

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

**Diary No. 1118 of 2024**

**Ex Nk Bimal Kumar** Applicant  
By Legal Practitioner for the Applicant : Col AK Srivastava (Retd), Advocate  
Shri Amarendu Srivastava, 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><b><u>24.04.2024</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. Memo of Appearance filed by Shri Ashish Kumar 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.</li><li>2. On the case being taken up for hearing Shri Col AK Srivastava (Retd), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</li><li>3. In this case, Registry has raised objection that in the document attached at page No. 21, name of the originator unit is not mentioned and it is also unsigned and the document at page No. 38 is not legible.</li><li>4. Applicant is directed to rectify the defects raised by the Registry within a week.</li><li>5. List on <b>14.05.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</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. 412 of 2024 with M.A. No. 492 of 2024**

**Lt Col Anurag Kamal Mishra (Retd)**

Applicant

By Legal Practitioner for the Applicant : Shri JL Joel, Advocate

**Versus**

**Union of India & Others**

Respondents

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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. Memo of Appearance filed by Shri Ashish Kumar 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.</li><li>2. On the case being taken up for hearing Shri JL Joel, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</li><li>3. This O.A has been filed for grant of disability pension to the applicant. There is delay of 02 months and 05 days in filing the original application.</li><li>4. Ld. counsel for the respondents raised objection with regard to maintainability of the O.A. on the basis that the applicant has preferred his first appeal to the respondents on 14.12.2023 which is still pending and the applicant has filed this O.A before the expiry of six months from the date of his representation. As such, this O.A is pre-mature and is not entertainable.</li><li>5. Heard the ld. counsel for the parties and perused the records.</li><li>6. Perusal of the file reveals that the applicant has preferred his first appeal on 14.12.2023 and he has filed this original application on 15.04.2024. This application has been filed before the expiry of six months of his representation. Therefore, the instant application is not maintainable under Section 22 (1) (b) of AFT, Act, 2007, which is reproduced as under:  <p style="text-align: center;"><b>“22. Limitation .-(1) The Tribunal shall not admit an application-</b></p><p>(a) in a case where a final order such as is mentioned in clause (a) of sub-section (2) of section 21 has been made unless the application is made within six months from the date on which such final order has been made;</p></li></ol>

(b) in a case where a petition or a representation such as is mentioned in clause (b) of sub-section (2) of section 21 has been made and the period of six months has expired thereafter without such final order having been made;”

7. In view of above, we are of the view that the O.A is pre-mature and at present, the instant case is not entertainable.

8. O.A is dismissed being immature with liberty to file afresh.

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

**(Justice Anil Kumar)**  
**Member (J)**

RK/-

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

**EX-A. No. 174 of 2024 Inre: O.A. No. 137 of 2019**

**Ex Sep / Dvr MT Mukesh Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>24.04.2024</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. Memo of Appearance filed by Shri Adesh Kumar Gupta, 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.</li><li>2. On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents are present.</li><li>3. This is a fresh execution application filed for implementation of order dated 10.04.2023 of this Tribunal passed in Original Application No. 137 of 2019.</li><li>4. Ld. Counsel for the respondents prays for and is allowed six weeks time to seek instructions and to file affidavit of compliance of the order of this Tribunal.</li><li>5. List on <b>01.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>

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

**Ex - A. No. 345 of 2022 Inre: O.A. No. 650 of 2020**

**Ex Sep Sachida Nand Shukla** Applicant  
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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><b><u>24.04.2024</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</li><li>2. Affidavit of responsible officer with regard to the status of the execution and cause of delay in implementation of the order, filed on behalf of the respondents, is taken on record.</li><li>3. This is an old execution case. Respondents are directed to show cause as to why in exercise of power provided under Order 21 of CPC, attachment of movable/ immovable property of the respondents be not initiated for not implementing the order of this Tribunal.</li><li>4. Applicant is also directed to furnish the details/ list of some of the movable/ immovable properties of the respondents under Order 21, Rule 12 and 13 of CPC, by the next date, which may be attached in non-compliance of order of this Tribunal.</li><li>5. Respondents are further directed to deposit all the costs due against them by the next date of listing.</li><li>6. Copy of the order be provided to the respondents/Legal Cell for compliance of the order.</li><li>7. List on <b>29.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 2)**

**Ex - A. No. 390 of 2022 Inre: O.A. No. 846 of 2021**

**Ex Nk (MACP HAV) Somveer Singh** Applicant  
By Legal Practitioner for the Applicant : Mohd. Zafar Khan, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Mohd. Zafar Khan, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</li><li>2. This execution application has been filed on 03.01.2023 for implementation of the order dated 03.03.2022 passed in O.A No. 846/2021.</li><li>3. Compliance affidavit filed by the respondents is taken on record.</li><li>4. Cost imposed on the respondents has not been deposited.</li><li>5. The original application was allowed on 03.03.2022 with direction to the respondents to grant disability element of disability pension to the applicant. The operative portion of the judgement is reproduced as under: <p style="text-align: center;"><i>“11. In view of the above, the Original Application No. 846 of 2021 deserves to be allowed, hence allowed. The impugned order dated 15.05.2021, annexed as Annexure No. 1 with Original Application, rejecting the applicant's claim for grant of disability element of disability pension, is set aside. The disability of the applicant is held as aggravated by Army Service. The applicant is entitled to get disability element @20% for life which would be rounded off to 50% for life from the next date of his discharge. The respondents are directed to grant disability element to the applicant @20% for life which would stand rounded off to 50% for life from the next date of his discharge. 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></li><li>6. As submitted by the applicant, the order has not been challenged before any competent Court.</li></ol>

7. The deponent has challenged the legality of the above order/judgement in his compliance report and has made submission against implementation of the order.
8. In the compliance affidavit filed on behalf of the respondents, it is submitted in Para 2(b) that "Only the Competent Medical Authority can decide whether a disability is attributable to military service or aggravated by it. The learned Tribunal cannot decide it on the presumption/ assumption.....".
9. Further in Para 2 (c) it is mentioned that "..... The learned Tribunal patently erred in law in proceedings on the basis of a misconceived notion that any ailment of disability of soldier, not noted at the time of recruitment but detected or diagnosed at the time of discharge or earlier, would entitle the soldier to disability pension on the presumption that the disability was attributable to military service, whether or not the disability led to his discharge." The affidavit is duly signed by Lt. Thangamuniyandi, Adjutant, 7 Kumaon.
10. From the above, it appears that the Deponent is sitting over the order passed by this Tribunal as a Court of Appeal and analysing the merit of the order by exercising a jurisdiction vested in a Court of Appeal. The act of the Deponent comes within the purview of contempt of the order of the Tribunal. In the event any order is passed by any Court or Tribunal, the authority to whom the order is directed has limited options, i.e. (i) either to comply the order or (ii) prefer Appeal against the order but cannot analyse legality of the order. It is relevant to mention that the order to be implemented is dated 03.03.2022 and it was to be implemented within four months from the date of production of certified copy of the order. Despite more than two years being elapsed, the same has not yet been complied rather it is being questioned saying Tribunal has erred in passing the order without preferring any Appeal. Since the act of not implementing the order by questioning its legality after a lapse of two years is nothing but a wilful disobedience of the order, before initiating contempt proceedings against the deponent and respondents, we think proper to direct the registry of this Tribunal to issue notice to Lt. Thangamuniyandi, Adjutant, 7 Kumaon, the Deponent, to appear in person in this Tribunal on the next date fixed to file reply why contempt proceedings be not initiated against him.
11. Accordingly, registry is directed to issue notice to the Deponent of the above affidavit, to appear in person in this Tribunal on the next date fixed to file reply why contempt proceedings be not initiated against him and the respondents.

12. List on **24.07.2024**.

13. Let copy of the order be furnished to the AFT Legal Cell for service to the officer concerned to ensure compliance and also to inform the respondents for initiation of contempt proceedings.

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

**(Justice Anil Kumar)**  
Member (J)

RK/-



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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 3)**

**Ex - A. No. 35 of 2023 Inre: O.A. No.313 of 2022**

**Ex Hav Surander Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Pushpendra Kumar Dhaka, Advocate  
Shri Ramakant Gupta, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Ramakant Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</li><li>2. This execution application has been filed on 16.02.2023 for implementation of the order dated 04.08.2022 passed in O.A No. 313/2022. Respondents were granted time to seek instructions and to file compliance affidavit. Next date fixed was 29.03.2023. On 29.03.2023, again time was granted to the respondents to file compliance affidavit and the next date fixed was 11.05.2023. On 11.05.2023, affidavit of compliance was not filed and respondents were granted further four weeks time.</li><li>3. On the next date i.e. 01.08.2023, it was informed that matter is under process and pending at IHQ MoD (Army) PS-4 and last opportunity of four weeks was granted to file compliance affidavit. Cost of Rs. 10,000/- was also imposed and the case was fixed for 22.09.2023. Again on 18.10.2023, last chance was granted to the respondents to file compliance report and clarify the position for non implementation of the order and the case was fixed for 07.12.2023. On 07.12.2023, at the request of ld. counsel for the respondents, further four weeks time was granted for filing the compliance affidavit on payment of cost of Rs. 5000/- Respondents were also directed to file an affidavit of responsible officer regarding status of the execution and cause of delay in implementation of the order but no affidavit towards compliance or status has yet been filed by the respondents.</li></ol>

4. Today, Ld. Counsel for the respondents submits that there are some mistakes in the pleadings with regard to the date of enrolment and date of discharge of the applicant and due to this mistake the order could not be implemented.
5. It is further submitted that applicant may be directed to correct the mistakes so that the order may be complied with.
6. Respondents are directed to bring this fact on record so that the applicant be directed to rectify the defects.
7. List on **28.05.2024**.

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

**(Justice Anil Kumar)**  
Member (J)

RK/-

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

**Ex - A. No. 41 of 2023 Inre: O.A. No. 325 of 2022**

**Ex Sub (Hony Lt) Jahir Khan** Applicant  
By Legal Practitioner for the Applicant : Shri Satendra 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><b><u>24.04.2024</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 none present for the applicant. Shri Pushpendra Mishra, Ld. Counsel for the respondents is present.</li><li>2. Affidavit of responsible officer with regard to the status of the execution and cause of delay in implementation of the order, filed on behalf of the respondents, is taken on record.</li><li>3. Ld. Counsel for the respondents submits that cost has been deposited.</li><li>4. Compliance affidavit has not been filed by the respondents.</li><li>5. Ld. Counsel for the respondents prays for and is granted further four week's time to file compliance affidavit failing which respondents shall deposit the cost of Rs. 5000/- in the Registry which shall be remitted to the applicant.</li><li>6. List on <b>08.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 5)**

**Ex- A. No. 74 of 2023 Inre: O.A. No.589 of 2022**

**Ex WO Shibi Prosad Bandyopadhyay** Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, 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>24.04.2024</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 Rajiv Pandey, Ld. Counsel for the respondents are present.</li><li>2. Compliance affidavit has not been filed by the respondents.</li><li>3. Respondents were directed to file an affidavit of responsible officer with regard to the status of the execution and cause of delay in implementation of the order but the same has not been filed. Ld. Counsel for the respondents prays for and is granted further two weeks time to file an affidavit with regard to the status of the execution and cause of delay in implementation of the order.</li><li>4. Ld. Counsel for the respondents also granted further four week's time to file compliance affidavit failing which respondents shall deposit the cost of Rs. 5000/- in the Registry which shall be remitted to the applicant</li><li>5. Respondents are also directed to deposit all the cost due against them by the next date of listing.</li><li>6. List on <b>29.07.2024</b>.</li><li>7. Copy of the order be provided to the respondents/Legal Cell for compliance of the order.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 6)**

**Ex -A. No. 90 of 2023 Inre: T.A. No. 25 of 2022**

**Ex JWO Suresh Kumar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Rajiv Pandey, Ld. Counsel for the respondents are present.</li><li>2. Compliance affidavit has not been filed by the respondents.</li><li>3. Ld. Counsel for the respondents prays for and is granted further four week's time to file compliance affidavit failing which respondents shall deposit the cost of Rs. 5000/- in the Registry which shall be remitted to the applicant.</li><li>4. List on <b>30.07.2024</b>.</li><li>5. Copy of the order be provided to the respondents/Legal Cell for compliance of the order.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 7)**

**Ex - A. No. 35 of 2024 Inre: O.A. No. 447 of 2023**

**Ex Hav Gajendra Singh Bhadauria** 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>24.04.2024</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 JN Mishra, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. List on <b>06.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 8)**

**EX-A. No. 36 of 2024 Inre: O.A. No. 623 of 2023**

**JWO Prabha Khant Trivedi (Retd)** Applicant  
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 DK Pandey, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit as a last opportunity.</li><li>4. Respondents are also directed to file an affidavit of responsible officer with regard to the status of the execution and cause of delay in implementation of the order.</li><li>5. List on <b>06.08.2024</b>.</li><li>6. Copy of the order be provided to the respondents/Legal Cell for compliance of the order.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 9)**

**Ex-A. No. 79 of 2024 Inre: T.A. No. 72 of 2022**

**Cmde VK Madhusoodanan (Retd)** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Vinay Pandey, Ld. Counsel for the applicant and Ms. Prerna Singh, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. List on <b>06.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>



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

**EX-A. No. 80 of 2024 Inre: T.A. No. 15 of 2022**

**Ex MWO (HFO) Keshav Dev Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate  
Shri Devendra Kumar, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. List on <b>06.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>RK/-</p>

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

**EX-A. No. 81 of 2024 Inre: T.A. No. 17 of 2022**

**Ex HFO Radharaman Sharma** Applicant  
By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate  
Shri Devendra Kumar, 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><b><u>24.04.2024</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. List on <b>07.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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.12)**

**EX-A. No. 89 of 2024 Inre: O.A. No. 725 of 2022**

**Ex Hav Jay Beer Singh** Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. List on <b>07.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 13)**

**EX-A. No. 90 of 2024 Inre: O.A. No. 173 of 2023**

**Ex JWO Kamal Kishor Singh** Applicant  
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Shyam Singh, Ld. Counsel for the respondents are present.</li><li>2. Compliance 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 Compliance Affidavit.</li><li>4. Respondents are also directed to file an affidavit of responsible officer with regard to the status of the execution and cause of delay in implementation of the order.</li><li>5. List on <b>07.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 14)**

**O.A. No. 523 of 2023**

**Ex Nk Ajeet Verma** Applicant  
By Legal Practitioner for the Applicant : Shri Bhanu Pratap Singh, Advocate  
Shri VK Singh, Advocate

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>24.04.2024</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 none present for the applicant. Shri RC Shukla, Ld. Counsel for the respondents is present.</li><li>2. Applicant was granted time to file rejoinder affidavit but the same has not been filed. Opportunity to file rejoinder affidavit is hereby closed.</li><li>3. List for final hearing on <b>09.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 15)**

**O.A. No. 607 of 2023**

**Ex Nk Vanama Srinivas Rao**

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><b><u>24.04.2024</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</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>31.05.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 16)**

**O.A. No. 714 of 2023 with M.A. No. 866 of 2023**

**Ex Nk Udai Bir Singh** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</li><li>2. Amendment application moved by the applicant is taken on record.</li><li>3. Ld. Counsel for the respondents prays for and is granted two weeks time to file objection to the amendment application, if any.</li><li>4. List on <b>16.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 17)**

**O.A. No. 792 of 2023**

**Ex Hav Pramod Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Virendra Kumar Gupta, 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><b><u>24.04.2024</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 Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</li><li>2. Counter affidavit filed by the respondents is taken on record.</li><li>3. As the Ld. Counsel for the applicant is appearing virtually before the court and is not present physically, he may receive the copy of the Counter affidavit from the respondents counsel within a week.</li><li>4. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.</li><li>5. List on <b>09.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 838 of 2023**

**Lt Col Bommana Satyanarayana (Retd)** 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 : Dr. Shailendra Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Rohit Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</li><li>2. Counter affidavit filed on behalf of the respondents is taken on record.</li><li>3. Ld. Counsel for the applicant submits that he is not inclined to file rejoinder affidavit.</li><li>4. List this case for final hearing on <b>22.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 19)**

**O.A. No. 1180 of 2023**

**Lt. Col. Shashi Bala (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Aditya Singh Puar, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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. Heard Shri Atitya Singh Puar, Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>2. This Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for the following reliefs :-</p> <p>(i) <i>Limited prayer for Directions to the Respondents to process the case for grant of disability pension to the Applicant in terms of their own recent policies and law declared by Constitutional Courts and consequently release the disability pension (including service element and disability element) w.e.f. Applicant's date of release from service @20% disability (rounded off to 50%), with costs and interest as per the declaration of the Applicant's disability being 'attributable to military service' by the duly constituted release medical board (Annexure A-1), since the Applicant's disability which was declared 'aggravated' by the Release Medical Board has been unilaterally and arbitrarily rejected by the finance/administrative authorities of the Union of India vide Impugned Orders I and II.</i></p> <p>(ii) <i>With a further prayer that in case of contest of the Prayer of the Applicant, heavy costs, interest and compensation may kindly be directed to be paid to the applicant to be recovered from the authority who has failed to process the case of the Applicant in accordance with law and with a further prayer for ignoring/setting aside of the reasons mentioned in the impugned orders (Impugned Orders I &amp; II) rejecting the claim of disability pension being in contravention of law laid down by Hon'ble Courts, or any other direction or order that the Hon'ble Tribunal may deem fit in</i></p>

*the facts and circumstances of the case.*

*(iii) Any other Order/direction (s) this Learned Tribunal may deem fit.*

3. There is a delay of 01 month and 26 days in filing of Original Application regarding which an application for condonation of delay has been filed.

4. Ld. Counsel for the respondents has raised objection regarding Territorial Jurisdiction of this Tribunal. He submitted that the applicant is resident of Pune, Maharashtra as such this Tribunal has no territorial jurisdiction to entertain the Original Application in view of Rule 6(2) of the Armed Forces Tribunal (Procedure) Rules, 2008). The applicant has not filed any documents showing the fact that she is residing in the State of Uttar Pradesh. The applicant has not availed the alternative remedy by filing Second Appeal against the rejection of First Appeal. He further submitted that applicant has not explained the delay on day-to-day basis.

5. In reply, Ld. Counsel for the applicant submitted that being pensionary matter, the present matter constitutes continuing and recurring cause of action. In this regard he relied upon the law laid down by the Hon'ble Apex Court in case of **Col. Opendra Kumar Verma (Retd.) Vs. Union of India**, Civil Appeal Nos. 5760-5761 of 2018, decided on 05.12.2019. He further submitted that the applicant is a resident of "Auraiya, Uttar Pradesh". The applicant has married to Shri Piyush Pandey, Whose home address is 19/481G, New Govind Nagar, Near Balaji Mandir, Govind Nagar, Auraiya, Uttar Pradesh-206122, which address is now the residence of the applicant after her release from service. In support of her version he has filed copy of Aadhar Card of her husband as Annexure A-1 along with Reply. Applicant has also filed copy of Part – II Order published by the Respondents as Annexure A-2 along with Reply. He further submitted that as the applicant is residing at "Auraiya, Uttar Pradesh" 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 in the Adhar Card of applicant's husband the address has been shown as "19/481G, New Govind Nagar, Near Balaji Mandir, Govind Nagar, Auraiya, Auraiya, Uttar Pradesh-206122". Further, in the Part-II Order : Officer issued on 03.06.2014 wherein marriage of the applicant has been entered the postal address has been shown as "Muhalla : Govind Nagar, District : Auraiya, State : UP". The entry of "Adhar Card" of applicant's husband and "Part II Order : Officers" supports the submission of Id. counsel for the applicant that the applicant is the resident of "Auraiya, Uttar Pradesh", hence, 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. The cause of delay shown in affidavit is sufficient. Further, being a pensionary matter, delay is **condoned**. Delay condonation application stands

disposed off.

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 **01.08.2024**.

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

**(Justice Anil Kumar)**  
Member (J)

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. 1190 of 2023**

**Ex Sub Tiwari Jitendra Kumar Ramesh Kumar** Applicant  
By Legal Practitioner for the Applicant : Dr. Amit Asthana, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Dr. Amit Asthana, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents are present.</li><li>2. Applicant was granted time to file rejoinder affidavit but the same has not been filed. Ld. counsel for the applicant prays for and is granted two weeks further time as a last opportunity to file rejoinder affidavit.</li><li>3. List for final hearing on <b>29.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 21)**

**O.A. No. 1247 of 2023 with M.A. No. 1765 of 2023**

**Ex Cadet Milind Menon** Applicant  
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</li><li>2. There is delay of one year 01 month and 08 days in filing this original application. Delay condonation application has been filed by the applicant.</li><li>3. Respondents were directed to file objection on delay condonation application and maintainability of the O.A. Objection has not been filed.</li><li>4. Heard the Ld. Counsel for the parties on delay condonation application.</li><li>5. There are sufficient grounds to condone the delay. Delay is condoned.</li><li>6. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 1247 of 2023</u></b></p> <ol style="list-style-type: none"><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>06.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 22)**

**O.A. No. 1250 of 2023 with M.A. No. 1770 of 2023**

**Ex MWO Ram Narayan** Applicant  
By Legal Practitioner for the Applicant : Shri Rama Kant, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Rama Kant, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Respondents were granted time to file objection on maintainability of the O.A. Despite availing several opportunities objection has not been filed.</p> <p>3. Ld. counsel for the respondents prays for and is granted two weeks further time as a last opportunity to file objection, if any, failing which opportunity to file objection shall stand closed.</p> <p>4. List for final hearing on admission on <b>15.05.2024</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 1276 of 2023**

**Hav / NA Kamlesh Kumar Dandhare** 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 : Shri Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</li><li>2. Counter affidavit filed by the respondents is taken on record. Rejoinder affidavit, if any, may be filed by the applicant within two weeks.</li><li>3. List on <b>16.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 24)**

**O.A. No. 111 of 2024**

**WO (HFO) Amlendu Kumar Das (Retd)** Applicant  
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate  
Shri AK Chaudhary, Advocate  
Ms. Upasna Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 ND Mishra holding brief for Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</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>29.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 25)**

**O.A. No. 113 of 2024**

**Hav / NA Gajendra Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Yashpal Singh, 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><b><u>24.04.2024</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 Yashpal Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</li><li>2. Ld. counsel for the respondents submits that his name has wrongly been mentioned in the cause list. Registry is directed to correct his name in the future cause list.</li><li>3. Counter affidavit has not been filed by the respondents.</li><li>4. Ld. Counsel for the respondents prays for and is granted further four weeks time to file Counter Affidavit.</li><li>5. List on <b>12.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 26)**

**O.A. No. 167 of 2024 with M.A. No. 213 of 2024**

**WO Tarkeshwar Upadhyay (Retd)** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</li><li>2. Reply to the objection on maintainability of this O.A, filed by the applicant, is taken on record.</li><li>3. Heard the ld. counsel for the parties and perused the records.</li><li>4. Ld. counsel for the applicant submits that the applicant is presently residing in Ruchi Khand, Sharda Nagar, Lucknow and he has filed rent agreement through affidavit in support of address proof. Therefore, objection regarding territorial jurisdiction raised by the respondents is over ruled.</li><li>5. There is a delay of 07 months and 11 days in filing of Original Application. Ld. Counsel for the applicant has filed delay condonation application. There are sufficient grounds to condone the delay. Delay is condoned.</li><li>6. Delay condonation application stands disposed off.</li></ol> <p><b><u>O.A. No. 167 of 2024</u></b></p> <ol style="list-style-type: none"><li>7. Case needs adjudication.</li><li>8. Admit.</li><li>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.</li><li>10. List on <b>13.08.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 27)**

**R.A. No. 54 of 2023 Inre: O.A. No. 661 of 2022**

**Ex GDSM Birendra Upadhyay** Applicant  
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, 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>24.04.2024</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 is present. Shri Sunil Sharma, Ld. Counsel for the respondents is not present today.</p> <p>2. List this case on <b>29.05.2024</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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)**

**T.A. No. 49 of 2023**

**JWO Neeraj Kumar (Retd)** Applicant  
By Legal Practitioner for the Applicant : Shri VP Pandey, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 VP Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</li><li>2. Counter affidavit has not been filed by the respondents.</li><li>3. Respondents are directed to file original documents pertaining to this case for perusal of the Bench during the course of hearing.</li><li>4. List for final hearing on <b>11.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 29)**

**T.A. No. 3 of 2024**

**Sgt Dinesh Kumar Singh (Retd)** Applicant  
By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Advocate  
Shri AK Chaudhary, Advocate  
Ms. Upasna Mishra, Advocate

**Versus**

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 ND Mishra holding brief for Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. counsel appearing on behalf of the applicant submits that arguing counsel is out of station and seeks adjournment.</p> <p>3. Adjourned.</p> <p>4. List on <b>28.05.2024</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 30)**

**O.A. No. 162 of 2023.**

**Col (TS) Vinay Kumar Dixit (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 Arun Kumar Sahu, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</li><li>2. On the previous date i.e. 14.02.2023, respondents were granted time to file counter affidavit and cost had also been imposed on the respondents for delay in filing counter affidavit. Despite availing several opportunities counter affidavit has not been filed. Cost has also not been deposited.</li><li>3. Ld. counsel for the respondents prays for and is granted two weeks further time as a last opportunity to file counter affidavit failing which opportunity to file counter affidavit shall stand closed.</li><li>4. List for final hearing on <b>16.07.2024</b>.</li></ol> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> 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. 31)**

**O.A. No. 187 of 2023**

**Ex COM-I (Tel) Satyaban Sahoo** 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.04.2024</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 assisted by Cdr Lalit Kumar, Dte. of Personnel Services, Naval HQ, New Delhi and Cdr Aman Chibbar, Dte. of Naval Law are present.</p> <p>2. Heard the Id. counsel for the parties at length.</p> <p>3. List this case as Part Heard on <b>29.07.2024</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><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. 32)**

**O.A. No. 640 of 2023**

**Ex Sub Munna Lal** Applicant  
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate  
Shri Anshuman Srivastava, 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><b><u>24.04.2024</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 Ashish Kumar Singh, Ld. Counsel for the respondents is present.</p> <p>2. List on <b>13.05.2024</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p> <p>RK/-</p>