

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 573 of 2020

Ex. Sep. Deepak 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 |
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| | <p><u>04.12.2020</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>Ms. Appoli Srivastava, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Shri Gyan Singh Chauhan and Shri Ajeet Pratap Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</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 the matter before Registrar on 27.04.2021 for exchange of pleadings.</p> <p>List the matter before Tribunal on 12.05.2021.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Diary No. 1270 of 2020 Inre : O.A. No. (Nil) of 2020

Smt. Abhiraji Devi

Applicant

W/o Late Ex. Hav. (Hony. Nb. Sub.) Chandra Bali Singh

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 |
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| | <p><u>04.12.2020</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 Alok Mishra, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Alok Mishra, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed on 22.10.2020 with prayer for direction to the respondents to decide applicant's representation dated 26.08.2020. Since Original Application could be filed only after expiry of six months from the date representation was submitted and not before that, Original Application is liable to be dismissed being pre-matured.</p> <p>Accordingly, Original Application is dismissed being pre-matured.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

M.A. No. 416 of 2020 Inre : M.A. No. 345 of 2019 Inre : O.A. (A) No. (Nil) of 2019

Ex. Sep. Liladhar Nyoliya

Appellant

By Legal Practitioner for the Appellant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>04.12.2020</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 the respondents which is taken on record.</p> <p>Heard Shri Gyanendra Kumar Pandey, Ld. Counsel for the appellant and Shri Yogesh Kesarwani , Ld. Counsel for the respondents.</p> <p>For the reasons stated in affidavit filed in support of recall application being genuine and sufficient, recall application is allowed and the order dated 05.11.2020 is recalled.</p> <p>Accordingly, Misc. Application No. 345 of 2019 as well as O.A. (A) No. (Nil) of 2019 are restored to its number.</p> <p><u>M.A. No. 345 of 2019 and O.A. (A) No. (Nil) of 2019</u></p> <p>Heard Shri Gyanendra Kumar Pandey, Ld. Counsel for the appellant and Shri Yogesh Kesarwani , Ld. Counsel for the respondents.</p> <p>There is a delay of 37 years, 06 months and 04 days in filing Original Application (Appeal).</p> <p>Submission of Ld. Counsel for the appellant is that delay in filing application (Appeal) is not deliberate or intentional. Further submission is that appellant was illegally awarded two punishments for the same offence in the year 1980 without</p> |

supplying charge-sheet as well s finding and punishment recorded by the respondents in Court Martial proceedings. Further submission is that appellant kept making requests and representations to respondents for redressal of his grievances but they did not listen to him.

Ld. Counsel for the respondents has vehemently opposed the prayer and submitted that there is a delay of more than 37 years and the same has not been properly and satisfactorily explained.

Upon hearing submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that there is inordinate delay of more than 37 years which appellant has failed to explain properly and satisfactorily. Records suggest that Mercy Appeal preferred by the appellant was dismissed on 03.02.1981, however, despite the same appellant did not take any action then and there rather he kept waiting.

In view of this, we do not see any reason to allow delay in filing application.

Accordingly, delay condonation application is dismissed.

Original Application (Appeal) being time barred is also dismissed.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

M.A. No. 1515 of 2018 with M.A. No. 1516 of 2018, R.A. No. 46 of 2018

Along with Ex. A. No. 133 of 2017 Inre : T.A. No. 1451 of 2010

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Ex. Lance Dafedar Anil Kumar

Respondent

By Legal Practitioner for Respondent

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Amit Jaiswal, Ld. Counsel for the review applicants and Shri Rohit Kumar, Ld. Counsel for the respondent are present.</p> <p>Shri Amit Jaiswal, Ld. Counsel for the review applicants submits that original record should be required for perusal of Bench during the hearing of the Review Application.</p> <p>List on 07.01.2021.</p> <p>On the date fixed Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 204 of 2018 Inre : O.A. No. 204 of 2015

Rajendra 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 |
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| | <p><u>04.12.2020</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Shri Namit Sharma, Ld. Counsel for the respondents submits that some more time be given to respondents to make compliance of the order as it is in process.</p> <p>Accordingly, four weeks further time is granted for making compliance of the order and to file affidavit of compliance.</p> <p>Cost imposed upon respondents be also deposited within the aforesaid period.</p> <p>List on 28.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

M.A. No. 919 of 2019, M.A. No. 920 of 2019 and M.A. No. 643 of 2018

Along with

Ex. A. No. 30 of 2019 Inre : O.A. No. 168 of 2018

Union of India & Others

Applicants

By Legal Practitioner for the Applicants

Versus

Vijesh K.K.

Respondent

By Legal Practitioner for Respondent

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Anurag Mishra, Ld. Counsel for the applicants-Union of India and Others and Shri Ashok Kumar, Ld. Counsel for the respondent are present.</p> <p><u>M.A. No. 919 of 2019</u></p> <p>For the reasons stated in affidavit filed in support of application being genuine and sufficient, application is allowed and delay in filing modification application is condoned.</p> <p><u>M.A. No. 920 of 2019</u></p> <p>During the course of hearing Shri Anurag Mishra, Ld. Counsel for the applicants submitted that application may be dismissed as withdrawn with direction to the respondent (original applicant) to approach concerned Records Office and submit copy of representation dated 16.03.2016. He also assured that after copy being received, the same will be decided by the respondents by speaking and reasoned order as directed by order dated 13.03.2018.</p> |

Accordingly, Misc. Application is dismissed as withdrawn with direction to the respondent to approach concerned Records Office and submit copy of representation dated 16.03.2016 within a week from today. On copy being received applicants-Union of India and Others shall consider the same and shall decide within four weeks by a speaking and reasoned order with due communication to the respondent.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 30 of 2019 Inre : O.A. No. 168 of 2018

Along with

M.A. No. 919 of 2019, M.A. No. 920 of 2019 and M.A. No. 643 of 2018

Vijesh K.K.

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Ashok Kumar, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present. List on 04.02.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 61 of 2018 along with M.A. No. 116 of 2018

Smt. Priti Rani W/o Sep. Deepak Malik

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Ashok Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Shri Ashok Singh, Ld. Counsel for the applicant submits that Original Application may be dismissed as withdrawn as applicant has deserted from Army.</p> <p>Accordingly, Original Application is dismissed as withdrawn.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 162 of 2020

Smt. Beena W/o Late Ex. Hav. Sunil Singh & Others Applicants

By Legal Practitioner for the Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>04.12.2020</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 Anurag Mishra, Advocate filed power today in Court on behalf of the respondent Nos. 1 to 5 which is taken on record.</p> <p>On the case being taken up for hearing Shri Ashok Singh, Ld. Counsel for the applicants and Shri Anurag Mishra, Ld. Counsel for the respondent Nos. 1 to 5 are present.</p> <p>On account of steps being not taken by the applicant within a period of seven days this matter is listed before us.</p> <p>Applicant is directed to take steps forthwith.</p> <p>On steps being taken, issue notice to respondent No. 6, who may file Counter Affidavit within four weeks.</p> <p>Respondent Nos. 1 to 5 may also file Counter Affidavit within the aforesaid period.</p> <p>List the matter before Registrar on 27.01.2021 for exchange of pleadings.</p> <p>List the matter before Tribunal on 16.04.2021.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 215 of 2018 Inre : T.A. No. 75 of 2011

Ex. Swr. Ashok Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Bachchan Singh, Ld. Counsel for the applicant is present.</p> <p>Major Sini Thomas, Departmental Representative is also present from the side of respondents and she submits that in compliance of order under execution P.P.O. has been issued on 08.10.2020. However, no affidavit of compliance is filed nor the cost of Rs.25,000/- imposed vide order dated 04.07.2019 is paid.</p> <p>Respondents are directed to file affidavit of compliance within four weeks from today and cost be also deposited within the aforesaid period.</p> <p>List on 25.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 67 of 2015

Mohd. Soharab

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>04.12.2020</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. B.P. Singh (Retd.), Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Despite several opportunities the applicant has not filed Rejoinder Affidavit, hence, opportunity to file Rejoinder Affidavit is closed.</p> <p>List on 26.04.2021 for final hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 58 of 2019 Inre : O.A. No. 50 of 2018

Ex. Gnr. Ajay Kumar K.

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant submits that order under execution has been complied with.</p> <p>Accordingly, Execution Application is dismissed in full and final satisfaction.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 51 of 2018 with M.A. No. 303 of 2020 Inre : O.A. No. 169 of 2011

Lt. Col. Lokesh Kandpal

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>04.12.2020</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>Major Sini Thomas, Departmental Representative is also present from the side of respondents.</p> <p>Supplementary affidavit of compliance filed by the respondents is taken on record.</p> <p>During the course of hearing on a query being made to respondents regarding applicant's ACR/ICR being corrected by incorporating encouraging act, Ld. Counsel for the respondents requested for time to seek instruction in this regard which is allowed.</p> <p>Let instruction be sought within two weeks and this Tribunal be apprised with the same by way of affidavit.</p> <p>List on 21.01.2021.</p> <p>Let a copy of this order be provided to the Ld. Counsel for the respondents today itself.</p> |

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/-

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 192 of 2017 with M.A. No. 641 of 2019 Inre : O.A. No. 249 of 2016

Samser Singh (Through his wife Smt. Prabeena Devi)

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 D.S. Tiwari, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>Shri D.S. Tiwari, Ld. Counsel for the applicant submitted that order under execution has been complied with.</p> <p>Accordingly, Execution Application is dismissed in full and final satisfaction.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 257 of 2019

Hony. Lt. Narsingh Narayan (Retd.)

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Girish Tiwari and Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Pleadings are complete and case is ripe for hearing.</p> <p>List on 27.04.2021 for final hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 138 of 2018 Inre : O.A. No. 243 of 2015

Babu Ram

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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. Misra, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>Shri Anurag Mishra, Ld. Counsel for the respondents submits that order under execution has been complied with by issuing Pension Payment Order. He prays for and is granted two weeks time to file affidavit of compliance.</p> <p>List on 14.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No. 14 of 2019 Inre : O.A. No. 14 of 2017

Ex. Rect. Jagbir Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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. Misra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Shri Ashish Kumar Singh, Ld. Counsel for the respondents submits that in compliance of order under execution P.P.O. has been issued and R.S.M.B. has also been held.</p> <p>However, no affidavit of compliance has been filed.</p> <p>Let it be filed within two weeks annexing therewith copy of P.P.O. as well as report of R.S.M.B. proceedings.</p> <p>List on 19.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 265 of 2019

Ex. Hav. Kiranpal Rana

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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. Misra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant prays for and is allowed two weeks further time to file Rejoinder Affidavit.</p> <p>List on 11.05.2021 for final hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/-</p> |

Form No. 4

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 158 of 2017 with M.A. No 910 of 2018 Inre T.A. No 65 of 2016

Sanjay 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 |
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| | <p><u>04.12.2020</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 RC Dixit (Retd), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that as regards to payment of arrears, the order has been complied with. He further submits that to bring the letter dated 04.12.2020 issued by Rajput Regt Centre, in this regard on record some time be given.</p> <p>He further submits that only pension part of the order is left as despite being repeatedly asked applicant has not provided necessary documents.</p> <p>Let affidavit of compliance annexing therein letter dated 04.12.2020 be filed within a week from today after serving its copy to learned counsel for the applicant.</p> <p>Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List on 27.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No 264 of 2017

Devendra Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 SS Rajawat, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that as directed vide this Tribunal order dated 12.10.2018, the documents have been filed and and O.A. has been amended accordingly.</p> <p>Despite time being taken several times no rejoinder affidavit has been filed by the applicant, therefore, opportunity to file the same is closed.</p> <p>List on 05.03.2021 for final hearing.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 110 of 2018 Inre O.A. No 219 of 2015

Kamta Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>Shri OP Kushwaha, learned counsel for the applicant is reported to be ill.</p> <p>List on 28.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 64 of 2019 Inre O.A. No 54 of 2010

Ex Hav Ram Bachan Singh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 GS Sikarwar, Ld. Counsel for the respondents is present.</p> <p>Shri OP Kushwaha, learned counsel for the applicant is reported to be ill.</p> <p>Learned counsel for the respondents submitted that in compliance of the order representation submitted by the applicant has been disposed of. However no affidavit of compliance has been filed.</p> <p>Let it be filed with two weeks from today.</p> <p>List on 05.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 69 of 2018 Inre T.A. No 14 of 2017

Jai Ram Pal

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 |
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| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submitted that order under execution has been complied with. He further submits that affidavit of compliance has also been filed and cost has been deposited with Registry by cheque.</p> <p>Applicant has not filed any objection against affidavit of compliance. Therefore, in absence of objection order is deemed to be complied with. However, Rs. 10,000/- imposed as cost upon respondents vide order dated 12.11.2018 has not yet been deposited.</p> <p>Let cost be deposited within two weeks positively.</p> <p>With above, application stands finally disposed off.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 156 of 2018 Inre O.A. No 419 of 2017

Prakash Swarup

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that order under execution has already been complied with. However it is not disputed that there is no mention of interest in the PPO issued, more so when PPO is dated 09.08.2018. Respondents are therefore directed to comply the order by issuing Corrigendum PPO indicating interest @ 9% as mentioned in the order.</p> <p>Let this exercise be completed within six weeks.</p> <p>List on 10.02.2021 for orders.</p> <p>Let a copy of this order be provided to learned counsel for the respondent within two days.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No 159 of 2020

Ex Hav Dhananjay Chaubey

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 |
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| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>Name of Shri Rajiv Pandey, Advocate, be shown as learned counsel for the respondents on the next date of listing.</p> <p>Learned counsel for the applicant prays for and is allowed a week's time to take steps.</p> <p>On steps being taken, notice be issued to respondent No. 4 returnable within four weeks.</p> <p>List on 01.03.2021 before Registrar Court.</p> <p>List on 16.03.2021 before this Tribunal.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 168 of 2018 Inre O.A. No 35 of 2018 & Inre

Ser No 21 of O.A. No 40 of 2018

Smt Phulwasa Wife of Late Ex Hav (Hony Nb Sub)

Applicant

Jageshwar Prasad & Others

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that the order under execution has been complied with.</p> |

Accordingly Execution Application is dismissed in full and final satisfaction.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/UKT/-

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 232 of 2018 Inre O.A. No 584 of 2017

Ex Hav (Hony Nb Sub) Radhey Shyam Pandey

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 |
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| | <p><u>04.12.2020</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 Parijaat Belaura, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that order under execution has been complied with in letter and spirit.</p> <p>Learned counsel for the applicant submits that respondents have not amended existing table in pursuant to Govt of India letter dated 12.06.2009 and have not prepared table for Hony Nb Sub.</p> <p>Respondents are directed to file affidavit of compliance within four weeks stating steps taken therein in compliance of the order.</p> <p>List on 02.02.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 55 of 2019 Inre O.A. 537 of 2018

Lalta Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 R Chandra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that order under execution has already been complied with. He further submits that time be granted to file affidavit of compliance.</p> <p>Let compliance be filed within two weeks.</p> <p>List on 07.01.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No 308 of 2017

Col VK Tiwari

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Virat Anand Ssingh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. Counter affidavit on behalf of respondent No 4 is taken on record. List on 20.05.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex. A. No 206 of 2017 with M.A. No 55 of 2019 Inre O.A. (A) 314 of 2015

Shiv Ram Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>List on 11.02.2021 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

Form No. 4

{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

Ex.A. No 66 of 2019 Inre O.A. No 316 of 2018

Shri Kant Mishra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. Learned counsel for the respondents submits that order under execution has already been complied with. He further submits that two days time be granted to file affidavit of compliance.</p> <p>Let compliance be filed within two days.</p> <p>List on 10.12.2020 for orders.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/UKT/-</p> |

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

Court No.1 (E. Court)

Ex-A/12 of 2019 Inre O.A. No. 46 of 2017

Maj (Retd) BS Rawat

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 VP Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>List on 07.12.2020 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

Court No.1 (E. Court)

M.A. No. 88 of 2019 Inre O.A. (Nil) of 2019

Hony Nb Sub Chait Ram

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 VP Pandey, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><u>M.A. No. 88 of 2019</u></p> <p>The Original Application has been filed with delay of 09 years, 01 month and 05 days.</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 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, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p style="text-align: center;"><u>O.A. No. 682 of 2020</u></p> <p>Heard.</p> <p>Judgment is reserved.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

M.A. No. 104 of 2019 Inre O.A. (Nil) of 2019

Ex Hav Man Bahadur Thapa
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 VP Pandey, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><u>M.A. No. 104 of 2019</u></p> <p>The Original Application has been filed with delay of 09 years, 01 month and 09 days.</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 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, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p style="text-align: center;"><u>O.A. No. 683 of 2020</u></p> <p>Heard.</p> <p>Judgment is reserved.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 499 of 2018 with M.A. No. 1971 of 2018

Smt Anita Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Vinay Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Shri Vinay Pandey, learned counsel for the applicant seeks and is allowed two weeks further time to carry out amendment.</p> <p>Supplementary counter affidavit to the amended portion of O.A. may be filed within four weeks from the date of incorporation. Rejoinder affidavit, if any, may be filed within two weeks.</p> <p style="text-align:center">List on 23.02.2021.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 599 of 2017

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

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 VK Pandey, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 06.05.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

Court No.1 (E. Court)

Ex-A/82 of 2018 with M.A. No. 295 of 2019
Inre O.A. No. 468 of 2017

Ex Sub Yogesh Chanddra Singh Yadav
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Learned counsel for the applicant submits that he has filed supplementary affidavit in the Registry yesterday but the same is not on record.</p> <p>Registry is directed to trace the same and place on record.</p> <p>List on 18.01.2021.</p> <p style="text-align: right;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

Ex-A/116 of 2018 Inre O.A. No 137 of 2017

Awadhesh Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Learned counsel for the respondents submits that compliance is under process. He seeks and is allowed three weeks time to file affidavit of compliance.</p> <p>List on 02.02.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 102 of 2017

Deepu Dwivedi

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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>Dr. Gyan Singh, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative is present.</p> <p>Shri VP Pandey, Advocate submits that he has filed power in this case on behalf of the applicant but his name is not being shown in the cause list.</p> <p>List on 19.05.2021 for final hearing showing name of Shri VP Pandey as learned counsel for the applicant.</p> <p style="text-align: center;"> (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) </p> <p>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 203 of 2018

Mahesh Chandra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 none appears on behalf of the applicant. Shri Sunil Sharma, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative is present. Shri JN Mishra, learned counsel for the applicant is reported ill. List on 12.01.2021.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 63 of 2018

Vijaypal Singh
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 KK Misra, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Despite several opportunities being given to applicant to file rejoinder affidavit, the same has not been filed as yet and therefore, opportunity to file the same is closed.</p> <p>List on 11.02.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 73 of 2016

Hukum Chand

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, learned counsel for the applicant and Dr. Shailendra Sharma Atal and Shri Yogesh Kesarwani, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 19.01.2021 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 16 of 2018

Shishu Pal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Pankaj Kumar Shukla, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on 19.01.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.1 (E. Court)

O.A. No. 464 of 2018

Bajrang Bahadur Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Parijaat Belaura, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>Order to be made by me.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

O.A. No. 390 of 2019

Ex Hav Clk Pradeep Kumar Nishad

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>04.12.2020</u></p> <p><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></p> <p><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>O.A. No. 390 of 2019, Ex Hav Clk Pradeep Kumar Nishad vs. Union of India and others is allowed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</p> <p>Member (A) Member (J)</p> <p>Ukt/-</p> |

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

Court No.1 (E. Court)

O.A. No. 125 of 2018

Baleshwar Tiwari

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Vijay Kumar Pandey, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>List on 17.03.2021 for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce 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>rathore</p> |

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

Court No.1 (E. Court)

M.A. No. 1757 of 2018 Inre O.A. (Nil) of 2018

Hony Nb Sub Swamy Nath Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Parijaat Belaura, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><u>M.A. No. 1757 of 2018</u></p> <p>The Original Application has been filed with delay of 12 years, 03 months and 07 days.</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 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, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p style="text-align: center;"><u>O.A. No. 684 of 2020</u></p> <p>It is a fit case for adjudication.</p> <p>Heard.</p> <p>Admit.</p> <p>Written arguments filed by learned counsel for the applicant is taken on record.</p> <p>Rejoinder affidavit, if any, may be filed within three weeks.</p> <p>List on 27.01.2021 for hearing.</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>rathore</p> |

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

Court No.1 (E. Court)

O.A. No. 325 of 2018

Sachchida Nand Tiwari
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>04.12.2020</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 Parijaat Belaura, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>List on 27.01.2021 for hearing connected with O.A. No. 684 of 2020.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>rathore</p> |