

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

**M.A. No. 2090 of 2016 Inre O.A. 337 of 2011**

<b>Smt Pyari Gurung</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri Pankaj Kumar Shukla, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>List the matter tomorrow i.e. <b>06.11.2020</b> for orders.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>rathore/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. 474 of 2018 Inre O.A. (Nil) of 2018**

**Daya Shankar Pandey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri Parijaat Belaura, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Since Mrs Kavita Belaura, has been empanelled as Central Govt. Counsel, her name be deleted as counsel for the applicant from the cause list.</p> <p>Since learned counsel for the applicant is not prepared to argue the case today, list on <b>24.11.2020</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>rathore/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. 484 of 2019**

**Ex Hav (Hony Nb Sub) Man Bahadur Rai**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Dr. Gyan Singh, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>On the case being listed for hearing Shri Parijaat Belaura, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Heard.</p> <p>Order is reserved.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>rathore/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. 645 of 2019 Inre O.A. (Nil) of 2019**

**Ex Nk Chandra Pal** Applicant  
By Legal Practitioner for the Applicant  
**Versus**  
**Union of India & Others** Respondents  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being listed for hearing Shri R. Chandra, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">At the very outset, learned counsel for the applicant submits that Original Application may be dismissed being not maintainable.</p> <p style="text-align: center;">Accordingly, Original Application is <b>dismissed</b> being not maintainable.</p> <p style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava)</b>  <b>Member (A)    Member (J)</b> </p> <p>rathore/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. 2053 of 2018 Inre O.A. (Nil) of 2018**

<b>Sub Raeesul Hasan (Retd)</b>	Applicant
By Legal Practitioner for the Applicant	
<b>Versus</b>	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Heard Shri Shailendra Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p style="text-align: justify;">It is submitted by learned counsel for the applicant that delay in filing application is not deliberate but on account of reasons stated in affidavit.</p> <p style="text-align: justify;">The submission of learned counsel for the respondent is otherwise that delay is not satisfactorily explained.</p> <p style="text-align: justify;">Considering the facts and circumstance of the case, we find that grounds shown for condonation of delay are sufficient.</p> <p style="text-align: justify;">Accordingly, delay is condoned.</p> <p style="text-align: justify;">Let Original Application be registered.</p> <p><b><u>O.A. No. 459 of 2020</u></b></p> <p style="text-align: justify;">It is a fit case for adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">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 style="text-align: justify;">List this case on <b>18.01.2021</b> before the Registrar Court for exchange of pleadings.</p> <p style="text-align: justify;">List the matter before Tribunal on <b>09.03.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  Member (A)      Member (J)</p> <p>rathore/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. 301 of 2019

Smt Shanti Devi		Applicant
By Legal Practitioner for the Applicant		
	<b>Versus</b>	
Union of India & Others		Respondents
By Legal Practitioner for Respondents		

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Shri Kaushik Chatterji, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p style="text-align: center;">On the case being listed for hearing Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">Since Shri Ashish Kumar Singh, has been empanelled as Central Govt. Counsel, his name be deleted as counsel for the applicant from the cause list.</p> <p style="text-align: center;">Pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List on <b>10.03.2021</b> for final hearing.</p> <p style="text-align: center;">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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  Member (A)    Member (J)</p> <p>rathore/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. 1551 of 2018 Inre O.A. (Nil) of 2018**

**Ex Sgt Pius Kumar Chaubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Shri Namit Sharma, learned counsel for the respondents is present. Shri V.P. Pandey, Advocate submits that applicant's counsel has died. Let notice be issued to the applicant to enable him to appoint some other counsel. List on <b>14.12.2020</b> for orders.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>rathore/sb</p>

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

Dy No. 197 of 2019 Inre O.A. (Nil) of 2019

**Smt Shikha Wadhwa** 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up today for hearing Shri SSL Srivastava, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Learned counsel for the applicant seeks and is allowed a week time to remove the defects pointed out by the registry failing which O.A. shall stand dismissed without any reference.</p> <p>List on <b>13.11.2020</b> for orders.</p> <p style="display: flex; justify-content: space-around;"><span data-bbox="365 1561 915 1631"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span><span data-bbox="959 1561 1463 1631"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>rathore/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. 119 of 2019**

**Hony Nb Sub Laladhar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="padding-left: 40px;">Heard.</p> <p style="padding-left: 40px;">Order is reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>rathore/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. 586 of 2019 Inre O.A. (Nil) of 2019**

**Ex Sgt Rahul Prakash**  
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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Present : Shri RC Shukla, learned counsel for the respondents.</p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh appeared and submitted that applicant has appointed him as counsel to represent his cause in the present case and that memo of appearance filed by him be taken on record.</p> <p>In view of facts stated in para nos. 2, 3 &amp; 4 of the affidavit filed by the applicant, memo filed by Shri Shailendra Kumar Singh is taken on record.</p> <p>It is submitted by learned counsel for the applicant that delay in filing O.A. is not deliberate but on account of reasons stated in para 4 of the affidavit filed in support of delay condonation application.</p> <p>We have gone through the contents of para 4 of the affidavit and we are satisfied that delay in filing application is not deliberate.</p> <p>Accordingly, delay is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 460 of 2020</u></b></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 <b>19.01.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>10.03.2021</b>.</p> <p>Name of Shri Shailendra Kumar Singh shall be shown as counsel for the applicant when the case is next listed.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>rathore/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. 1328 of 2017 with M.A. No. 940 of 2018**  
**Inre O.A. No. (Nil) of 2017**

**Smt Veermati 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;"><b><u>M.A. No. 1328 of 2017</u></b></p> <p>Heard Shri Veer Raghav Chaubey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant has submitted that applicant had filed a Writ Petition in the Hon'ble High Court of Judicature at Allahabad seeking quashing of dismissal order dated 09.12.1999 of her husband which after passing of the Armed Forces Tribunal, Act 2007 was transferred to this Tribunal and registered as T.A. No. 826 of 2010. This T.A. was decided on 04.02.2016 directing the respondents to decide representation of the applicant which the respondents rejected vide their letter/order dated 19.08.2016.</p> <p>Learned counsel for the applicant has further submitted that after his representation being rejected by the respondents on 19.08.2016, he contacted a counsel at Lucknow in the first week of July, 2017, and after being advised by him and some time being consumed in making arrangements of fees and collecting relevant documents, the O.A. could be filed with delay of about five months which is not deliberate.</p> <p>Learned counsel for the respondents has vehemently opposed the prayer.</p> <p>Considering the aforesaid, we are of the view that cause shown for condonation of delay is sufficient. Accordingly, we condone the delay.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 462 of 2020</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Heard learned counsel of both sides on amendment application.</p> <p>Learned counsel for the applicant submits that proposed amendments are necessary for just decision of O.A.</p>

Learned counsel for the respondents on the other hand submits that dismissal order of applicant's husband being not claimed to be quashed, O.A. is not maintainable and in that case there is no relevance of permitting amendments.

We have gone through proposed amendments and are of the view that they being relevant for decision of O.A. deserve to be allowed.

Accordingly, amendments are allowed.

Let amendments be incorporated during course of the day.

Respondents to file counter affidavit within four weeks. Therefore, applicant may file rejoinder affidavit within two weeks.

List on **21.01.2021** before the Registrar for exchange of pleadings.

List before the Tribunal on **10.03.2021** for hearing.

**(Vice Admiral Abhay Raghunath Karve)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

rathore/sb

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 2019

**Agam Rai**

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>05.11.2020</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 listed for hearing Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri RKS Chauhan, Learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">Heard.</p> <p style="text-align: center;">Order is reserved.</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/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. 1176 of 2018 Inre O.A (Nil) of 2018**

<b>Shashi Kant Chaturvedi</b>	<b>Versus</b>	Applicant
By Legal Practitioner for the Applicant		
<b>Union of India &amp; Others</b>		Respondents
By Legal Practitioner for Respondents		

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-indent: 40px;">Heard Shri Vinay Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p style="text-indent: 40px;">Learned counsel for the applicant has submitted that delay in filing application is not intentional or deliberate but on account of reasons stated in affidavit.</p> <p style="text-indent: 40px;">Learned counsel for the respondents has vehemently opposed the prayer saying applicant has not satisfactorily explained the delay therefore it should not be condoned.</p> <p style="text-indent: 40px;">Upon hearing submission of both sides and considering facts and circumstance of the case, se find that cause shown is sufficient. Accordingly, delay is condoned.</p> <p style="text-indent: 40px;">Let Original Application be registered.</p> <p><b><u>O.A. No. 464 of 2020</u></b></p> <p style="text-indent: 40px;">This Original Application has been filed by the applicant with the prayer to decide his representation dated 05.03.2016 which is pending with the respondents.</p> <p style="text-indent: 40px;">With the consent of learned counsel for the parties, we hereby dispose of the O.A. finally with the direction to the respondents to decide the representation of the applicant dated 05.03.2016 by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p style="text-indent: 40px;">With the aforesaid direction, the Original Application is <b>disposed of</b> finally.</p> <p style="text-indent: 40px;">Let a copy of this order be provided to learned counsel for the respondents within 48 hours, free of cost for onward transmission.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  Member (A)      Member (J)</p> <p>rathore/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. 382 of 2019 Inre O.A. (Nil) of 2019**

**Ex Hav (Hony Nb Sub) Ram Das**  
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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Virendra Kumar Gupta, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p style="text-align: center;">The Original Application has been filed with delay of 09 years, 04 months &amp; 02 days.</p> <p style="text-align: center;">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 style="text-align: center;">Per contra, learned counsel for the respondents submits that explanation of delay offered by the applicant is not sufficient as it is not on day to day basis.</p> <p style="text-align: center;">Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters accrues every month, and grounds shown for condonation of delay are genuine and sufficient, we condone the delay.</p> <p style="text-align: center;">Let Original Application be registered.</p> <p><b><u>O.A. No. 463 of 2020</u></b></p> <p style="text-align: center;">Heard.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>rathore/sb</p>



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

**M.A. No. 1694 of 2018 with M.A. No. 1695 of 2018**  
**Inre T.A. No. 90 of 2010**

**Ex Cpl Gurumani V**  
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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Shri Rajiv Pandey, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg Cdr Ajit Kakkar (Retd), learned counsel for the petitioner and Shri Rajiv Pandey, learned counsel for the respondents are present.</p> <p>Brief holder counsel is unable to argue the case.</p> <p>List on <b>30.12.2020</b> for orders.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>rathore/sb</p>

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

**M.A. No. 1702 of 2018 with M.A. No. 1703 of 2018**  
**Inre O.A. No. 300 of 2012**

**RN Tripathi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg Cdr Ajit Kakkar (Retd), learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Brief holder counsel is unable to argue the case.</p> <p>List on <b>30.12.2020</b> for orders.</p> <p style="display:flex; justify-content:space-between;"><span><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</span><span><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</span></p> <p>rathore/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. 83 of 2019 Inre O.A. (Nil) of 2019**

<b>Ex LAC Balveer Dineshbhai Dhadal</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:justify">On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg Cdr Ajit Kakkar (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents are present.</p> <p style="text-align:justify">Brief holder counsel is unable to argue the case.</p> <p style="text-align:justify">List on <b>30.12.2020</b> for orders.</p> <p style="text-align:right"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align:right"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p style="text-align:left">rathore/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. 119 of 2018 Inre O.A. (Nil) of 2018

Baban Prasad Tiwari  
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><b><u>05.11.2020</u></b> <b><u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Heard Shri Yashpal Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p>Learned counsel for the applicant submitted that delay in filing O.A. is not deliberate but on account of reasons states in para 9 of the affidavit filed in support of delay condonation application.</p> <p>Learned counsel for the respondents has vehemently opposed the prayer and submitted that explanation offered by the applicant is not sufficient as he has failed to explain delay on day to day basis.</p> <p>Upon hearing submission of both sides and considering facts and circumstance of the case, we find that cause shown is sufficient. Accordingly, we condone the delay.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 465 of 2020</u></b></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 <b>22.01.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>12.03.2021</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>rathore/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. 577 of 2019 Inre O.A. (Nil) of 2019**

**Ex L Nk Rishipal 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Yashpal Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>The Original Application has been filed with delay of 06 months &amp; 20 days.</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.</p> <p>We have gone through affidavit filed in support of application for condonation of delay and find that grounds stated therein are sufficient. As such, delay in filing application is condoned.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 466 of 2020</u></b></p> <p>Counter and rejoinder affidavits are already on record.</p> <p>List on <b>12.03.2021</b> for final hearing.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align:right"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>rathore/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. 252 of 2014**

**Md Samsul Haque**

By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri SK Pandey, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents are present.</p> <p>Written submission filed by the applicant is taken on record.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on <b>28.01.2021</b> 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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p>rathore/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. 127 of 2017

**Jham Prasad 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being listed for hearing Shri Veer Raghav Chaubey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned 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.</p> <p style="text-align: center;">List on <b>29.01.2021</b> for final hearing.</p> <p style="text-align: center;">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;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>rathore/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. 345 of 2019 Inre O.A. (A) No. Nil of 2019**

**Ex Sep Liladhdar Nyoliya**  
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><b>05.11.2020</b></u> <u><b>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</b></u> <u><b>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</b></u></p> <p>Present : Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative.</p> <p>None appears on behalf of the applicant to present the cause.</p> <p>Accordingly, we dismiss delay condonation application for non prosecution.</p> <p>Original Application being time barred is also <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></p> <p style="text-align: left;">rathore/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. 405 of 2018**

**Ex Hav Ram Pravesh**  
 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><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being listed for hearing Shri Parijaat Belaura, learned counsel for the applicant and Shri Adesh Kumar Gupta &amp; Shri Shailendra Kumar Singh, learned counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative and Shri Rajeev Kumar Tiwari, representative of PCDA (P) Prayagraj are present.</p> <p style="text-align: center;">Since Mrs Kavita Belaura, has been empanelled as Central Govt. Counsel, her name be deleted as counsel for the applicant from the cause list.</p> <p style="text-align: center;">List on <b>13.11.2020</b> for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>      <b>Member (J)</b></p> <p>rathore/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. 670 of 2017**

**Pushpa Devi Pandey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Supplementary counter affidavit filed by the respondents is taken on record.</p> <p>Learned counsel for the applicant submits that applicant has to challenge dismissal order dated 14.11.2018 by way of amendment, therefore, reasonable time be given for the same.</p> <p>Let amendment application be filed within two weeks.</p> <p>List on <b>16.12.2020</b> for orders.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)    Member (J)</p> <p>rathore/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. 156 of 2019**

**Hari Om Singh**

Applicant

By Legal Practitioner for the Applicant

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being listed for hearing Shri R Chandra, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Pleadings are complete and the case is ripe for hearing. List on <b>03.03.2021</b> 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><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>rathore/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. 145 of 2019

**Bhagwan 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up today for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents along with Maj. Sini Thomas, Departmental Representative are present.</p> <p>Ld. Counsel for the respondents submits that respondents need to file a Supplementary Counter Affidavit.</p> <p>As prayed, Supplementary Counter Affidavit be filed within two weeks positively.</p> <p>Supplementary Rejoinder Affidavit may be filed within two weeks next thereafter.</p> <p>List on <b>27.11.2020</b> for final hearing.</p> <p style="text-align: center;">(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)  
M.A. No. 302 Of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Hav. (Hony. Nb. Sub.) Ram Narayan**  
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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">Shri Pushpendra Mishra , Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p style="text-align: justify;">Heard Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of 10 years, 08 months and 20 days.</p> <p style="text-align: justify;">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 style="text-align: justify;">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 of delay, application deserves rejection.</p> <p style="text-align: justify;">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 style="text-align: justify;">Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p style="text-align: justify;">Let Original Application be registered.</p> <p><b><u>O.A. No. 454 of 20</u></b></p> <p style="text-align: center;">Heard. Order is reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) Member (A)</b>          <b>(Justice Umesh Chandra Srivastava) Member (J)</b></p>
	AKD/UKT/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1 (E. Court)**  
**M.A. No. 267 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Cfn. Pramod Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Dr. Chet Narayan Singh, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Shri R.Chandra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 05 years, 02 months and 15 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 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, 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 of delay, 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><b><u>O.A. No. 453 of 2020</u></b></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 <b>21.01.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.03.2021</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></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)**  
**M.A. No. 268 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Sgt. Shiv Prakash Gupta**  
 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><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Shri Amit Jaiswal, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Objection filed by the respondents is also taken on record.</p> <p>Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 with a prayer to grant disability pension w.e.f. 01.10.2015. There is delay of 04 years, 09 months and 18 days in filing application.</p> <p>Regarding delay submission of Ld. Counsel for the applicant is that pension being a continuing wrong being recurring cause of action 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>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay of more than five years and no satisfactory explanation being offered by the applicant in this regard, the prayer is not liable to be allowed.</p> <p>After having heard the Ld. Counsel for of both sides and considering that it is a pensionary matter in which bar of limitation is not applicable we condone the delay, if any, in filing Original Application.</p> <p>Accordingly, delay condonation application is allowed.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 452 of 2020</u></b></p> <p>Heard.</p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Shri Amit Jaiswal, Advocate has accepted notice on behalf of the respondents. He can file Counter Affidavit within four weeks and, thereafter, Rejoinder Affidavit may be filed within two weeks.</p> <p>List the matter before Registrar on <b>21.01.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.03.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>      <b>Member (J)</b></p>



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

**M.A. No. 213 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Rect. Ravi**  
 By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
 By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b>  <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b>  <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Dr. Shailendra Sharma Atal, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Ms. Ruby Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>The instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing order to quash the Invaliding Medical Board proceedings dated 07.08.2014 by which applicant has been invalided out of service.</p> <p>There is delay of 05 years, 01 month and 07 days in filing application regarding which submission of Ld. Counsel for the applicant is that after being invalided out of service applicant was continuously approaching respondents by making representations but nothing was done in his matter. He has further submitted that applicant facing great financial crisis being invalided out of service he could not arrange the fund for filing Original Application. Thus, 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 above.</p> <p>Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents has vehemently opposed the prayer and submitted that there is an inordinate delay of more than five years in filing of application and applicant has miserably failed to offer satisfactory explanation on day to day basis for the same wherefore prayer should be rejected.</p> <p>In support, Ld. Counsel for the respondents has placed reliance on the law laid down by the Hon'ble Supreme Court in the case of Union of India and Others Versus A. Durairaj (Dead) reported in (2010) 14 Supreme Court Cases 389.</p> <p>Upon hearing submission of Ld. Counsel of both sides and considering the facts and circumstances of the case, we find that reasons shown for condonation of delay are genuine and sufficient.</p> <p>Accordingly, we condone the delay.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 455 of 2020</u></b></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 <b>21.01.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>09.03.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  <b>Member (A)</b>      <b>Member (J)</b></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)**

**M.A. No. 2020 of 2018 with M.A. No. 2021 of 2018 Inre : M.A. No. 1524 of 2016**

**Sunil Dutt**  
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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align:center">Shri Bipin Singh, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p style="text-align:center">On the case being taken up for hearing Shri Bipin Singh, Ld. Counsel for the respondents is present.</p> <p style="text-align:center">None appears to present the case of the applicant, nor is there any mention made on his behalf to pass over or adjourn the case.</p> <p style="text-align:center">Accordingly, we <b>dismiss</b> delay condonation application for non prosecution.</p> <p style="text-align:center">Restoration Application being time barred is also <b>dismissed</b>.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align:center"><b>(Justice Umesh Chandra Srivastava)</b> 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)**

**M.A. No. 911 of 2018 with M.A. No. 591 of 2019 Inre : O.A. No. (Nil) of 2018**

**Smt. Urmila 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><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Kaushik Chatterjee, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">None appears to present the case of the applicant, nor is there any mention made on his behalf to pass over or adjourn the case.</p> <p style="text-align: center;">Accordingly, we <b>dismiss</b> delay condonation application as well as amendment application for non prosecution.</p> <p style="text-align: center;">Original Application being time barred is also <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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)**

**M.A. No. 770 of 2018 Inre : O.A. No. (Nil) of 2018**

<b>Pramod Kumar</b> By Legal Practitioner for the Applicant	Applicant
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Anand Dubey, Ld. Counsel for the and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the applicant list this case on - <b>03.12.2020</b> for orders.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">AKD/UKT/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)		

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

**Diary No. 891 of 2019 of 2019 Inre : M.A. No. 620 of 2018**

**Mulu Singh Chauhan & Others**  
By Legal Practitioner for the Applicants

Applicants

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Ashok Kumar, Ld. Counsel for the applicants and Shri R.C. Shukla, Ld. Counsel for the respondents on restoration application.</p> <p style="text-align: center;">For the reasons stated in affidavit filed in support of restoration application being genuine and sufficient, restoration application is allowed.</p> <p style="text-align: center;">Accordingly, Misc. Application No. 620 of 2018 is <b>restored</b> to its original number.</p> <p><b><u>M.A. No. 620 of 2018</u></b></p> <p style="text-align: center;">List on <b>24.11.2020</b> for orders.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> 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. 26 of 2020 Inre : O.A. No. 19 of 2019**  
**Along with**  
**R.A. No. 9 of 2020 with M.A. No. 187 of 2020 Inre : O.A. No. 19 of 2019**

<b>Ex. Sep. Munna Singh</b> By Legal Practitioner for the Applicant	<b>Versus</b>	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: justify;">On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p style="text-align: justify;">As prayed by the Ld. Counsel for the respondents list on <b>23.11.2020</b> at <b>02.30 PM.</b></p> <table border="0" style="width: 100%; margin-top: 20px;"><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 style="margin-top: 10px;">AKD/UKT/-</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. 1501 of 2018 with M.A. No. 1502 of 2018 Inre : T.A. No. 1300 of 2010**

**Arun Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Objection against delay condonation application is taken on record.</p> <p><b><u>M.A. No. 1501 of 2018 and M.A. No. 1502 of 2018</u></b></p> <p>Ld. Counsel for the applicant has submitted that delay in filing Recall Application is not deliberate but on account of reasons stated in the affidavit filed in support of application. He has further submitted that applicant's wife suffered with weakness and heart ailment and underwent treatment for about two months for the same before being diagnosed with DM Type-II and that his father too suffered with acute Chest pain in January, 2013 and subsequently diagnosed with T.B. patient, on account of which he died in December, 2014. He has further submitted that applicant's mother could not bear the death of her husband, as a result of which she also died on 20.06.2016 and, for these reasons and due to acute financial problem, applicant could not file the Recall application in time.</p> <p>In objection against the delay condonation application respondents have stated nothing regarding the aforesaid death and ailment of applicant and his wife rather they have merely stated that applicant cannot be allowed the benefit of natural occurrence more so when delay is of more than five years.</p> <p>Upon hearing the submissions of Ld. Counsel of both sides and having gone through the facts and circumstances of the case we are of the view that causes shown for condonation of delay are genuine and sufficient.</p> <p>Accordingly, delay condoned and delay condonation application and Recall Application are allowed and T.A. is restored to its number.</p> <p><b><u>T.A. No. 1300 of 2010</u></b></p> <p style="text-align: center;">List on 04.01.2021 for final hearing.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) Member (A)</b>                      <b>(Justice Umesh Chandra Srivastava) Member (J)</b></p> <p style="text-align: left;">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. 518 of 2019**

**Sep. Rishav Dubey**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is allowed two weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List on <b>26.11.2020</b> for orders.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> 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)**

**M.A. No. 420 of 2015 with M.A. No. 267 of 2019, M.A. No. 764 of 2015**  
**Inre : O.A. No. (Nil) of 2015**

**Asha Ram**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Col. Y.R. Sharma (Retd.) , Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Objection filed by the respondents against amendment application is taken on record.</p> <p>During the course of hearing Ld. Counsel for the applicant submitted that applicant may be permitted to withdraw the Original Application with liberty to file afresh.</p> <p>The prayer is allowed and applicant is permitted to withdraw the Original Application with liberty to file afresh.</p> <p>Accordingly, Original Application stands disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>    <b>Member (J)</b></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. 51 of 2018 with M.A. No. 303 of 2020 Inre : O.A. No. 169 of 2011

<b>Lt. Col. Lokesh Kandpal</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>On the case being taken up for hearing Dr. Ashish Asthana and Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents are present.</p> <p>During the course of hearing Ld. Counsel for the respondents submitted that respondents may be permitted to file Supplementary Affidavit of compliance after withdrawing their application for deleting certain sentences from the affidavit of compliance.</p> <p>The prayer is allowed.</p> <p>Let Supplementary Affidavit of compliance be filed within two weeks.</p> <p>List on <b>04.12.2020</b> for orders.</p> <p style="display: flex; justify-content: space-around; margin-top: 10px;"><span>(Vice Admiral Abhay Raghunath Karve) Member (A)</span><span>(Justice Umesh Chandra Srivastava) Member (J)</span></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)**

**M.A. No. 1082 of 2018 Inre : O.A. No. (Nil) of 2018**

**Desh Deepak**  
In Person

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Shri Ashish Kumar Singh, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Herd Mr. Desh Deepak, the applicant in person and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>The Original Application has been filed with delay of 04 years and 06 months.</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, 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 of delay, 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><b><u>O.A. No. 458 of 2020</u></b></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 <b>20.01.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>04.03.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                      <b>Member (J)</b></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. 76 of 2019 Inre : O.A. (A) No. 311 of 2017**

**Smt. Alka Mishra W/o Ex. Nk. Vimal Kumar Mishra**  
By Legal Practitioner for the Appellant

Appellant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Shri G.S. Sikarwar, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the appellant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Major Sini Thomas, Departmental Representative submitted that on the basis of inputs received from Legal Cell Delhi she is ready to say that Special Leave Petition against the order passed by this Tribunal will be filed today in the Hon'ble Supreme Court and on account of this time of four weeks be given to enabling respondents to obtain stay order from the Apex Court and to get it filed before the Tribunal.</p> <p>In view of above, respondents are allowed four weeks time to obtain stay order from the Hon'ble Apex Court and to get it filed before this Tribunal on payment of Rs.10,000/- as cost.</p> <p>List on <b>04.01.2021</b> for hearing on which date, if respondents fail to bring stay order, no further adjournment would be given on any reason and appropriate order in the matter would be passed.</p> <p style="text-align:center"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>      <b>Member (J)</b></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)**

**M.A. No. 1708 of 2018 with M.A. No. 1709 of 2018 Inre : T.A. No. 1061 of 2010**

<b>R.N. Mishra</b> By Legal Practitioner for the Applicant	Applicant
<b>Versus</b>	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 1708 of 2018 and M.A. No. 1709 of 2018</u></b></p> <p style="text-align: center;">There is a delay of one year, six months and twelve days in filing the recall application regarding which applicant has stated that he being a senior citizen aged about 74 years and being a chronic patient of bronchial asthma and being under treatment of ECHS Polyclinic, Allahabad, he could not file recall application in time.</p> <p style="text-align: center;">Grounds seem to be genuine and sufficient. Accordingly, delay is condoned and recall application is allowed.</p> <p style="text-align: center;">Let T.A. No. 1061 of 2010 be restored to its original number.</p> <p><b><u>T.A. No. 1061 of 2010</u></b></p> <p style="text-align: center;">List on <b>08.01.2021</b> for final hearing.</p> <table style="width: 100%;"><tr><td style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p>AKD/UKT/-</p>	<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> Member (J)
<b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)	<b>(Justice Umesh Chandra Srivastava)</b> 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. 2035 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Hav. (Hony. Nb. Sub.) Ram Prit Pandit**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.11.2020</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Om Prakash Kushwaha, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The Original Application has been filed with delay of 09 years and 05 days.</p> <p style="text-align: center;">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 style="text-align: center;">Per contra, learned counsel for the respondents submits that explanation offered by the applicant is not sufficient as he has failed to give explanation on day to day basis.</p> <p style="text-align: center;">Considering that in pensionary matters bar of limitation is not applicable, as in such matters cause of action accrues every month, and grounds shown for condonation of delay are genuine and sufficient, we condone the delay.</p> <p style="text-align: center;">Let Original Application be registered.</p> <p><b><u>O.A. No. 457 of 2020</u></b></p> <p style="text-align: center;">Heard.</p> <p style="text-align: center;">Order is reserved.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/UKT/-</p>