

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
By Circulation

Review Application No. 09 of 2024 Inre : O.A. NO. 345 of 2023

Ex. GDSM Birendra Upadhyay Applicant
By Legal Practitioner for Respondent : Shri Manish Kumar Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. The file has been placed before us by circulation.</p> <p>2. The Review Applicant has filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicant has prayed for review the Order dated 12.01.2024 of this Tribunal passed in Original Application No. 345 of 2023 by the Original Application was partly allowed. The applicant has also prayed to allow the Review Application and grant eh relief as prayed in Original Application No. 345 of 2023. The applicant has further prayed not to restrict the disability pension @50% w.e.f. three years preceding the date of filing of Original Application and not to direct for adjustment of disability pension @20% from the arrears which has already paid to the applicant. The operative portion of the order reads as under:-</p> <p style="text-align: center;"><i>“In view of the above, the Original Application No. 345 of 2023 deserves to be partly allowed, hence partly allowed. The impugned orders, rejecting the applicant’s claim for grant of disability pension for the first disability and rounding off of second disability, are set aside. The first disability of the applicant is held as attributable to Army Service as has been opined by the RMB. The applicant is entitled to get disability pension @40% for life which would be rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application. The respondents are directed to grant disability pension to the applicant @40% for life which would stand rounded off to 50% for life w.e.f. three years preceding the date of filing of Original Application. The date of filing of Original Application is 20.03.2023. The disability pension paid @20% to the applicant shall be adjusted from the arrears. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment.”</i></p> <p>3. It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the</p>

judgment and order sought to be reviewed, the same cannot be reviewed.

4. For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-

"1. Application for review of judgment.- (1) any person considering himself aggrieved-

(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,

(b) by a decree or order from which no appeal is allowed, or

(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 order 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 to the Court which passed the decree or made the order."

5. In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of ***Parsion Devi and others vs. Sumitri Devi and others***, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

6. Further, the Hon'ble Supreme Court in Para 26 of its judgment in the case of ***S. Madhusudhan Reddy Versus V. Narayana Reddy and Others***, Civil Appeal Nos. 5503-04 of 2022, decided on 18.08.2022, has observed as under :-

"26. As can be seen from the above exposition of law, it has been consistently held by this Court in several judicial pronouncements that the Court's jurisdiction of review, is not the same as that of an appeal. A judgment can be open to review if there is a mistake or an error apparent on the face of the record, but an error that has to be detected by a process of reasoning, cannot be described as an error apparent on the face of the record for the Court to exercise its powers of review under Order XLVII Rule 1 CPC. In the guise of exercising powers of review, the Court can correct a mistake but not substitute the view taken earlier merely because there is a possibility of taking two views in a matter. A judgment may also be open to review when any new or important matter of evidence has emerged after passing of the

judgment, subject to the condition that such evidence was not within the knowledge of the party seeking review or could not be produced by it when the order was made despite undertaking an exercise of due diligence. There is a clear distinction between an erroneous decision as against an error apparent on the face of the record. An erroneous decision can be corrected by the Superior Court, however an error apparent on the face of the record can only be corrected by exercising review jurisdiction. Yet another circumstance referred to in Order XLVII Rule 1 for reviewing a judgment has been described as “for any other sufficient reason”. The said phrase has been explained to mean “a reason sufficient on grounds, at least analogous to those specified in the rule”

7. In the light of the legal position crystalized above, we have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

8. In the result, Review Application is **rejected**.

(Lt. Gen. Anil Puri)
Member (A)

(Justice Anil Kumar)
Member (J)

AKD/-

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

O.A. No. 200 of 2024

Agniver Auto Tech A Veh Gaurav Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar Yadava, Advocate
Ms. Anupama Bhadauriya, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Shailendra Sharma Atal, 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.2. This Original Application filed under Section 14 of the Armed Forces Tribunal Act, 2007 is listed today for hearing on Admission.3. Heard Ms. Anupama Bhadauriya, Ld. Counsel for the applicant through Video Conferencing and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents through Video Conferencing.4. Ld. Counsel for the applicant raised preliminary objection that Original Application is premature.5. Before passing any final order on admission, Ld. Counsel for the applicant is required to clarify following points :-<ol style="list-style-type: none">(a) Whether on the basis of impugned forwarding of Medical Reports letters dated 28.08.2023 and 31.08.2023 forwarded to EMKE Records and Show Cause Notice dated 01 September 2023 any final order has been passed?(b) Whether alternative remedy as provided under Section 21 of the Armed Forces Tribunal Act, 2007 has been availed by the applicant?6. List on 07.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

C.A. No. 1 of 2024 Inre : O.A. No. 831 of 2022

Ex. Sgt. Dev Raj Yadav Applicant
By Legal Practitioner for the Applicant : Shri S.K. Singh, Advocate
Shri Vikash Maurya, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri S.K. Singh, Ld. Counsel for the applicant is present through Video Conferencing2. Shri Ashish Kumar Singh, Ld. Counsel for the respondents is also present.3. Respondents were granted time to file objection to Contempt Petition filed by the applicant.4. Objection has not been filed.5. Ld. Counsel for the respondents prays for and is granted six weeks further time to file objection as last opportunity.6. List on 09.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 2)

Ex. A. No. 203 of 2016 Inre : T.A. No. 39 of 2013

Salina John Applicant
By Legal Practitioner for the Applicant : Maj. R.D. Singh (Retd.), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri D.K. Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Maj. R.D. Singh (Retd.), Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present through Video Conferencing.</p> <p>2. Ld. Counsel for the respondents submits that case pending before the Hon'ble Apex Court has been decided and time has been granted for implementation of the order. He prays for and is granted eight weeks time to file affidavit of compliance.</p> <p>3. List on 29.05.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 3)

Ex. A. No. 119 of 2023 Inre : O.A. No. 754 of 2021

Ex. Nk. Santosh Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant is present through Video Conferencing.2. Dr. Chet Narayan Singh, Ld. Counsel for the respondents is present.3. Affidavit of compliance has not been filed.4. Ld. Counsel for the respondents submits that order has been partly complied with. He prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.5. List on 12.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 4)

Ex. A. No. 319 of 2023 Inre : O.A. No. 822 of 2021

Ex. Sep. Pyare Lal Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. S.N. Dwivedi (Retd.), 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents assisted by Shri Rajeev Kumar Tiwari, Senior Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj are present.2. Ld. Counsel for the respondents submits that order has been complied with and PPO has been issued.3. Ld. Counsel for the respondents is directed to file affidavit of compliance along with copy of PPO till the next date of listing.4. List on 03.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 5)

Ex. A. No. 394 of 2023 Inre : O.A. No. 933 of 2022

Ex. Maj. Ashish Shakya Applicant
By Legal Practitioner for the Applicant : Shri Rohitash Kumar Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant is present through Video Conferencing.2. Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.4. List on 12.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 506 of 2023 Inre : O.A. No. 850 of 2022

Ex. Hav. Chhotelal Yadav Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>3. List on 12.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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Court No. 1 (Sl. No. 7)

Ex. A. No. 2 of 2024 Inre : O.A. No. 477 of 2023

Ex. JWO Bharat Singh Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri K.P. Datta, Advocate holding brief of Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>3. List on 16.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 8)

O.A. No. 73 of 2023

Ex. Cfn. Arun Kumar Shahi Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present through Video Conferencing.2. Supplementary Counter Affidavit filed by the respondents is taken on record.3. Ld. Counsel for the applicant prays for and is granted two weeks time to file Supplementary Rejoinder Affidavit.4. List on 18.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 9)

O.A. No. 149 of 2023

Cpl. Pramod Kumar Pathak (Dismissed) Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.2. Counter Affidavit filed by the respondents is taken on record.3. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.4. List on 14.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 10)

O.A. No. 605 of 2023

Ex. Sgt. Shakil Ahmed Applicant
By Legal Practitioner for the Applicant : Shri Pramod Kumar Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri S.N. Dwivedi, Advocate holding brief of Shri Pramod Kumar Pandey, Ld. Counsel for the applicant is present.2. Shri R.C. Shukla, Ld. Counsel for the respondents is present through Video Conferencing assisted by Shri Rajeev Kumar Tiwari, Senior Accounts Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.3. Rejoinder Affidavit has not been filed by the applicant.4. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit failing which opportunity shall stand closed.5. List on 22.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 693 of 2023 with M.A. No. 839 of 2023

Smt. Asha rawat W/o Late Jeet Singh Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate
Shri Narendra Kumar Mishra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.2. Reply to objection on delay has not been filed.3. Last opportunity of two weeks is granted to file reply to objection on delay, if any.4. List on 19.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No.12)

O.A. No. 790 of 2023

Ex. Hav. Ashrfi Lal Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Bipin Kumar Sing, Advocate
Mohd. Zafar Khan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant is present through Video Conferencing.2. Shri Bipin Kumar Singh, Ld. Counsel for the respondent Nos. 1 to 3 and Mohd. Zafar Khan, Ld. Counsel for the respondent No. 5 are present.3. Counter Affidavit has not been filed by the respondent Nos. 1 to 3.4. Respondent No. 4 has already filed Counter Affidavit which is taken on record.5. Ld. Counsel for the respondent Nos. 1 to 3 prays for and is granted four weeks time to file Counter Affidavit on payment of Rs.2,000/- as cost which shall be remitted to the applicant. It is last opportunity to file Counter Affidavit.6. List on 09.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 13)

O.A. No. 806 of 2023

Ex. Sgt. Ajay Kumar Gupta Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Keshav Sharma, Ld. Counsel for the applicant is present through Video Conferencing.2. Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.3. Counter Affidavit filed by the respondents is taken on record.4. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.5. List on 05.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 862 of 2023

Ex. L/Nk. Mahesh Singh Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant is present.2. Shri R.C. Shukla, Ld. Counsel for the respondents is present through Video Conferencing.3. Counter Affidavit has not been filed by the respondents.4. Ld. Counsel for the respondents prays for and is granted two weeks further time as second last opportunity to file Counter Affidavit failing which opportunity shall stand closed.5. List on 11.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 15)

O.A. No. 881 of 2023

Ex. Sub. Trilok Singh Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant is present through Video Conferencing.2. Shri Amit Jaiswal, Ld. Counsel for the respondents is present.3. Last opportunity was granted to the respondents to file Counter Affidavit, but Counter Affidavit has not been filed.4. Ld. Counsel for the respondents prays for and is granted two weeks further time to file Counter Affidavit failing which opportunity shall stand closed.5. List on 12.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 882 of 2023

Ex. MWO (HFL) Nalini Kanta Mahapatra Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present through Video Conferencing.</p> <p>2. Today was last opportunity to file Counter Affidavit but Counter Affidavit has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time as second last opportunity to file Counter Affidavit failing which opportunity shall stand closed.</p> <p>4. List on 04.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 939 of 2023

Ex. Rect. Arun Kumar & Others Applicants
By Legal Practitioner for the Applicants : Shri Veer Raghav Chaubey, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Veer Raghav Chaubey, Ld. Counsel for the applicants is present.2. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through Video Conferencing.3. Counter Affidavit has not been filed by the respondents.4. Ld. Counsel for the respondents prays for and is granted four weeks further time as last opportunity to file Counter Affidavit.5. List on 10.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 985 of 2023

Hav. Shijith P. Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. 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
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Reply to objection filed by the applicant is taken on record.2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents is present through Video Conferencing.3. This Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for the following reliefs :-<ol style="list-style-type: none">(a) <i>To direct the Respondent to quash/set aside the Impugned Orders dated 10.07.2022 and 05.06.2023.</i>(b) <i>To pass the directions to consider and grant discharge from service to the Applicant.</i>(c) <i>To grant such other relief appropriate to the facts and circumstances of the case as deemed fit and proper.</i>4. Ld. Counsel for the respondents has raised objection regarding Territorial Jurisdiction of this Tribunal. It is submitted by the Ld. Counsel for the respondents that the applicant posted at Military Hospital, Secunderabad and he has not disclosed the place of his residence in the application to show why he is preferring the Original Application in Lucknow and the applicant himself has stated that he is now under the order of posting to 317 Fd Hospital, as such this Tribunal has no territorial jurisdiction to entertain the Original Application.5. In reply, Ld. Counsel for the applicant submitted that the impugned orders dated 10.07.2022 and 05.06.2023 (Annexure A-1) have been issued by the Army Medical Corps Record which is situated at Lucknow, Uttar Pradesh as such the cause of action arose at Lucknow, hence this Tribunal has territorial jurisdiction to entertain the Original Application.

6. Upon hearing submissions of Ld. Counsel of both parties with regard to territorial jurisdiction of this Tribunal we find that the applicant the impugned orders dated 10.07.2022 and 05.06.2023, enclosed Annexure A-1 (Collectively) of Original Application (page 26 and 30 respectively of the Original Application), have been issued by the Army Medical Corps Record (respondent No. 3) which is situated at Lucknow, therefore, in view of Rule 6 (1) (ii) of Armed Forces Tribunal (Procedure) Rules, 2008 this Tribunal has territorial jurisdiction to entertain the Original Application. As such the Original Application is **maintainable**.

7. Case needs adjudication.

8. Admit.

9. 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.

10. List on **17.05.2024**.

(Lt. Gen. Anil Puri)
Member (A)

(Justice Anil Kumar)
Member (J)

AKD/-

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

O.A. No. 1039 of 2023

Ex. Hav. Gaikwad Sudhir Babu Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. 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
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present.2. Ms. Appoli Srivastava, Ld. Counsel for the respondents is present through Video Conferencing.3. Counter Affidavit filed by the respondents is taken on record.4. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit.5. List on 19.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 1142 of 2023

Ex. L/Nk. Gajendra Singh Rawat Applicant
By Legal Practitioner for the Applicant : Shri K.K. Singh Bisht, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Gyan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel for the applicant is present through Video Conferencing.2. Dr. Gyan Singh, Ld. Counsel for the respondents is present.3. Counter Affidavit has not been filed.4. Ld. Counsel for the respondents prays for and is granted two weeks further time as last opportunity to file Counter Affidavit.5. List on 11.03.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 1167 of 2023

Ex. Sgt. Shailendra Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Amit Asthana, Ld. Counsel for the applicant is present.2. Shri Yogesh Kesarwani, Ld. Counsel for the respondents is present through Video Conferencing.3. Supplementary Counter Affidavit has not been filed.4. Ld. Counsel for the respondents prays for and is granted one week further time as last opportunity to file Supplementary Counter Affidavit.5. List on 08.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 22)

O.A. No. 1370 of 2023

Ex. Sgt. Shailesh Kumar Jaiswal Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate
Shri Saurabh Yadav, Advocate
Shri Devkinandan, Advocate
Shri R. Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri R.C. Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri K.P. Datta, Advocate holding brief of Shri Ravi Kumar Yadav, Ld. Counsel for the applicant is present.2. Shri R.C. Shukla, Ld. Counsel for the respondents is present through Video Conferencing.3. Time was granted to applicant to file amendment application, but amendment application has not been filed.4. Ld. Counsel for the applicant prays for and is granted two weeks further time as last opportunity to file amendment application.5. List on 03.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 28 of 2024 with M.A. No. 31 of 2024

Hav./AA Bindu Mahesh Jaladi Applicant
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. List on 29.02.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 68 of 2024 with M.A. No. 90 of 2024

Ex. Hav. Braj Raj Singh Applicant
By Legal Practitioner for the Applicant : Shri Sunil Kumar Singh, Advocate
Shri Vinay Pandey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents are present.2. Supplementary Affidavit filed by the applicant is taken on record.3. On the request of Ld. Counsel for the respondents time was granted to file objection on maintainability of Original Application, but objection has not been filed.4. Today Ld. Counsel for the applicant has filed affidavit and documents in support of his present residence in District – Bareilly.5. Heard Ld. Counsel for both the parties on admission.6. This Original Application has been filed for the grant of disability element of disability pension.7. Ld. Counsel for the applicant submits that applicant's claim for the grant of disability element of disability pension has been wrongly denied by the respondents.8. Case needs adjudication.9. Admit.10. 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.11. List on 21.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 106 of 2024

Hav./Nur. Asst. Deepak Kumar B. Applicant
By Legal Practitioner for the Applicant : Wg. Cdr. Ajit Kakkar (Retd.), Advocate
Shri Manoj Kumar Awasthi, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present.2. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through Video Conferencing.3. Objection on maintainability filed by the respondents is taken on record.4. Ld. Counsel for the applicant prays for and is granted two weeks time to file reply to objection.5. List on 08.04.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

T.A. No. 36 of 2023

Ex. Rect. Rishav Kumar Applicant
By Legal Practitioner for the Applicant : Shri K.B. Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri K.B. Singh, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents submits that para-wise comments have been received. He prays for and is granted four weeks time to file Counter Affidavit.</p> <p>3. List on 05.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 27)

T.A. No. 59 of 2023

HFL Rohitashwa Yadav (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Amit Asthana, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Asheesh Agnihotri, Ld. Counsel for the respondents is present through Video Conferencing.</p> <p>2. Shri Amit Asthana, Advocate submits that he wants to withdraw his Vakalatnama in this case. He is permitted to withdraw his Vakalatnama.</p> <p>3. List on 10.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 543 of 2022

Ex. Sub. Jai Narayan Rajput Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>2. List on 07.03.2024 as first case of hearing.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Sl. No. 29)

O.A. No. 1003 of 2022

Ex. Rect. Rahul Sharma Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. List on 16.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 1087 of 2022

Ex. Cfn. Kuldeep Singh Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. List on 04.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 406 of 2023

Ex. Sub. Pramod Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate
Shri Dheerendra Kumar Agnihotri, Advocate
Shri Sandeep Tripathi, Advocate
Shri Vishnu Kant Awasthi, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. List on 26.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 189 of 2024 with M.A. No. 239 of 2024

Ex. Hav. Pushkar Singh Bhandari Applicant
By Legal Practitioner for the Applicant : Shri Shiv Kumar Saroj, Advocate
Shri Manoj Kumar Awasthi, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Shailendra Sharma Atal, 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.2. Heard Shri Shiv Kumar Saroj, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents through Video Conferencing.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 01 year, 05 months and 17 days in filing of Original Application regarding which an application for condonation of delay has been filed.5. There are sufficient grounds to condone the delay. Further, being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 189 of 2024</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 16.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</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. 196 of 2024 with M.A. No. 253 of 2024

Ex. Nk. Raj Mukh

Applicant

By Legal Practitioner for the Applicant : Shri R., Chandra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Ramesh Chandra Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Ramesh Chandra Shukla, 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.2. Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Ramesh Chandra Shukla, Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 03 months (90 days) in filing of Original Application regarding which an application for condonation of delay has been filed.5. There are sufficient grounds to condone the delay. Further, being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 196 of 2024</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 16.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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. 199 of 2024 with M.A. No. 259 of 2024

WO Darshan Lal Dhingra (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate
Shri Madan Pal Vats, Advocate
Shri Abhay Kant Upadhyay, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Rajeev Narayan 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.</p> <p>2. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant through Video Conferencing and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.</p> <p>3. This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>4. There is a delay of 01 year, 05 months and 18 days in filing of Original Application regarding which an application for condonation of delay has been filed.</p> <p>5. There are sufficient grounds to condone the delay. Further, being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 199 of 2024</u></p> <p>6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>7. Case needs adjudication.</p> <p>8. Admit.</p> <p>9. 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.</p> <p>10. List on 17.05.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

O.A. No. 202 of 2024 with M.A. No. 262 of 2024

Rect. Rahul Sharma Applicant
By Legal Practitioner for the Applicant : Shri Arvind Kumar Jauhari, Advocate
Ms. Ashuja Gupta, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Kaushik Chatterjee, 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.2. Heard Ms. Ashuja Gupta, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.3. There is a delay of 01 year, 05 months and 19 days in filing of Original Application regarding which an application for condonation of delay has been filed.4. There are sufficient grounds to condone the delay. Accordingly, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 202 of 2024</u></p> <ol style="list-style-type: none">5. Case needs adjudication.6. Admit.7. 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.8. List on 17.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (Suppl. Sl. No. 6)

O.A. No. 205 of 2024 with M.a. No. 264 of 2024

PO (UM) * Sumit Kumar Singh (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Ms. Anju Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Ms. Anju Singh, 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.2. Heard Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents through Video Conferencing.3. This Original Application has been filed for the grant of disability pension to the applicant.4. There is a delay of 07 years, 07 months and 03 days in filing of Original Application regarding which an application for condonation of delay has been filed.5. There are sufficient grounds to condone the delay. Further, being a pensionary matter, delay is condoned. Delay condonation application stands disposed off. <p><u>O.A. No. 205 of 2024</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 17.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 74 of 2024 Inre : O.a. No. 1083 of 2022

Ex. Sgt. Santosh Kumar Choudhary Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri J.N. Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri J.N. Mishra, 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.2. Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.3. It is a fresh Execution Application filed by the applicant for implementation of order dated 23.03.2023 passed in Original Application No.1083 of 2022.4. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instructions and to file affidavit of compliance.5. List on 06.05.2024. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 75 of 2024 Inre : O.A. No. 339 of 022

Ex. Sgt. Akhilesh Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Shyam Singh, 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.2. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.3. It is a fresh Execution Application filed by the applicant for implementation of order dated 05.01.2023 passed in Original Application No. 339 of 2022.4. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instructions and to file affidavit of compliance.5. List on 06.05.2024 <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 76 of 2024 Inre : O.A. No. 866 of 2022

Ex. HFO (MWO Rajendra Prasad Agnihotri) Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Chet Narayan Singh, 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.2. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.3. It is a fresh Execution Application filed by the applicant for implementation of order dated 20.04.2023 passed in Original Application No. 866 of 2022.4. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instructions and to file affidavit of compliance.5. List on 06.05.2024 <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

Ex. A. No. 77 of 2024 Inre : O.A. No. 174 of 2023

Ex. JWO Ajay Singh Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, 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><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Rajiv 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.</p> <p>2. On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>3. It is a fresh Execution Application filed by the applicant for implementation of order dated 11.05.2023 passed in Original Application No. 174 of 2023.</p> <p>4. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instructions and to file affidavit of compliance.</p> <p>5. List on 06.05.2024</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 249 of 2024 with M.A. No. 250 of 2024 Inre : O.A. No. 580 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Ms. Prerna Singh, Advocate

Versus

Ex. Sub. Ram Kumar Maurya Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Ms. Prerna Singh, Ld. Counsel for the applicants – Union of India & Others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 29.11.2022 of this Tribunal in Original Application No. 580 of 2022.3. There is a delay of 01 year, 01 month and 20 days in filing of leave to application.4. Submission of Ld. Counsel for the applicants – Union of India & Others is that delay in filing leave to appeal is not deliberate. His further submission is that due to involvement of several agencies for taking decision delay has been occurred. Thus, his submission is that delay is not deliberate, but for the reasons stated above.5. Having heard the submission of Ld. Counsel for the applicants – Union of India & others and considering the facts and circumstances of the case, we find that explanation offered by the applicants for delay in filing Leave to Appeal is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.6. In the result, we find that delay is not condonable.7. Accordingly, delay condonation application is dismissed.8. Leave to Appeal being time barred is also dismissed. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 251 of 2024 with M.A. No. 252 of 2024 Inre : O.A. No. 742 of 2023

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Ms. Preeti Mala, Advocate

Versus

Ex. Nk. Rajesh Kumar Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. Heard Ms. Preeti Mala, Ld. Counsel for the applicants – Union of India & Others.</p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 09.11.2023 of this Tribunal in Original Application No. 742 of 2023.</p> <p>3. Ld. Counsel for the applicant submits that she wants to withdraw the Leave to Appeal Application as well as delay condonation application.</p> <p>4. Accordingly, Leave to Appeal as well as delay condonation application is dismissed as withdrawn.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

M.A. No. 255 of 2024 with M.A. No. 256 of 2024 Inre : O.A. No. 1091 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri Alok Kumar Mishra, Advocate

Versus

Ex. Sep. (ACP Nk) Ajeet Singh Yadav Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Alok Kumar Mishra, Ld. Counsel for the applicants – Union of India & Others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 28.03.2023 of this Tribunal in Original Application No. 1091 of 2022.3. There is a delay of 09 months and 21 days in filing of leave to application.4. Submission of Ld. Counsel for the applicants – Union of India & Others is that delay in filing leave to appeal is not deliberate. His further submission is that due to involvement of several agencies for taking decision delay has been occurred. Thus, his submission is that delay is not deliberate, but for the reasons stated above.5. Having heard the submission of Ld. Counsel for the applicants – Union of India & others and considering the facts and circumstances of the case, we find that explanation offered by the applicants for delay in filing Leave to Appeal is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.6. In the result, we find that delay is not condonable.7. Accordingly, delay condonation application is dismissed.8. Leave to Appeal being time barred is also dismissed. <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>

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

R.A. No. 8 of 2024 with M.A. No. 254 of 2024 Inre : O.A. No. 36 of 2022

Union of India & Others Applicants
By Legal Practitioner for the Applicants : Shri Manu Kumar Srivastava, Advocate

Versus

Ex. Nk. Raj Muni Tewari Respondent
By Legal Practitioner for Respondent : None

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing no one is present on behalf of the applicants – Union of India & Others.</p> <p>2. In the interest of justice, the case is adjourned for the day.</p> <p>3. List on 23.04.2024.</p> <p style="text-align: center;">(Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>AKD/-</p>