld. Counsel for the parties and perused the records.</p> <p>Admittedly against denial of disability pension the applicant had preferred appeal dated 30.06.2016 which is still pending with the appellate authority. Law with regard to payment of disability pension is no more res-integra.</p> <p>In the case of Hon'ble Apex Court in the case of <i>K.J.S. Buttar vs. Union of India and others</i> reported in SCC 2011, XI, 429 wherein Hon'ble Apex Court has observed that a person who was discharged by retirement on completion of terms of service with a disability, was held to be 'invalided out' and was held entitled to the benefit of 'broad banding'. Hon'ble the Apex Court in Paras 17 & 18 of the judgment of <i>K.J.S. Buttar</i> (supra) has observed as under :-</p> <p style="padding-left: 40px;"><i>"17. The respondents submitted that the appellant was not entitled to the above benefits as he had retired on completion of his Short Service Commission of 10 years and had not been invalided out of service.</i></p> <p style="padding-left: 40px;"><i>18. In this connection it may be mentioned that the appellant was invalided out and released in a low medical category with permanent disability assessed at 50% by the Release Medical Board. As per the Defence Services Regulations/Pension Regulations for the Army 1961 where any officer is found suffering from disability attributable to or aggravated by Military Service he shall be deemed to have been invalided</i></p>

out of service. Relevant provision (page 25 additional documents) read as under :-

53. Officers Compulsorily Retired on Account of Age or on Completion of Tenure.

(1) An officer retired on completion of tenure or on completion of terms of engagement or on attaining the age of 50 years (irrespective of their period of engagement), if found suffering from a disability attributable to or aggravated by military service and recorded by service medical authorities, shall be deemed to have been invalidated out of service and shall be granted disability pension from the date of retirement, if the accepted degree of disability is 20% or more, and service element, if the degree of disability is less than 20%. The retiring pension/retiring gratuity, if already sanctioned and paid, shall be adjusted against the disability pension/service element, as the case may be.

(2) The disability element referred to in clause (1) above shall be assessed on the accepted degree of disablement at the time of retirement/discharge on the basis of the rank held on the date on which the wound/injury was sustained or in the case of disease. In our opinion the appellant is entitled to the benefit of the above Regulation.”

It is also observed that the Hon'ble Apex Court in Review Petition (C) No. 2688 of 2013 in Civil Appeal No. 5591/2006, **U.O.I. & ANR vs K.J.S. Buttar** has dismissed the Review Petition both on ground of delay as well as on merits on 21.01.2014.

On the issue of rounding off of the disability pension, the Hon'ble Apex Court in the case of **Union of India and Ors vs. Ram Avtar & ors** (Civil Appeal No. 418 of 2012 dated 10th December 2014) has noded in disapproval the policy of the Government of India in not granting the benefit of rounding off of disability pension to the personnel who have retired on attaining the age of superannuation or completion of their tenure of engagement, if found to be suffering from some disability.

In view of above we dispose of the O.A. finally with a direction to the appellate authority to decide the pending appeal of the appellate authority in the light of Apex Court decisions (supra) by a speaking and reasoned order, expeditiously, say within four months from the date of presentation of a certified copy of this order.

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

No order as to costs.

(Air Marshal Anil Chopra)
Member (A)

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

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

O.A. No. 226 of 2015 with M.A. No. 130 of 2017

Col SK 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : None for the applicant. Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The controversy involved relates to payment of disability pension.</p> <p style="text-align: center;">Maj (Retd) R.D. Singh, Ld. Counsel for the applicant is not present.</p> <p style="text-align: center;">List the case on 22.11.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

O.A. No. 153 of 2017

Bhawani Datt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Yogdesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Applicant may file rejoinder affidavit within four weeks.</p> <p style="text-align: center;">List the case on 27.11.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 82 of 2011

Ram Lakhan 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Bachchan Singh, Ld. Counsel for the petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents seeks two weeks' further time to file objection on application for condonation of delay.</p> <p>Time prayed for is allowed.</p> <p>Replication may be filed by Ld. Counsel for the applicant within one week.</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 the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

M.A. No. 1375 of 2017 Inre O.A. No Nil of 2017

Purna Bahadur Rana
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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the 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>Ld. Counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay.</p> <p>Applicant shall have two weeks' time thereafter to file replication.</p> <p>List the case on 27.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

M.A. No. 566 of 2017 with M.A. No. 1443 of 2017
Inre M.A. No. 276 of 2015

Smt Jayanti 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>01.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present :Shri Gyan Singh Chauhan, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondents, one week time is granted to seek instructions on the application received by him.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">List the case on 09.09.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

M.A. No. 1302 of 2017 In re: O.A. No. Nil of 2017

Onkar Nath Yadava

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Ms Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri Ghanshyam Verma, Ld. Counsel for the applicant and Shri Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the learned counsel for the respondents, three weeks' time is allowed to file objection to the application for condonation of delay. Applicant may file reply, if any to the objection within next two weeks' time thereafter.</p> <p>List the case on 21.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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

M.A. No. 1424 of 2017 In re: O.A. No. Nil of 2017

Urba Datt

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri Vinay Pandey, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the learned counsel for the respondents, three weeks' time is allowed to file objection to the application for condonation of delay. Applicant may file reply, if any to the objection within next two weeks' time thereafter.</p> <p>List the case on 27.11.2017 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>JPT</p>

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

M.A. No. 1425 of 2017 In re: O.A. No. Nil of 2017

Ran Nirekhan 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Ms Amrita Chakraborty, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri J.N 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>As prayed by the learned counsel for the respondents, four weeks' time is allowed to file objection to the application for condonation of delay. Applicant may file reply, if any to the objection within next two weeks' time thereafter.</p> <p>List the case on 27.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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

EX-A. No. 138 of 2017 In re: T.A. No. 83 of 2012

Jyoti Prakash 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri B.N. Choubey, Ld. Counsel for the petitioner and Mrs Anju Singh, Ld. Counsel for the respondents, assisted by Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the learned counsel for the respondents, four weeks' time is allowed to the respondents to show cause as to why the order of the Tribunal dated 21.02.2017 has not been complied.</p> <p>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>JPT</p>

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

EX-A. No. 139 of 2017 In re: T.A. No. 1283 of 2010

Inderjeet 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri A.K. Singh, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the learned counsel for the respondents, four weeks' time is allowed to the respondents to show cause as to why the order of the Tribunal dated 07.04.2017 has not been complied.</p> <p>List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

EX-A. No. 140 of 2017 In re: O.A. No. 337 of 2012

Gajendra 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondent, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents has informed that Government has already accorded sanction for issuing the PPO. As prayed by the learned counsel for the respondents, four weeks' time is allowed to produce copy of the PPO issued by the respondents.</p> <p style="text-align: center;">List the case for orders on 09.10.2017.</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>JPT</p>

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

EX-A. No. 141 of 2017

Lt Col Vinod 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Dr. Chet Narain Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri Y.R. Sharma, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed by the learned counsel for the respondents, four weeks' time is allowed to the respondents to show cause as to why the order of the Tribunal dated 25.04.2017 has not been complied.</p> <p>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;"><small>JPT</small></p>

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

T.A. No. 66 of 2016

Pradeep Kumar Singh Alias Pramod Kumar Singh Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Dr. Shailendra Sharma Atal, Advocate, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Let a notice be issued to engage counsel in the matter or to make some other alternative arrangement.</p> <p>List the case on 31.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

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

T.A. No. 91 of 2016

Nathi Ram Garg
By Legal Practitioner for the Petitioner

Petitioner

Versus

K.K. Ojha & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</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 : Ms Kavita Singh, Advocate holding brief of Shri Razi Ahmed, learned counsel for the petitioner and Dr. Shailendra Sharma, Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Ms Kavita Singh, Advocate has made a request on behalf of Shri Razi Ahmed, Advocate for adjournment of the case.</p> <p>As prayed, list the case on 25.09.2017 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>JPT</p>

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

EX-A. No. 72 of 2017 In re: 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>31.08.2017</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 Lalit Kumar, Ld. Counsel for the petitioner and Mrs Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents Ms Amrita Chakraborty wants time to seek instructions in the matter. As prayed, put up tomorrow i.e. 01.09.2017 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>JPT</p>

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

EX-A. No. 107 of 2017 In re: O.A. No. 211 of 2010

Shyam 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>31.08.2017</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. Chet Narain Singh, Ld. Counsel for the respondents assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Dr. Chet Narain Singh, the learned counsel for the respondents, four weeks' time is allowed to the respondents to show cause as to why the order of the Tribunal dated 02.03.2017 has not been complied.</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 style="text-align: left; font-size: small;">JPT</p>

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

EX-A. No. 136 of 2017 In re: O.A. No. 264 of 2014

Col Mahesh 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>31.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed as counsel for the respondents.</p> <p>Present : Shri Y.R. Sharma, 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>Maj Salen Xaxa, OIC Legal Cell submits that against the impugned order respondents have preferred an appeal in which Hon'ble Supreme Court has granted a stay order on 29.08.2017.</p> <p>List the case on 28.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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

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

PN 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>31.08.2017</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.P. Pandey, Ld. Counsel for the petitioner, and Shri Ashish Kumar Singh, Ld. Counsel for the respondent, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, a week's time is allowed to the respondents to file an affidavit with regard to the compliance of the order of the Tribunal.</p> <p style="text-align: center;">List the case on 09.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left;"><small>JPT</small></p>

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

M.A. No. 999 of 2017 with M.A. No. 1327 of 2017
In re O.A. No. (Nil) of 2017

Rakesh Kumar Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</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 Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four week's further time is allowed to the respondents to file objection to the application for condonation of delay. Applicant may file reply, if any within next two weeks' time thereafter. Respondents shall also file counter affidavit in the matter in the meantime.</p> <p style="text-align: center;">List the case on 06.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1363 of 2017 In re T.A. No. 22 of 2013

Anil 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>31.08.2017</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 R.N. Singh (Retd), Ld. Counsel for the petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard.</p> <p>The application for correction is allowed.</p> <p>The order dated 15.12.2016 is corrected. The date '06.08.1991' is substituted by the date '02.08.1991'. The correction has been duly initialled by one of us (Air Marshal Anil Chopra).</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

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

Mahendra Sharma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, put up tomorrow i.e. 01.09.2017 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;">JPT</p>

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

O.A. No. 54 of 2016

Smt Maya Verma & 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>31.08.2017</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 : Wg Cdr A.K. Singh (Retd), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">The affidavit filed by the respondents is taken on record. Put up tomorrow i.e. 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 style="text-align: left; font-size: small;">JPT</p>

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

T.A. No. 35 of 2011

Union of India & Others

Petitioners

By Legal Practitioner for the Petitioners

Versus

Sanjay Kumar Singh

Respondent

By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>31.08.2017</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 Yogesh Kesarwani, Ld. Counsel for the petitioners, assisted by Maj Salen Xaxa ,OIC Legal Cell and Shri Yash Pal Singh, Ld. Counsel for the respondent.</p> <p>Against the judgment and decree of the Civil Judge (JD), Farukhabad, petitioners preferred an appeal, which has been transferred to this Tribunal. Respondent was discharged from Army on account of his allegedly suffering from a disease "CUBITUS VALGUS (RIGHT)" .</p> <p>Heard the learned counsel for the parties.</p> <p>Let the respondent Sanjay Kumar Singh be produced before the Medical Board at Command Hospital, Lucknow to submit a report after due examination of the respondent within two weeks from today. Respondent shall appear before the Board on 08.09.2017. The Command Hospital, Lucknow shall constitute the Board accordingly. This order shall be communicated immediately to Command Hospital, Lucknow by the OIC Legal Cell.</p>

List the case on **25.09.2017** for orders.

Let a copy of the order be provided to the OIC Legal Cell as well as to the learned counsel for the respondents today itself on payment of usual charges.

(Air Marshal Anil Chopra)
Member (A)

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

JPT

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

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>31.08.2017</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 : Col T.B. Srivastava (Retd), Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 12.09.2017 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>JPT</p>

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

M.A. No. 1416 of 2017 In re O.A. No. (Nil) of 2017

Vir Bahadur 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>30.08.2017</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 in court today by Dr. S.N.Pandey, as counsel for the respondents is taken on record. Let his name be shown as counsel for the respondents when the case is next listed.</p> <p>Present : Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Dr. S.N.Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, six weeks' time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 20.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 1421 of 2017 In re O.A. No. (Nil) of 2017

Dinesh Pal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 in court today by Dr. Shailendra Sharma Atal, as counsel for the respondents is taken on record. Let his name be shown as counsel for the respondents when the case is next listed</p> <p>Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, six weeks' time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 21.11.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

O.A. No. 333 of 2017

Col Dilip Singh Shekhawat
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 in court today by Shri Virendra Kumar, as counsel for the respondents is taken on record. Let his name be shown as counsel for the respondents when the case is next listed</p> <p>Present : Shri V.A. Singh, Ld. Counsel for the applicant and Shri Virendra Kumar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It would appear that in response to show cause notice dated 02.07.2015 followed by another show cause notice dated 18.08.2015, the Applicant submitted reply on 13.11.2015. It is submitted that the Applicant is likely to attain the age of superannuation on 30.09.2017.</p> <p>The main brunt of submission advanced across the bar by learned counsel for the Applicant is that the Applicant has reportedly been dismissed from service in pursuance of show cause notice but no order has yet been communicated to him till date. It is further submitted that the Applicant has been on earned leave upto 19.09.2017.</p> <p>It is appalling as to why respondents has not yet passed any final order till date despite reply to SCN having been submitted on 13.11.2015 in the face of the fact that almost two</p>

years have rolled by.

On insistent prayer made by OIC Legal Cell, the case is adjourned and is directed to be listed on 01.09.2017 in order to enable her to obtain instructions on the point why the order has not yet been passed despite reply having been submitted on 13.11.2015 in response to show cause notice.

In case any order has been passed pursuant to show cause notice aforesaid, the same may be obtained either by FAX or by Email and the same may be produced for perusal of the Bench. The respondents may also obtain instructions with regard to pleadings on record.

Let a copy of this order be supplied to learned counsel for the respondents today itself.

(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

M.A. No. 1410 of 2017 with M.A. No. 1411 of 2017
In re T.A. No. 62 of 2016

Sudama Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p><u>M.A. No. 1410 of 2017</u></p> <p style="text-align: center;">This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay.</p> <p style="text-align: center;">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. 1411 of 2017</u></p> <p style="text-align: center;">This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p style="text-align: center;">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 style="text-align: left;"><small>MH</small></p>

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

M.A. No. 1412 of 2017 with M.A. No. 1413 of 2017
In re O.A. No.17 of 2015

Shevendra Kumar 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>30.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u> Present: Shri 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;"><u>M.A. No. 1412 of 2017</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A. No. 1413 of 2017</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

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

M.A. No. 1414 of 2017 with M.A. No. 1415 of 2017
In re O.A. No. 98 of 2015

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Deb Singh
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 : Dr. Shailendra Sharma Aal, Ld. Counsel for the applicants assisted by Maj Salen Xaxa, OIC Legal Cell, Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent.</p> <p>The main ground urged before the Tribunal by learned counsel for the Applicant that despite disability being less than 20% and it being contrary to para 173 Pension Regulations for Army, 1961, Part I, the Tribunal has granted relief of disability pension at the rate of 50% by rounding it off.</p> <p>The question raised before us in this Applicant is well enunciated by catena of decision of the Apex Court particularly in the case of Sukhvinder Singh Vs Union of India reported in (2014) STPL (WEB) 468 SC followed by decisions of the Apex Court in Dharamvir Singh Vs. Union of India in which Hon'ble The Apex Court has granted similar reliefs in the cases of Union of India & Others Vs. Angad Singh Titari 2015 (2) SCA, LE, 640 and Union of India Vs. Rajbir Singh, Civil Appeal No. 2904 of 2011 decided on 13.02.2015 reported in 2015 (2) SCALE 371.</p> <p>In view of the question as raised before us having been settled by catena of decision, we do not find any substantial</p>

question of law of public importance which is a condition precedent to grant leave to appeal under section 31 of the Armed Forces Tribunal Act 2007.

As a result of foregoing discussions, the application for leave to appeal being devoid of merits, is accordingly rejected.

(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

M.A. No. 1419 of 2017 In re T.A. No. 63 of 2016

Union of India & Others Applicant-respondents
By Legal Practitioner for the Applicant-respondents
Versus
Shri Ram Yadav Respondent-Petitioner
By Legal Practitioner for Respondent-Petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Yogesh kesarwani, Ld. Counsel for the applicant-respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 1419 of 2017</u></p> <p>This is an application for leave to appeal. Heard Ld. Counsel for the parties.</p> <p>After hearing Ld. Counsel for the parties, we do not find any ground where question of public importance is involved to grant leave to appeal. In view of statutory provision contained in Section 31 of the Armed Forces Tribunal Act, 2007, we also find that no point of law of general importance is involved, which may call for grant of leave to appeal to the applicant.</p> <p>Accordingly, application lacks merit and is rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>BL</p>

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

M.A. No. 638 of 2017 In re O.A. No. (Nil) of 2017

Pramod 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>30.08.2017</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 R.C. Shukla, Ld. Counsel for the respondents assisted by Maj Salen Xaxa ,OIC Legal Cell.</p> <p style="text-align: center;">Objection filed today is taken on record. List this case on 04.09.2017 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

M.A. No. 758 of 2017 In re O.A. No. (Nil) of 2017

Yogendra 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>30.08.2017</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 Mohd Zafar Khan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit has not yet been filed.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, the case is ordered to be listed on 04.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

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

M.A. No. 907 of 2017 In re O.A. No. (Nil) of 2017

Uma Datt 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>30.08.2017</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 Siddharth Dhaon, Ld. Counsel for the respondent, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, the case is ordered to be listed on 04.09.2017 to enable him to file counter affidavit.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

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

M.A. No. 979 of 2017 with M.A.No. 1420 of 2017
In re O.A. No. (Nil) of 2017

Jai Prakash Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Arun Kumar Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 04.09.2017 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

M.A. No. 1073 of 2017 with M.A. No. 1417 of 2017
In re O.A. No. (Nil) of 2017

Shailendrabeer 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>30.08.2017</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 Ashish Kumar Singh Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, <i>list</i> this case on 01.09.2017 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

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

Smt Ganeshi Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 05.09.2017 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

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

Kulwant Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Col A.K. Srivastava (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 05.09.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 20px;"><small>MH</small></p>

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

O.A. No. 233 of 2017

Rama Shankar Bharti
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>30.08.2017</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.K. Sahu, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 06.09.2017 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. 242 of 2017

Ram Pal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Satendra Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 06.09.2017 for orders, on which date, the learned counsel for the parties shall produce the medical documents for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>MH</small></p>

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

T.A. No. 11 of 2017

Ram Chand 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>30.08.2017</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 Rakesh Johri, Ld. Counsel for the petitioner and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>As prayed, two weeks' time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within one week next thereafter.</p> <p>List this 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>MH</p>

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

M.A. No. 937 of 2017 with M.A. No. 938 of 2017
In re O.A. No. 118 of 2011

Aditya Nand Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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 Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A.No 937 of 2017</u></p> <p>Having heard learned counsel for the Applicant, we are of the view that the cause shown for delay appears to be plausible. Hence, Application is allowed and the delay is condoned of course subject to payment of cost which we quantify at Rs 500/-. On deposit of cost, the same may be remitted to the accounts of the Local Bar Association for being utilised for upgradation of its library.</p> <p style="text-align: center;"><u>M.A.No 938 of 2017</u></p> <p>Since delay has been condoned, the Application for recall of the order dated 21.02.2017 is allowed and the original Application is ordered to be restored to its original number subject to payment of cost.</p> <p style="text-align: center;">The case is ordered to be listed 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 style="text-align: left; margin-left: 10px;">MH</p>

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

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>30.08.2017</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 R.D. Singh (Retd), Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Alifa Akbar, MS Branch, OIC Legal Cell.</p> <p>Maj Alifa Akbar of MS Branch New Delhi makes a statement that only evidence available that the Applicant was working as Company Commander on the fateful day, is the Unit Strength Returns Officers other than JCO which has been produced before us. However, undoubtedly in the Unit Strength Returns which according to the respondent is issued every month, the Applicant has been shown as Rifle company Commander. However, inspite of order passed by the Tribunal and questions having been framed, no document has been produced for perusal of the Bench that the Applicant was assigned the duty of company Commander on or before the incident which took place on 19.09.2005.</p> <p>It is submitted by Major Alifa Akbar that the aforesaid document is the most authenticated document on record which clearly establishes that the Applicant was discharging the function of Company Commander on the fateful day.</p> <p>Unit Strength Return produced before the Tribunal is of</p>

01.10.2005 though it is alleged that the Applicant was holding the rank of company Commander since 20.08.2005.

In view of the above, it is directed that the respondents shall produce the Unit Strength Return of the month of August and September 2005 and Battalion Routine Order with regard to Applicant's assignment of duties or post on the rank of company commanders for perusal of the Bench.

List this case on 11.09.2017 for further hearing.

By the next date fixed, copy of the court of inquiry shall be supplied to learned counsel for the Applicant.

(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

O.A. No. 197 of 2016

Chandreshwar 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>30.08.2017</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</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 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; margin-left: 10px;"><small>MH</small></p>

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

M.A. No. 689 of 2017 with M.A. No. 690 of 2017
& M.A. No. 882 of 2017 In re T.A. No. 284 of 2010

Umesh Kumar Chourasia
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>30.08.2017</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 G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the Petitioner could not tell whether cost imposed by the earlier order has been deposited or not. From the perusal of the order sheet it would transpire that the case is being adjourned repeatedly on this count.</p> <p>Learned counsel for the respondents vehemently urged that since order of the Tribunal has not been complied with, and that the petitioner has failed to deposit the cost, the petition is liable to be dismissed.</p> <p>In view of the above, the T.A is dismissed for want of compliance of the order 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>MH</p>

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

O.A. No. 302 of 2011

Brijendra Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.08.2017</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, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the Applicant, the case is adjourned and is directed to be listed for further hearing on 01.09.2017.</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

T.A. No. 82 of 2011

Ram Lakhan 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>30.08.2017</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 Bachchan Singh, Ld. Counsel for the Petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 01.09.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>MH</p>

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

O.A. No. 230 of 2016

Akhilesh 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>30.08.2017</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 Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 18.09.2017 for 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. 15 of 2017 with M.A. No. 1315 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>30.08.2017</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, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, list this case on 06.09.2017 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. 126 of 2017

Onkar ManiTripathi
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>30.08.2017</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 V.P.S.Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed today is taken on record. Let rejoinder affidavit be filed within four weeks.</p> <p style="text-align: center;">List this case on 25.10.2017 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>