

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

M.A. No. 255 of 2020 Inre O.A. (Nil) of 2020

Ex Rifleman Satyendra Singh Applicant
By Legal Practitioner for the Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri Yogesh Kesarwani, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks time to file objection against delay condonation application. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 10.12.2020 for exchange of pleadings in Registrar Court.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 215 of 2020 Inre O.A. (Nil) of 2020

Ex Hav (MACP Nb Sub) Shivanand Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Ashok Kumar Sahu, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Heard Shri Om Prakash Kushwaha, Ld. Counsel of the applicant and Shri Ashok Kumar Sahu, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 09 months & 04 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 269 of 2020</u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 10.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

Dy. No. 2932 of 2019 Inre O.A. (Nil) of 2020

Ex MCPO I Rajpati Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri Sunil Sharma, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is allowed two weeks time to remove the defects.</p> <p>List on 16.10.2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 63 of 2020 Inre O.A. (Nil) of 2020

Ex Hav (Hony Nb Sub) Rama Kant
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Ashish Kumar Singh, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Heard Shri Satendra Kumar, Ld. Counsel of the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 10 years, 01 month & 15 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 270 of 2020</u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 11.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

O.A. No. 258 of 2020

UT (AA) Akash Singh Chahar By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri BP Singh, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>On the case being taken up for hearing Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri BP Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Heard.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents are allowed four weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List on 11.12.2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

O.A. No. 259 of 2020

EA (P) SS/APP Rameshwar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Asheesh Agnihotri, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>On the case being taken up for hearing Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Heard.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents are allowed four weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List on 11.12.2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

Ex-A/132 of 2019 Inre O.A. No 332 of 2017

Ex Sep (ACP-II) Surendra Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Shri Yogesh Kesarwani, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>On the case being taken up for hearing Shri Ashok Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>As prayed, learned respondents' counsel is allowed two weeks time to file compliance report.</p> <p>Objection, if any, against compliance report may be filed within two weeks next thereafter.</p> <p>List on 16.12.2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

Dy. No. 2424 of 2019 Inre T.A. No. 1278 of 2010

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Sep/NA VV Khedkar Rao
By Legal Practitioner for Petitioner-Respondent

Petitioner-Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing, Shri Kaushik Chatterjee, Ld. Counsel for the applicants alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in T.A. No. 1278 of 2010. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving application for leave to appeal. Accordingly application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

Ex-A/112 of 2019 Inre O.A. No 87 of 2016

Ex Nk (TS) Diwan Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Mrs. Kavita Belaura, Ld. Counsel for the applicant and Shri BP Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri BP Singh, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>List on 16.10.2020 alongwith M.A. No. 40 of 2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

T.A. No 1 of 2020

Ex Cpl Vinay Mohan
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Wg Cdr SN Dwivedi, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri Amit Jaiswal, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Ld. Counsel for the respondents submits that he having not yet received copy of T.A. and counter affidavit is unable to proceed with case today.</p> <p>Learned counsel for the petitioner to furnish copy of T.A. and counter affidavit to learned counsel for the respondents and to file a bench copy of complete records of the T.A. in registry within a week.</p> <p>List on 14.12.2020 for hearing on admission of T.A.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

Ex-A/123 of 2019 Inre O.A. No 171 of 2019

Ex Nk Shit Basant Yadav By Legal Practitioner for the Applicant	Versus	Applicant Respondents
Union of India & Others By Legal Practitioner for Respondents		

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri GS Sikarwar, Advocate filed power today in Court on behalf of respondents and the same is taken on record.</p> <p>Submission of Ld. Counsel for respondents is that in compliance, letter has been sent to PCDA (P), Allahabad for generating PPO.</p> <p>He prays for and is allow two weeks time to file compliance report.</p> <p>List on 14.12.2020 for orders.</p> <p style="display: flex; justify-content: space-between; margin-top: 20px;"> (Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J) </p> <p>gsr/sb</p>

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

M.A. No. 208 of 2019 Inre O.A. (Nil) of 2019

Rect Anshuman Pal By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing none is present on behalf of the applicant. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative is present.</p> <p style="text-align: center;">List on 15.12.2020 for orders.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</td><td style="width: 50%; text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</td></tr></table> <p>gsr/sb</p>	(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)
(Vice Admiral Abhay Raghunath Karve) Member (A)	(Justice Umesh Chandra Srivastava) Member (J)		

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

M.A. No. 46 of 2020 Inre O.A. (Nil) of 2019

Ex Sep Jangle Nana Vithal
By Legal Practitioner for the Applicant

Applicant

Versus

Second Appellate Committee on Pension (SACP), New Delhi & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 22 years, 08 months & 28 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned subject to payment of Rs 1,000/- (Rupees one thousand only) which shall be paid to AFT Bar Association. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 271 of 2020</u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 15.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 2211 of 2017 Inre O.A. (Nil) of 2017

Uday Bahadur Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Col BP Singh (Retd), Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Submission of Ld. Counsel for the applicant is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 28 years, 01 month & 05 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned subject to payment of Rs 1,000/- (Rupees one thousand only) which shall be paid to AFT Bar Association. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 265 of 2020</u></p> <p>It is a fit case for adjudication. Admit.</p> <p>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>List this case on 16.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 203 of 2019 Inre O.A. (Nil) of 2019

Hav (Pharm) Pavitra Mohan Dhal
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Col BP Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">Order in chamber.</p> <p style="display: flex; justify-content: space-between;">(Vice Admiral Abhay Raghunath Karve) Member (A)(Justice Umesh Chandra Srivastava) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 343 of 2019 Inre O.A. (Nil) of 2019

Sub Birendra Singh (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Col YR Sharma (Retd), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 02 years, 06 months & 06 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned subject to payment of Rs 500/- (Rupees five hundred only) which shall be paid to AFT Bar Association. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 267 of 2020</u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 16.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>gsr/sb</p>

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

O.A. No. 257 of 2017

Shobha Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri KKS Bisht, Ld. Counsel for the applicant and Dr. SN Pandey, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Applicant is reported to be dead.</p> <p>Shri KKS Bisht, learned counsel for the applicant submits that in compliance of order dated 08.01.2019 of this Tribunal he had contacted legal heirs of the applicant but they refused to be substituted.</p> <p>In the result, O.A. is dismissed being abated.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>gsr/sb</p>

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

M.A. No. 2018 of 2017 Inre : O.A. No. (Nil) of 2017

Kunwar Singh Shakya
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Mrs. Kavita Belaura, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>It is submitted by learned counsel for the applicant that matter regarding maintainability of application in respect of AGIF personnel is still pending before the Hon'ble Supreme Court.</p> <p>List on 08.01.2021 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>GSR/SB</p>

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

O.A. No. 234 of 2018

Kunwar Singh Shakya
By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: justify;">On the case being taken up for hearing Mrs. Kavita Belaura, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: justify;">As prayed, two weeks further time is allowed to the respondents to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List on 08.01.2021 for orders.</p> <p style="text-align: justify;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: justify;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>GSR/SB</p>

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

M.A. No. 281 of 2019 Inre : O.A. No. (Nil) of 2019

Ex Sepoy Sanjay Thakur
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel of the applicant and Shri Shyam Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>There is a delay of 03 months and 03 days in filing Original Application.</p> <p>The submission of Ld. Counsel for the applicant is that delay caused in filing of Original Application is not deliberate, but on account of facts stated in affidavit filed in support of the application.</p> <p>Ld. Counsel for the respondents has opposed on the ground that explanation offered for condonation of delay by the applicant is not satisfactory, hence delay should not be condoned.</p> <p>Grounds given in the affidavit filed in support of application seems to be genuine and sufficient. Accordingly, we condone the delay subject to payment of cost of Rs. 500/- which will be deposited in AFT Bar Association. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 268 of 2020</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 18.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>GSR/SB</p>

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

M.A. No. 597 of 2019 with M.A. No. 482 of 2019 Inre : M.A. No. 1471 of 2017
 Inre : O.A. No. (Nil) of 2017

<p>Ex Gnr Pawan Kumar By Legal Practitioner for the Applicant</p>	Versus	<p>Applicant</p>
<p>Union of India & Others By Legal Practitioner for Respondents</p>		<p>Respondents</p>

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri K.K. Singh Bisht, Ld. Counsel of the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><u>M.A. No. 482 of 2019</u></p> <p>This is an application for condonation of delay in filing recall application which is delayed by three days only.</p> <p>The grounds shown in the affidavit filed in support of the application seems sufficient. Accordingly, application is allowed and the delay in filing recall application is condoned.</p> <p style="text-align: center;"><u>M.A. No. 597 of 2019</u></p> <p>This is an application for recall of order dated 07.02.2019 passed in M.A. No. 1471 of 2017 by which the Original Application was dismissed for non-prosecution.</p> <p>The grounds shown in the recall application seem to be sufficient. Accordingly, the application is allowed and the order dated 07.02.2019 passed by this Tribunal is hereby recalled.</p> <p>Let the Original Application be restored to its number.</p> <p style="text-align: center;"><u>M.A. No. 1471 of 2017 Inre : O.A. No. (Nil) of 2017</u></p> <p>List on 01.12.2020 for orders.</p> <p style="display: flex; justify-content: space-around; margin-top: 20px;"> (Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J) </p> <p>GSR/SB</p>

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

O.A. No. 510 of 2019

Nb Sub (Nur Asst) Pankaj Kumar Jha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Om Prakash Kushwaha, Ld. Counsel of the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">Pleadings are complete and the case is ripe for hearing. List on 13.01.2021 for final hearing.</p> <p style="text-align: center;">On the date fixed, learned counsel for the respondents shall produce all original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>GSR/SB</p>

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

M.A. No. 427 of 2019 Inre : O.A. No. (Nil) of 2019

Ex Sep Gopi Chand
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel of the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri Ashok Kumar, Advocate, who is also present in Court and claims to be counsel for the applicant, submits that he has filed his memo of appearance on behalf of the applicant in registry on 25.09.2020.</p> <p>Registry to trace memo of appearance and place on record.</p> <p>As applicant has not taken No Objection from Shri Rohitash Kumar Sharma, Advocate regarding engaging another counsel, he is directed to file an affidavit in this regard within two weeks.</p> <p>List on 16.12.2020 for orders.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>GSR/SB</p>

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

M.A. No. 1246 of 2018 Inre : O.A. No. (Nil) of 2018

Sub (RT) Ravindra Nath Jha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri S.G. Singh, Ld. Counsel of the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>There is a delay of 01 year, 09 months and 27 days in filing Original Application.</p> <p>The submission of Ld. Counsel for the applicant is that delay caused in filing of Original Application is not deliberate, but on account of facts stated in affidavit filed in support of the application.</p> <p>Ld. Counsel for the respondents has opposed on the ground that explanation offered for condonation of delay by the applicant is not satisfactory, hence delay should not be condoned.</p> <p>Grounds given in the affidavit filed in support of application seems to be genuine and sufficient. Accordingly, we condone the delay subject to payment of cost of Rs. 500/- which will be deposited in AFT Bar Association, Lucknow. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u>O.A. No. 274 of 2020</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>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>List this case on 18.12.2020 before the Registrar Court for exchange of pleadings.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>GSR/SB</p>

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

O.A. No. 471 of 2018

Ex Nk Sunil Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.10.2020</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Gyan Singh Chauhan, Ld. Counsel of the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative, are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 06.01.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce all original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>GSR/SB</p>

