

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Court No. 1**(Suppl Sl. No. 1)

**Ex Hav Bal Ram Singh**

Applicant

By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, Advocate

## Versus

## Union of India & Others

## Respondents

By Legal Practitioner for Respondents : Shri Vishwesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. Memo of Appearance filed by Shri Vishwesh Kumar, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing Shri Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents are present.</p> <p>3. This Original Application has been filed for the grant of disability pension. There is a delay of 26 years 03 months and 09 days in filing of Original Application.</p> <p>4. Ld. Counsel for the respondents raised objections with regard to delay in filing the O.A. He seeks and is allowed two weeks' time to file objections with regard to delay in filing of the O.A.</p> <p>5. List on <b>26.09.2024</b></p> <p><b>(Vice Admiral Atul Kumar Jain)</b>  <b>Member (A)</b>   <b>Member (J)</b></p> <p><b>(Justice Anil Kumar)</b></p> <p>UKT/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Suppl Sl. No. 2)

O.A. No.746 of 2024

MWO Nanak Singh (Retd)  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Arvind Kumar Pandey, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. Memo of Appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</div><div>2. Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents.</div><div>3. Thisapplication has been filed for grant of disability pension. There is no delay in filing the O.A. It is submitted by the Ld. Counsel for the applicant that applicant’s claim has been wrongly rejected by the respondents.</div><div>4. Case needs adjudication.</div><div>5. Admit.</div><div>6. Ld. Counsel for the respondents seeks and is allowed four weeks’ time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</div><div>7. List on 13.11.2024.</div></div> <div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A) Member (J)</div><div>UKT/-</div><div>(Justice Anil Kumar)</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Suppl Sl. No. 3)

O.A. No. 748 of 2024 with M.A. No. 844 of 2024

Ex L/NK Ram Kirpal @ Ram Kripal  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Asheesh Agnihotri, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant andShri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>3. This Original Application has been filed for the grant of disability pension. There is a delay of 13 years and 15 days in filing of Original Application.</p> <p>4. Ld. Counsel for the respondents raised objections with regard to delay in fling the O.A. He seeks and is allowed two weeks’ time to file objections with regard to delay in filing of the O.A.</p> <p>5. List on <b>27.09.2024</b></p> <p>(Vice Admiral Atul Kumar Jain) (Justice Anil Kumar) Member (A) Member (J) UKT/-</p>

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

EX-A. No. 281 of 2024 Inre: O.A. No. 39 of 2022

Spr Basav Raj Lamani

Applicant

By Legal Practitioner for the Applicant : Shri RC Dixit, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1.</div><div>Memo of Appearance filed by Ms. Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</div></div><div><div>2.</div><div>On the case being taken up for hearing Shri RC Dixit, Ld. Counsel for the applicant andMs. Appoli Srivastava, Ld. Counsel for the respondents are present.</div></div><div><div>3.</div><div>This Execution Application has been filed for compliance of order dated 14.07.2023 passed in O.A. No 39 of 2022.Learned counsel for the respondents prays for and is granted four weeks’ time to seek instructions and file compliance report.</div></div><div><div>4.</div><div>List on <b>04.11.2024</b>.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div></div>

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

Diary No. 1249 of 2024

POME Abhishek Tiwari (Retd)  
By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate  
Shri Amit Asthana, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Kaushik Chatterjee, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. On the case being taken up for hearing Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</div><div>2. In this case, Registry has pointed out two defects (i) residential proof has not been filed and (ii) delay condonation application has not been filed.</div><div>3. Heard the Id. Counsel for the parties and perused the records.</div><div>4. The applicant has filed copy of his Aadhar Card as proof of his residence alongwith an affidavit. Thus, defect at sl. (i) has been rectified. So far as defect at Sl (ii) regarding delay is concerned, we are of the view that there is no delay in filing this original application.</div><div>5. Since defects pointed out by the Registry has been rectified, Registry is directed to register this case as original application.</div><div>6. List this case as original application on 20.08.2024.</div></div> <div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A) Member (J)</div></div> <div><div>(Justice Anil Kumar)</div></div> <div>RK/-</div>

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

Ex - A. No. 336 of 2022 Inre: O.A. No.666 of 2021

Ex Nk Hira Lal  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri RKS Chauhan, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of status report from responsible officer filed by the respondents is taken on record. Compliance report has not been filed. Cost has also not been deposited. Learned counsel for the respondents prays for further four weeks’ time to file compliance report.</p> <p>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of additional cost of Rs. 5,000/- which shall be deposited in the Registry and shall be remitted to the applicant. Respondents are also directed to deposit balance cost imposed earlier.</p> <p>4. List on <b>03.10.2024</b>.</p> <p>5. Copy of this order be provided to learned counsel for the respondents free of cost.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A) Member (J) UKT/-</p> <p>(Justice Anil Kumar)</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 3)

Ex - A. No. 6 of 2023 Inre: O.A. No.100 of 2019

Ex Rect Rahul Kumar Applicant  
By Legal Practitioner for the Applicant : Shri Sudhir Kumar Singh , Advocate

Versus

Union of India & Others Respondents  
By Legal Practitioner for Respondents : Shri Kaushik Chatterjee, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearingShri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of status report from responsible officer filed by the respondents is taken on record. Compliance report has not been filed. Cost has also not been deposited. Learned counsel for the respondents prays for further four weeks’ time to file compliance report.</p> <p>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of additional cost of Rs.5,000/- which shall bedeposited in the Registry and shall be remitted to the applicant. Respondents are also directed to deposit balance cost imposed earlier.</p> <p>4. List on <b>10.10.2024</b>.</p> <p>5. Copy of this order be provided to learned counsel for the respondents free of cost.</p> <div><div><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b> UKT/-</div><div><b>(Justice Anil Kumar)</b> <b>Member (J)</b></div></div>

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

Ex - A. No.151 of 2023 Inre: O.A. No.798 of 2021

**Ex Hav Rajendra Prasad Tiwari** Applicant  
By Legal Practitioner for the Applicant : Shri Matri Datt Tripathi, Advocate  
Shri Lal Mani, Advocates

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Matri Datt Tripathi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of status report from responsible officer filed by the respondents is taken on record. Compliance report has not been filed. Cost has also not been deposited. Learned counsel for the respondents prays for further four weeks’ time to file compliance report.</p> <p>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of additional cost of Rs. 5,000/- which shall be deposited in the Registry and shall be remitted to the applicant. Respondents are also directed to deposit balance cost imposed earlier.</p> <p>4. List on <b>10.10.2024</b>.</p> <p>5. Copy of this order be provided to learned counsel for the respondents free of cost.</p> <p><b>(Vice Admiral Atul Kumar Jain) (Justice Anil Kumar)</b> <b>Member (A) Member (J)</b> UKT/-</p>



Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 5)

Ex- A. No. 252 of 2023 Inre: O.A. No.373 of 2021

Ex Nk (TS) Sunil Kumar  
By Legal Practitioner for the Applicant : Shri Veer Raghav Chaubey, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri RC Shukla , Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</div><div>2. Compliance report has already been filed by the respondents. Learned counsel for the respondents states that the order passed by this Tribunal has been fully complied with.</div><div>3. Learned counsel for the applicant was granted time to file objection, if any, on compliance report. In spite of availing several opportunities, objection has not been filed by learned counsel for the applicant.</div><div>4. Since order of the Tribunal has been complied with,the instant execution application stands <b>disposed off</b> having become infructuous as the order of this Tribunal has been complied with.</div></div> <div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div>

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

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1(SI. No. 6)**

**Ex -A. No. 283 of 2023 Inre: O.A. No.667 of 2022**

**Ex Sgt Ashish Misra** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

## Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</li> <li>2. Compliance report has not been filed. Affidavit of status report from responsible officer has also not been filed. Cost has also not been deposited. Learned counsel for the respondents prays for further four weeks' time to file compliance report.</li> <li>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of additional cost of Rs.6,000/- which shall be deposited in the Registry and shall be remitted to the applicant. Respondents are also directed to deposit balance cost imposed earlier.</li> <li>4. Respondents are also directed to file affidavit of responsible officer showing present status of the case failing which respondents shall pay additional cost of Rs 2,000/-.</li> <li>5. List on <b>24.10.2024</b>.</li> <li>6. Copy of this order be provided to learned counsel for the respondents free of cost.</li> </ol> <p>(Vice Admiral Atul Kumar Jain) (Justice Anil Kumar)  Member (A) Member (J)  UKT/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 7)

Ex - A. No. 33 of 2024 Inre: O.A. No.371 of 2023

Ex Sgt Rajendra Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri SN Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. On the case being taken up for hearing Shri Kehsav Sharma, Ld. Counsel for the applicant and Shri SN Pandey, Ld. Counsel for the respondents are present.</div><div>2. Compliance report has not been filed. Affidavit of status report from responsible officer has also not been filed. Learned counsel for the respondents prays for further four weeks' time to file compliance report.</div><div>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of cost of Rs.5,000/- which shall bedeposited in the Registry and shall be remitted to the applicant. Respondents are also directed to file affidavit of responsible officer showing present status of the case.</div><div>4. List on 24.10.2024.</div><div>5. Copy of this order be provided to learned counsel for the respondents free of cost.</div></div> <div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 8)

EX-A. No. 34 of 2024 Inre: O.A. No. 453 of 2023

Ex Sgt Gunjan Kumar Jha  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Vishwesh Kumar, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents are present.</div><div>2. Compliance report has not been filed. Affidavit of status report from responsible officer has also not been filed. Learned counsel for the respondents prays for further four weeks’ time to file compliance report.</div><div>3. As prayed, four weeks further time is granted to file compliance report on the condition of payment of cost of Rs.5,000/- which shall be deposited in the Registry and shall be remitted to the applicant.</div><div>4. Respondents are also directed to file affidavit of responsible officer showing present status of the case failing which respondents shall pay additional cost of Rs 2,000/-.</div><div>5. List on 24.10.2024.</div><div>6. Copy of this order be provided to learned counsel for the respondents free of cost.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 9)

EX-A. No. 56 of 2024 Inre: O.A. No. 1057 of 2022

Ex Nk Rahul Kumar Tyagi

Applicant

By Legal Practitioner for the Applicant : Col RN Tiwari (Retd), Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava , Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1.</div><div>On the case being taken up for hearing Col RN Tiwari (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</div></div><div><div>2.</div><div>Compliance report has not been filed. Affidavit of status report from responsible officer has also not been filed. Learned counsel for the respondents prays for further four weeks' time to file compliance report.</div></div><div><div>3.</div><div>As prayed, four weeks further time is granted to file compliance report on the condition of payment of cost of Rs. 5,000/- which shall be deposited in the Registry and shall be remitted to the applicant.</div></div><div><div>4.</div><div>Respondents are also directed to file affidavit of responsible officer showing present status of the case.</div></div><div><div>5.</div><div>List on 07.11.2024.</div></div><div><div>6.</div><div>Copy of this order be provided to learned counsel for the respondents free of cost.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div></div><div>UKT/-</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 10)

EX-A. No. 128 of 2024 Inre: O.A. No. 697 of 2017

Ex Hav Rajendra Singh  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Shyam Singh, Advocate

Applicant  
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Shri RK Tiwari, Account Officer, PCDA (P) Allahabad.</div><div>2. Learned counsel for the respondents submits that order of the Tribunal has been complied with and PPO has been issued. Shri RK Tiwari, Account Officer, PCDA (P) Allahabad submits that amount due to the applicant has been credited in his bank account.</div><div>3. Learned counsel for the respondents prays for and is granted four weeks’ further time to file compliance report.</div><div>4. List on 02.09.2024.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div></div>

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

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1(Sl. No. 11)**

**EX-A. No. 129 of 2024 Inre: O.A. No. 763 of 2022**

**Ex Sgt Sandeep Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate

## Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Kaushik Chatterjee, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>2. Compliance report/affidavit of status report from responsible officer has not been filed. Learned counsel for the respondents prays for further four weeks' time to file compliance report.</p> <p>3. As prayed, four weeks further time is granted to file compliance report/status report failing which respondents shall pay cost of Rs. 5,000/- which shall be deposited in the Registry and shall be remitted to the applicant.</p> <p>4. List on <b>07.11.2024</b>.</p> <p>5.. Copy of this order be provided to learned counsel for the respondents free of cost.</p> <p><b>(Vice Admiral Atul Kumar Jain)</b>  <b>Member (A)</b>    <b>Member (J)</b></p> <p><b>(Justice Anil Kumar)</b></p> <p>UKT/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No.12)

EX-A. No. 198 of 2024 Inre: O.A. No. 576 of 2022

**Ex Sgt Rakesh Kumar Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Shiv Kant Pandey, Advocate  
Shri Amit Pandey, Advocate  
Ms. Nisha Pandey, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents submitsthat this is fresh execution application and compliance of order under execution is in process. He prays for and is granted four weeks’ further time to file compliance report/ affidavit of responsible officer showing present status of the case.</p> <p>3. List on <b>08.11.2024</b>.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Anil Kumar) Member (A) Member (J) UKT/-</p>



Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 13)

O.A. No. 1017 of 2022

Prahlad Ram MeenaApplicant  
By Legal Practitioner for the Applicant : Shri DS Kauntae, Advocate

Versus

Union of India & OthersRespondents  
By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Ms. Appoli Srivastava, Ld. Counsel for the respondents is present.</div><div>2. No one is present on behalf of the applicant.In spite of availing several opportunities, rejoinder affidavit has not been filed by learned counsel for the applicant. His opportunity to file rejoinder affidavit is hereby closed.</div><div>3. List on 08.11.2024 for final hearing.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 14)

O.A. No. 599 of 2023

Ex Sub Mahesh Pratap Singh  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Vishwesh Kumar, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant is not present. Shri Vishwesh Kumar, Ld. Counsel for the respondents is present.</div><div>2. Counter affidavit filed by the respondents is already taken on record.</div><div>3. Opportunity to file rejoinder affidavit was closed.</div><div>4. Heard the Id. Counsel for the respondents and perused the records.</div><div>5. O.A is <b>Dismissed on merit.</b></div><div>6. Detailed order on separate sheets.</div><div>7. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A) Member (J)</div></div><div>(Justice Anil Kumar)</div><div>RK/-</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 15)

O.A. No. 608 of 2023

Nk Eldhose Abraham

Applicant

By Legal Practitioner for the Applicant : WgCdr Ajit Kakkar (Retd), Advocate  
Shri Manoj Kumar Awasthi, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</div><div>2. Rejoinder affidavit has not been filed by learned counsel for the applicant. Learned counsel for the applicant prays for further time to file rejoinder affidavit.</div><div>3. As a last chance, four weeks’ further time is granted to file rejoinder affidavit.</div><div>4. List on 03.10.2024.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>(Justice Anil Kumar)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 16)

O.A. No. 749of 2023

Ex Nk Pramod Kumar  
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate  
Shri Narendra Kumar Mishra, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</div><div>2. Counter affidavit has not been filed by the respondents. Learned counsel for the respondents prays for further four weeks’ time to file counter affidavit.</div><div>3. As a last chance, four weeks’ further time is granted to file counter affidavit.</div><div>4. List on 05.09.2024.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A) Member (J)</div><div>UKT/-</div></div><div>(Justice Anil Kumar)</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 17)

O.A. No. 1271 of 2023

Col Anil Kumar Uniyal (Retd) Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Singh, Advocate

Versus

Union of India & Others Respondents  
By Legal Practitioner for Respondents : Shri Pushpendra Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Singh, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Today, it is the last opportunity to file counter affidavit which has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents prays for further two weeks time to file Counter Affidavit. In the interest of justice, time as prayed is allowed to the respondents to file counter affidavit failing which respondents shall deposit cost of Rs. 4000/- in the Registry which shall be remitted to the applicant.</p> <p>4. List on <b>03.10.2024</b>.</p> <p>(Vice Admiral Atul Kumar Jain) (Justice Anil Kumar) Member (A) Member (J)</p> <p>RK/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1(Sl. No. 18)**

**O.A. No. 1285 of 2023**

**Ex Rect Manoj Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

## Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Pushpendra Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</li> <li>2. Counter affidavit filed by the respondents is already taken on record.</li> <li>3. Ld. Counsel for the applicant has filed rejoinder affidavit which is also taken on record.</li> <li>4. On the request of Id. counsel for the parties, heard the matter and perused the records.</li> <li>5. O.A is <b>Allowed</b>.</li> <li>6. Detailed order on separate sheets.</li> <li>7. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</li> </ol> <p><b>(Vice Admiral Atul Kumar Jain)</b>  <b>Member (A)</b>    <b>Member (J)</b></p> <p><b>(Justice Anil Kumar)</b></p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1(Sl. No. 19)

O.A. No. 1301 of 2023 with M.A. No. 1883 of 2023

Ex SGT Umesh Kumar Singh

Applicant

By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate  
Shri Rahul Dev Tripathi, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</div><div>2. Reply to the objection on delay, filed on behalf of the applicant is taken on record.</div><div>3. There is a delay of 12 years 05 months and 11 days in filing of Original Application. Ld. Counsel for the applicant has filed delay condonation application.</div><div>4. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</div><div>5. Ld. Counsel for the respondents raised objection to the delay condonation applicant and submits that the applicant was discharged from service on 04.12.2008 and approached this Tribunal after lapse of more than 14 years. The delay has not been properly and satisfactorily explained on day-to-day basis.</div><div>6. Applicant has filed the reply to the objections raised by the respondents and stated that delay is not deliberate and the case has been filed for grant of disability pension which is recurring cause of action.</div><div>7. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further being pensionary matter and in view of the law laid down by the Hon'ble Apex Court in the case of <b>Union of India and Others Vs. Tarsem Singh (2008 (8) SCC 646)</b>, delay is condoned. Delay condonation application stands disposed of.</div></div></div>

**O.A. No. 1301 of 2023**

- 8. This case has been filed for grant of disability pension. It is submitted by the Ld. Counsel for the applicant that applicant’s claim has been wrongly rejected by the respondents.
- 9. Case needs adjudication.
- 10. Admit.
- 11. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.
- 12. List on **14.11.2024**.

**(Vice Admiral Atul Kumar Jain)**  
**Member (A)    Member (J)**

**(Justice Anil Kumar)**

RK/-



Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 20)

O.A. No. 1325 of 2023

**GpCapt Salil Mishra (Retd)** Applicant  
By Legal Practitioner for the Applicant : GpCapt Y Venugopal (Retd), Advocate  
Shri Amit Asthana, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Amit Asthana, Ld. Counsel for the applicant is not present today. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through video conferencing.</p> <p>2. Counter affidavit filed by the respondents is taken on record. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.</p> <p>3. List on <b>12.09.2024</b>.</p> <div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 21)

O.A. No. 1360 of 2023

Ex WO Surendra Prasad Singh

Applicant

By Legal Practitioner for the Applicant : Shri Shiv Kant Pandey, Advocate  
Shri Amit Pandey, Advocate  
Ms. Nisha Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. On the case being taken up for hearing Shri Shiv Kant Pandey, Ld. Counsel for the applicant is present through video conferencing and Shri JN Mishra, Ld. Counsel for the respondents is present before the Court.</div><div>2. Counter affidavit filed by the respondents is taken on record. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.</div><div>3. List on 12.09.2024.</div></div> <div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A)</div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div> <div>RK/-</div>

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

**JWO Virendra Dhar Dwivedi** Applicant  
By Legal Practitioner for the Applicant : Shri Chaturbhuj Dwivedi, Advocate

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri Chaturbhuj Dwivedi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present through video conferencing.</li> <li>2. Counter affidavit has not been filed by the respondents.</li> <li>3. Ld. Counsel for the respondents prays for and is granted further four weeks time to file Counter Affidavit.</li> <li>4. List on <b>30.09.2024</b>.</li> </ol> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 23)

O.A. No. 59 of 2024

**Ex Sep Makwana Manhar Jagdish Bhai** Applicant  
By Legal Practitioner for the Applicant : Mohd. Zafar Khan, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Devesh Kumar Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri Devesh Kumar Mishra, Ld. Counsel for the respondents are present through video conferencing.</p> <p>2. Today it is the last opportunity to file rejoinder affidavit but the same has not been filed. Ld. counsel for the applicant prays for and is granted a week’s further time as another last opportunity to file rejoinder affidavit.</p> <p>3. List for final hearing on <b>09.10.2024</b>.</p> <p><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 24)

O.A. No. 72 of 2024

HFO Shashi Kumar Omar Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents  
By Legal Practitioner for Respondents : Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant is present through video conferencing and Shri JN Mishra, Ld. Counsel for the respondents is present before the Court.</p> <p>2. Counter affidavit has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents submits that para-wise comments have been received. He prays for and is granted further four weeks time to file Counter Affidavit.</p> <p>4. List on <b>10.09.2024</b>.</p> <div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 25)

O.A. No. 95 of 2024

Lt Col Shivendra Kumar Pandey  
By Legal Practitioner for the Applicant : Applicant in person

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Ms. Appoli Srivastava, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><u>02.08.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></div><div><div>1. On the case being taken up for hearing applicant in person and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present through video conferencing.</div><div>2. Counter affidavit filed by the respondents is taken on record. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.</div><div>3. List on <b>24.09.2024</b>.</div></div><div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div><div>RK/-</div></div>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 26)

O.A. No. 191 of 2024

**Rect Rakesh Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Singh, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Singh, Ld. Counsel for the applicant is present before the Court and Shri Sunil Sharma, Ld. Counsel for the respondents is present through video conferencing.</p> <p>2. Counter affidavit has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents submits that para-wise comments have been received. He prays for and is granted further four weeks time to file Counter Affidavit.</p> <p>4. List on <b>03.10.2024</b>.</p> <div><div><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</div><div><b>(Justice Anil Kumar)</b> Member (J)</div></div> <p>RK/-</p>

**O.A. No. 408 of 2024**

By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Applicant

### Union of India & Others

## Respondents

By Legal Practitioner for Respondents : Shri Bipin Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant is present through video conferencing. Shri Bipin Kumar Singh, Ld. Counsel for the respondents is not present today.</li> <li>2. Counter affidavit has not been filed by the respondents.</li> <li>3. Departmental Representative submits that para-wise comments have been forwarded to the counsel for the respondents. She prays for and is granted further four weeks time to file Counter Affidavit.</li> <li>4. List on <b>01.10.2024</b>.</li> </ol> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>RK/-</p>



Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 28)

O.A. No. 413 of 2024 with M.A. No. 493 of 2024

WO Shashi Bhushan (Retd) Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents  
By Legal Practitioner for Respondents : Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri R Chandra, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>2. This Original Application has been filed for the grant of disability element of disability pension to the applicant.</p> <p>3. There is a delay of 06 years and 29 days in filing of Original Application. Ld. Counsel for the applicant has moved Misc. Application No. 493/2024 with prayer to condone the delay in filing this application and hear the matter on merit.</p> <p>4. Objection has been moved by the respondents to the delay condonation application and also on maintainability of the O.A on the ground of not availing alternative remedy as provided in Section 21 of Armed Forces Tribunal Act, 2007.</p> <p>5. Reply to the objection of respondents on delay and maintainability filed today by the Id. counsel for the applicant, is taken on record.</p> <p>6. Ld. counsel for the respondents contended that there is very long delay which has not been explained by the applicant. He further contended that alternate remedies available against the rejection letter has not been availed as provide u/s 21 of the AFT, Act, 2007.</p> <p>7. Ld. counsel for the applicant submitted that pension being continuing right, demand of pension is a recurring cause of action. He further submitted that period of filing appeal against the rejection before appropriate authority has elapsed and her right cannot be denied on the ground of not availing alternate remedy.</p> <p>8. We have heard the submissions of Id. counsel for parties and perused the records.</p>

	<p>9. Two objections have been raised by the respondents on admissibility of this O.A. First is delay of 06 years and 29 days in filing this original application has not been explained and second objection is that O.A has been filed without availing alternative remedy as provided in Section 21 of the AFT Act, 2007.</p> <p>10. As regards objection of delay in filing original application, the applicant is in receipt of service pension and he is claiming disability element of pension, hence, delay may be condoned being continuing wrong.</p> <p>11. As regards second objection of not availing alternative remedy before filing this O.A is concerned, Section 21 of the Armed Forces Tribunal Act 2007 provides that applications not to be admitted unless other remedies exhausted. Against the initial rejection of disability, there is alternative remedy of 1<sup>st</sup> Appeal and 2<sup>nd</sup> Appeal before the appropriate authority but in this case neither any appeal has been filed nor remedy by way of representation to the competent authority has been availed by the applicant.</p> <p>12. On the basis of above discussions, we are of the view that there is sufficient ground to condone the delay in filing the O.A but the O.A deserves to be dismissed out rightly without going into the merit of the case for not availing alternative remedy before filing of this O.A.</p> <p>13. Accordingly, delay in filing this O.A is condoned but the O.A is dismissed for not availing alternative remedy before filing of this O.A, with liberty to the applicant to file afresh after availing alternative remedy.</p> <p>14. M.A No. 493 of 2024 and objection of the respondents stand disposed of accordingly.</p> <div><div><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</div><div><b>(Justice Anil Kumar)</b> Member (J)</div></div> <p>RK/-</p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 29)**

**O.A. No. 512 of 2024 with M.A. No. 601 of 2024**

**Ex WO Virendra Kumar Dwivedi** Applicant  
By Legal Practitioner for the Applicant : Shri Girish Chandra Tripathi, Advocate

## Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri RKS Chauhan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri Girish Chandra Tripathi, Ld. Counsel for the applicant is present before the Court and Shri RKS Chauhan, Ld. Counsel for the respondents is present through video conferencing.</li> <li>2. This original application has been filed for grant of disability pension to the applicant. There is no delay in filing this original application but the applicant has filed delay condonation application which is rejected as not required.</li> <li>3. Ld. Counsel for the respondents raised objection against the maintainability of this original application before this Tribunal. He prays for and is granted two weeks time to seek instructions and to file objection on the maintainability of the O.A.</li> <li>4. List on <b>12.09.2024</b>.</li> </ol> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="349 1913 784 1978" style="width: 45%;"> <p><b>(Vice Admiral Atul Kumar Jain)</b>  <b>Member (A)</b></p> </div> <div data-bbox="915 1913 1310 1978" style="width: 45%;"> <p><b>(Justice Anil Kumar)</b>  <b>Member (J)</b></p> </div> </div> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 30)

O.A. No. 542 of 2021

**Ex Hav Dev Nath Singh Yadav** Applicant  
By Legal Practitioner for the Applicant : Shri VP Pandey, Advocate  
Shri RK Singh, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Rajeev Narayan Pandey, Advocate  
Shri DC Lohumi, Advocate  
Shri Nitin Khanna, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing none present for the applicant. Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents is present through video conferencing.</p> <p>2. In this case, it was informed that the applicant has died and substitution application was required to be filed.</p> <p>3. Today, neither any substitution application has been filed nor anyone is present on behalf of the applicant to press this petition.</p> <p>4. In view of above, this original applicant is dismissed for want of prosecution.</p> <p><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 31)

O.A. No. 162 of 2023

Col (TS) Vinay Kumar Dixit (Retd)  
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents : Shri Arun Kumar Sahu, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div> <div><div>1. On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</div><div>2. In this case, opportunity to file counter affidavit has been closed on 24.04.2024. Today, this case is listed for final hearing.</div><div>3. On request of Id. Counsel for the respondents, case is adjourned for the day.</div><div>4. List this case for final hearing on 23.08.2024.</div></div> <div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <div>RK/-</div>

**O.A. No. 527 of 2023**

Applicant

## Versus

## Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>1. On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Mrs. Preeti Mala, Ld. Counsel for the respondents are present.</li> <li>2. Counter affidavit filed by the respondents and rejoinder affidavit filed by the applicant are taken on record.</li> <li>3. On the request of Id. counsel for the parties, heard the matter and perused the records.</li> <li>4. O.A is <b>Partly Allowed</b>.</li> <li>5. Detailed order on separate sheets.</li> <li>6. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</li> </ol> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 33)

O.A. No. 859 of 2023

Ex Sub Musaphir Yadava

Applicant

By Legal Practitioner for the Applicant : Shri Shiv Kumar Saroj, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Shiv Kumar Saroj, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</div><div>2. Opportunity to file counter affidavit was closed on 09.05.2024.</div><div>3. During the course of hearing respondents have not produced any original document pertaining to this case.</div><div>4. On the request of Id. counsel for the parties, heard the matter and perused the records.</div><div>5. O.A is <b>Partly Allowed</b>.</div><div>6. Detailed order on separate sheets.</div><div>7. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div></div>
	RK/-

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 34)

O.A. No. 913 of 2023

**Ex Hav Raghuvir Chand** Applicant  
By Legal Practitioner for the Applicant : Col Ashok Kumar (Retd), Advocate  
Shri Rohit Kumar, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit filed by the respondents is already taken on record.</p> <p>3. Ld. Counsel for the applicant is not inclined to file rejoinder affidavit.</p> <p>4. On the request of Id. counsel for the parties, heard the matter and perused the records.</p> <p>5. O.A is <b>Allowed</b>.</p> <p>6. Detailed order on separate sheets.</p> <p>7. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</p> <p><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>



Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 35)

O.A. No. 943 of 2023

Col Sanjay Mishra (Retd) Applicant  
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents  
By Legal Practitioner for Respondents : Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit filed by the respondents is already taken on record.</p> <p>3. Ld. Counsel for the applicant is not inclined to file rejoinder affidavit.</p> <p>4. On the request of ld. counsel for the parties, heard the matter and perused the records.</p> <p>5. O.A is <b>Partly Allowed</b>.</p> <p>6. Detailed order on separate sheets.</p> <p>7. Misc. Application(s), if any, pending for disposal, shall be treated to have been disposed of.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>RK/-</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 1 (Sl. No. 36)

O.A. No. 959 of 2023

Ex Sep / MT Bhim YadavApplicant  
By Legal Practitioner for the Applicant : Shri Ashok Singh, Advocate  
Shri Vikas Singh Chauhan, Advocate

Versus  
Union of India & OthersRespondents  
By Legal Practitioner for Respondents : Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.08.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Ashok Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</div><div>2. List this case for final hearing on 10.10.2024.</div><div>3. In the meantime, Id. Counsel for the parties may file their written submissions / points for arguments supported with relevant laws.</div></div><div><div>(Vice Admiral Atul Kumar Jain)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div><div>RK/-</div></div>

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

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 37)**

**T.A. No. 19 of 2017 with M.A. No. 799 of 2017**

**Sepoy Vinod Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri DS Kauntae, Advocate

## Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.08.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>1. On the case being taken up for hearing, the applicant in person is present. Shri DS Kauntae, Ld. Counsel for the applicant is not present. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>2. On request of the applicant present before the Court, this case is adjourned for the day.</p> <p>3. List on <b>25.11.2024</b>.</p> <p><b>(Vice Admiral Atul Kumar Jain)</b>  <b>Member (A)</b></p> <p><b>(Justice Anil Kumar)</b>  <b>Member (J)</b></p> <p>RK/-</p>