

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

**O.A. No. 485 of 2020**

<b>Smt. Sangeeta W/o Late Ex. Lance Nk. (HK) Achhe Lal</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>13.11.2020</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 Arun Kumar Sahu, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Shri Angrej Nath Shukla, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>The innocuous prayer of the applicant is that to direct the respondents to decide the applicant's representation dated 05.09.2019 payment of Special Family Pension, which is pending with the respondents.</p> <p>With the consent of Ld. Counsel for the parties, we hereby <b>dispose</b> of the Original Application finally with the direction to the respondents to decide the applicant's representation dated 05.09.2019 by a speaking and reasoned order in accordance with law, if not already decided, within a period of three months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p>Let a copy of this order be provided to the learned Counsel for the parties.</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/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. 461 of 2020**

**Rect. Brijesh**  
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>13.11.2020</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 Anurag Mishra, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p style="text-align: center;">Heard Shri Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The innocuous prayer of the applicant is that to direct the respondents to decide the applicant's Statutory Appeal dated 05.02.2020, which is pending with the respondents.</p> <p style="text-align: center;">With the consent of Ld. Counsel for the parties, we hereby <b>dispose</b> of the Original Application finally with the direction to the respondents to decide the applicant's Statutory Appeal dated 05.02.2020 by a speaking and reasoned order in accordance with law, if not already decided, within a period of three months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p style="text-align: center;">Let a copy of this order be provided to the learned Counsel for the parties.</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/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. 310 of 2020 Inre : O.A. No. (Nil) of 2020**

<b>Ex. Hav. Yogesh Kumar</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>13.11.2020</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;">Ms. Appoli Srivastava, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p style="text-indent: 40px;">Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-indent: 40px;">The Original Application has been filed with delay of 02 months and 28 days.</p> <p style="text-indent: 40px;">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 style="text-indent: 40px;">Ld. Counsel for the respondents has opposed on the ground that explanation offered for condonation of delay by the applicant is not satisfactory, hence delay should not be condoned.</p> <p style="text-indent: 40px;">We have gone through affidavit filed in support of application for condonation of delay and find that grounds stated therein are genuine and sufficient.</p> <p style="text-indent: 40px;">As such, delay caused in filing of application is condoned. Application stands decided accordingly.</p> <p style="text-indent: 40px;">Let Original Application be registered.</p> <p><b><u>O.A. No. 571 of 2020</u></b></p> <p style="text-indent: 40px;">It is a fit case for adjudication.</p> <p style="text-indent: 40px;">Admit.</p> <p style="text-indent: 40px;">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-indent: 40px;">List the matter before Registrar on <b>18.03.2021</b> for exchange of pleadings.</p> <p style="text-indent: 40px;">List the matter before Tribunal on <b>01.04.2021</b>.</p> <p style="text-align: center; margin-top: 20px;"> <span style="display: inline-block; width: 45%; text-align: left;"><b>(Vice Admiral Abhay Raghunath Karve)</b> <b>Member (A)</b></span> <span style="display: inline-block; width: 45%; text-align: right;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></span> </p>

AKD/SB/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.1 (E. Court)**  
**M.A. No. 311 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Lance Dfr. Gopal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u><b>13.11.2020</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>Shri Yogesh Kesarwani, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>The Original Application has been filed with delay of 05 months and 13 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, hence delay should not be condoned.</p> <p>We have gone through affidavit filed in support of application for condonation of delay and find that grounds stated therein are genuine and sufficient.</p> <p>As such, delay caused in filing of application is condoned. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><u><b>O.A. No. 570 of 2020</b></u></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List the matter before Registrar on <b>18.03.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>01.04.2021</b>.</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/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. 312 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Hav. Kamal Kishor** 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>13.11.2020</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 D.K. Pandey, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri D.K. Pandey , Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 01 year, 11 months and 13 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. 569 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>18.03.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>01.04.2021</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 style="text-align:left">AKD/SB/-</p>

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

**Diary No. 1387 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Nk. Swarup Narain**  
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>13.11.2020</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 Amti Jaiswal, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Registry has reported a delay of one year and four days in filing Original Application.</p> <p>Regarding delay, submission of Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant is that applicant's claim for disability pension was rejected on 10.06.2017. His further submission is that applicant had preferred First Appeal against the order of rejection, which was dismissed on 06.03.2019. Thereafter, applicant being ill and admitted in Hospital he could not prefer Second Appeal within a period of six months as provided under Rules, but it was preferred with delay of two months with prayer that delay occurred in filing of Appeal be condoned and Second Appeal be forwarded to Army Headquarters. His further submission is that Record Office has forwarded the Second Appeal to the Army Headquarters after condoning the delay which is still pending. Thus, his submission is that present Original Application being filed after expiry of six months from the date of preferring Second Appeal, the same is within time, therefore, defect pointed out by the registry is not tenable.</p> <p>In reply, Shri Amit Jaiswal, Ld. Counsel for the respondents submits that Original Application being admittedly not filed immediately after expiry of six months from the date of preferring Second Appeal, the same is not maintainable being time barred.</p> <p>Upon hearing submissions of Ld. Counsel for both sides and considering the facts and circumstances of the case, we find that defect pointed out by the registry is not tenable, as, admittedly Second Appeal preferred by the applicant is still pending consideration. The Original Application has been filed after the expiry of six months from the date of</p>

preferring Second Appeal and, in view of this, it is well within time and is liable to be registered.

Let the Original Application be registered.

**O.A. No. 568 of 2020**

Heard.

It is a fit case for adjudication.

Admit.

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.

List the matter before Registrar on **18.03.2021** for exchange of pleadings.

List the matter before Tribunal on **01.04.2021**.

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

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

AKD/SB/-





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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.1 (E. Court)  
M.A. No. 335 of 2020 Inre : O.A. No. (Nil) of 2020

Ex. Nk. Bishnu Bahadur Thapa  
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>13.11.2020</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 Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>There is delay of 21 years, 06 months and 07 days in filing Original Application. .</p> <p>Submission of learned counsel for the applicant is that matter pertains to disability pension in which bar of limitation is not applicable. Further submission is that delay caused in filing of Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application for condonation of delay.</p> <p>learned counsel for the respondents has vehemently opposed the prayer and submitted that there is an inordinate delay which has not been satisfactorily explained, therefore, delay should not be condoned.</p> <p>Upon hearing submissions of Ld. Counsel for both sides and considering the facts and circumstances of the case we find that in pensionary matters bar of limitation is not applicable. We further find that cause shown is also sufficient. Accordingly, we condone the delay.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 394 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 the matter before Registrar on <b>18.03.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>05.04.2021</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                              <b>Member (J)</b></p> <p>AKD/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. 309 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Nk. (MACP Hav) Narendra 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>13.11.2020</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>Ms. Kavita Mishra Belaura, Advocate filed power today in Court on behalf of the respondents which is taken on record.</p> <p>Heard Shri V.P. Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Ms. Kavita Mishra Belaura , Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 28 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, hence delay should not be condoned.</p> <p>We have gone through affidavit filed in support of application for condonation of delay and find that grounds stated therein are genuine and sufficient.</p> <p>As such, delay caused in filing of application is condoned. Application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 572 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>18.03.2021</b> for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>05.04.2021</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/SB/-</p>

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

**Ex. A. No. 5 of 2020 Inre : O.A. No. 118 of 2017**

**Smt. Rajwati Yadav**  
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>13.11.2020</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 Angrej Nath Shukla, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>Ld. Counsel for the applicant submits that order in question has not been complied in letter and spirit and that applicant is ready to file affidavit in this regard within two days.</p> <p>As prayed, let affidavit be filed within two day failing which Execution Application shall stands dismissed in full and final satisfaction.</p> <p>List on <b>25.11.2020</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>AKD/SB/-</p>

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

**R.A. No. 11 of 2020 with M.A. No. 313 of 2020 Inre : O.A. No. 15 of 2017**

<b>Union of India &amp; Others</b>	Applicants
By Legal Practitioner for the Applicants	
<b>Versus</b>	
<b>Ex. Sep. Om Prakash Tripathi</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2020</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 Ashish Kumar Singh, Ld. Counsel for the applicants is present.</p> <p style="text-align: center;">This is an application for condonation of delay in filing review application to the review the order passed in O.A. No. 15 of 2017. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving review application. Accordingly application for condonation of delay in moving review application is not maintainable and is <b>rejected</b>.</p> <p style="text-align: center;">In consequence thereof Review Application is also <b>rejected</b>.</p> <p style="text-align: center;"> <b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                                     <b>(Justice Umesh Chandra Srivastava)</b> Member (J)       </p> <p>AKD/SB/-</p>

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

**Ex. A. No. 37 of 2020 Inre : O.A. No. 436 of 2019**

**Ex. Sep. Birda Ram**  
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>13.11.2020</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>Ms. Preeti Mala, 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 Ashok Singh and Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents seeks and is allowed two week time to seek instruction from the appropriate authority to file affidavit of compliance.</p> <p>List on <b>01.12.2020</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>AKD/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. 918 of 2019 Inre : O.A. No. 586 of 2017**

**Raj Kumar Chaturvedi**  
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>13.11.2020</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 none is present on behalf of the applicant to represent his cause.</p> <p>Shri R.C. Shukla, Ld. Counsel for the respondents is present.</p> <p>Affidavit of compliance filed by the respondents is taken on record.</p> <p>After perusal of P.P.O., copy whereof has been annexed along with affidavit of compliance, we find that order in question has been fully complied with.</p> <p>Accordingly, application is dismissed in full and final satisfaction.</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/SB/-</p>

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

**Ex. A. No. 28 of 2020 Inre : O.A. No. 412 of 2018**

**Hav. Ram Dular Ram (Retd.)**  
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>13.11.2020</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 Ashish Kumar 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 R. Chandra , Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align: center;">Shri R. Chandra, Ld. Counsel for the applicant during the course of hearing submitted taht since P.P.O. has been generated and a copy thereof has been received by the applicant, Execution Application may be dismissed.</p> <p style="text-align: center;">Accordingly, Execution Application is <b>dismissed</b> in full and final satisfaction.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)                      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/SB/-</p>

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

**Ex. A. No. 34 of 2020 Inre : O.A. No. 187 of 2019**

**Ex. Hav. Raut Dharmpal Nilkanthrao**  
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>13.11.2020</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 R. Chandra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents along with Maj. Sini Thomas, Departmental Representative are present.</p> <p>Maj. Sini Thomas, Departmental Representative submits that as per inputs received, charter of 14 days Duties has been received from the Unit and the same has been forwarded to authority concerned on 05.11.2020 for making compliance of order of this Tribunal. She further submits that four weeks time be given to her to file affidavit of compliance.</p> <p>List on <b>14.01.2021</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/SB/-</p>





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

**Ex. A. No. 36 of 2020 Inre : O.A. No. 99 of 2019**

**Ex. Nb. Sub. Nijaguni Parwata Math**  
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>13.11.2020</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 R.C. Shukla, 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 Yashpal Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents along with Maj. Sini Thomas, Departmental Representative are present.</p> <p>Maj. Sini Thomas, Departmental Representative submits that sanction has already been accorded but P.P.O. could not be generated because of applicant as he is not submitting the required documents despite being asked.</p> <p>Applicant is directed to complete formalities within two weeks.</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> <b>Member (A)</b>                                                              <b>Member (J)</b></p> <p>AKD/SB/-</p>







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

**Diary No. 440 of 2020 Inre : O.A. No. (Nil) of 2020**

**Ex. Nk. (TS) Rajendra Singh Rawat**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2020</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 Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>In view of the fact that delay condonation application has been filed, defect pointed out by the registry stands removed.</p> <p>Shri Amit Jaiswal, Ld. Counsel for the respondents submits that this case may be fixed after Diwali vacation so that he may be able to go through record.</p> <p>Let Delay Condonation Application be registered as Misc. Application. List on <b>07.12.2020</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>AKD/SB/-</p>

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

**Ex. A. No. 67 of 2019 Inre : T.A. No. 1278 of 2010**

**Sep./NA VV Khedkar Rao** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Chief of Army Staff & Others** Respondents  
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.11.2020</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 Rohit Kumar, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Shri Kaushik Chatterjee, Ld. Counsel for the respondents submits that since Special Leave Petition in this matter has been filed in Hon'ble Supreme Court on 21.08.2020, reasonable time be granted for bringing stay order.</p> <p>Considering the facts and circumstances of the case and, as a last chance, four weeks time is being granted at the cost of Rs.10,000/- to bring the stay order.</p> <p>List on <b>11.01.2021</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/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. 1857 of 2018 with M.A. No. 174 of 2020 Inre : O.A. No. (Nil) of 2018**

**Ex. Sep. Jaypal Singh** Applicant  
By Legal Practitioner for the Applicant

**Versus**

**Chief of Army Staff & Others** Respondents  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2020</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 Rohit Kumar, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents on withdrawal application. Applicant is permitted to withdraw the Original Application, as prayed. Accordingly, Original Application stands <b>disposed</b> of.</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/SB/-</p>





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

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

<b>Ex. Gnr. Ajay Kumar K.</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>13.11.2020</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 Col. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align:justify">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align:justify">Ld. Counsel for the applicant seeks and is allowed two weeks time to check from his client regarding compliance of the order.</p> <p style="text-align:justify">List on <b>04.12.2020</b> for orders.</p> <table style="width:100%; border:none;"><tr><td style="text-align:center; width:50%;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="text-align:center; width:50%;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p>AKD/SB/-</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. 1499 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Rfn. Chandra Bahadur**  
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>13.11.2020</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. Y.R. Sharma (Retd.), Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p style="text-align: center;">The present Original Application has been filed against the discharge order dated 19.03.2008 with delay of more than six years.</p> <p style="text-align: center;">Submission of Ld. Counsel for the applicant is that applicant was abruptly discharged from service on 19.03.2008 without serving Discharge Certificate to him and that Discharge Certificate was given to him after four years of discharge, however, certain important documents which applicant was demanding since long were not supplied to him and, after a great insistence, he was provided with only some informations compelling him to seek information under Right to Information Act. Further submission is that after getting necessary documents and collecting information applicant preferred Statutory Appeal to the Chief of the Army Staff for setting aside the discharge order on account of the same being illegal which was dismissed on 31.08.2017. Thereafter, applicant handed over documents to Late Col. P.N. Chaturvedi, Advocate for filing Original Application, but on account of his unfortunate death in March, 2018, the Original Application could not be filed. Thus, submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate but for the reasons stated above.</p> <p style="text-align: center;">The Ld. Counsel for the respondents has vehemently opposed the prayer and submitted that there is an inordinate delay of not only six years but more than eight years and that applicant has failed to offer day to day explanation for the delay.</p> <p style="text-align: center;">Upon hearing the submissions of Ld. Counsel of both sides and considering the facts and circumstances of the case we find that cause shown for condonation of delay is sufficient.</p> <p style="text-align: center;">Accordingly, we condone the delay.</p> <p style="text-align: center;">Let Original Application be registered.</p>

**O.A. No. 582 of 2020**

Heard.

It is a fit case for adjudication.

Admit.

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.

List the matter before Registrar on **19.03.2021** for exchange of pleadings.

List the matter before Tribunal on **05.04.2021**.

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

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

AKD/SB/-

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

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

M.A. No. 1475 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Rect. Yakoob Ali  
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>13.11.2020</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 Dharam Raj Singh and Shri J.N. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p><b><u>M.A. No. 1475 of 2018</u></b></p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 08 years, 11 months &amp; 05 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 574 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>19.03.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>05.04.2021</b>.</p> <p>(Vice Admiral Abhay Raghunath Karve)      (Justice Umesh Chandra Srivastava) Member (A)      Member (J)</p> <p>rathore/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. 658 of 2019 Inre : M.A. No. 1180 of 2018

**Gnr. Basant Pawar Vaman**  
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>13.11.2020</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 style="text-align: center;">On the case being taken up for hearing Shri Gaurav Gupta, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Learned counsel for the applicant prays for and is granted two weeks' time to file reply to objection on delay condonation application.</p> <p style="text-align: center;">List on <b>10.12.2020</b> for orders.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)      <b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>rathore/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. 1769 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Nk. Subh Narayan 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>13.11.2020</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 Saurabh Mishra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><b><u>M.A. No. 1769 of 2018</u></b></p> <p>There is delay of 03 months and 27 days in filing original application.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 03 months &amp; 27 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p><b><u>O.A. No. 575 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>19.03.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>06.04.2021</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/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. 1606 of 2018 Inre : O.A. No. (Nil) of 2018**

**Ex. Nk. Vinod Kumar Singh Twotia**  
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>13.11.2020</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 K.K. Misra , Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Sini Thomas, Departmental Representative are present.</p> <p>As prayed by learned counsel for the applicant, list on <b>01.12.2020</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>rathore/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. 124 of 2019

**Col Vinay Kumar Sarin (Retd)**  
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><u>13.11.2020</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>On the case being taken up for hearing Shri KK Mishra, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Counter affidavit filed by respondents is taken on record.</p> <p>Shri KK Misra, learned counsel for the applicant submits that rejoinder affidavit is ready with him and reasonable time be granted for the same, which is allowed.</p> <p>Let rejoinder affidavit be filed within two weeks.</p> <p>List on <b>12.03.2021</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 style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)      Member (J)</p> <p>rathore/ukt</p>









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

**T.A. No. 84 of 2016**

**Devendra Singh Kushwaha**

By Legal Practitioner for the Petitioner

Petitioner

**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>13.11.2020</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. Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>None appears on behalf of the applicant to present his cause.</p> <p>Accordingly, T.A. No 84 of 2016 is <b>dismissed</b> for non prosecution.</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/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. 1692 of 2018 Inre O.A. (Nil) of 2018**

**Ex Sep (Reservist) Amrit Lal**  
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>13.11.2020</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 Pankaj Kumar Shukla, learned counsel for the applicant and Ashish Kumar Singh, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;"><b><u>M.A. No. 1629 of 2018</u></b></p> <p>There is delay of 39 years, 11 months and 12 days in filing original application.</p> <p>Submission of learned counsel for the applicant is that matter pertains to reservist pension in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 39 years, 11 months and 12 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Upon hearing submission of learned counsel for both sides and considering the facts and circumstances of the case, we find that matter being related with pension, bar of limitation is not applicable. We further find that cause shown for condonation of delay is sufficient.</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. 577 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>22.03.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List the matter before Tribunal on <b>07.04.2021</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>rathore/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. 518 of 2019 with M.A. No. 375 of 2020  
Inre O.A. (Nil) of 2019

Smt Nafiro Nisa  
Widow of Late Sep Rasul  
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>13.11.2020</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 R. Chandra, 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;"><b><u>M.A. No. 375 of 2020</u></b></p> <p>Amendments sought are of formal in nature and relevant for disposal of O.A., therefore amendment application is allowed.</p> <p>Amendment be incorporated during course of the day.</p> <p style="text-align: center;"><b><u>M.A. No. 518 of 2019</u></b></p> <p>There is delay of 05 months and 06 days in filing Original Application.</p> <p>Submission of learned counsel for the applicant is that it is a family pension matter in which bar of limitation is not applicable. His further submission is that delay caused in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>Per contra, Ld. Counsel for the respondents submits that there being a delay of 05 months &amp; 06 days in filing Original Application, and no sufficient explanation being offered for the same, application deserves rejection.</p> <p>Considering that in pensionary matters bar of limitation is not applicable, as cause of action in such matters does not accrue on a specific date, but it runs from month to month, and grounds stated in affidavit filed in support of delay condonation application being genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay caused in filing of application is condoned. Delay condonation application stands decided accordingly.</p> <p>Let Original Application be registered.</p> <p style="text-align: center;"><b><u>O.A. No. 579 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>22.03.2021</b> before the Registrar Court for exchange of pleadings.</p> <p>List before the Tribunal on <b>08.04.2021</b> for final hearing.</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/ukt</p>







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

**Ex-A/105 of 2019 Inre O.A. No. 502 of 2019**

<b>Harishanker Dwivedi</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>13.11.2020</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 Satendra Kumar Singh, learned counsel for the applicant and Dr. SN Pandey, learned counsel for the respondents Maj Simi Thomas, Departmental Representative are present.</p> <p style="text-align: justify;">Maj Simi Thomas, Departmental Representative submits that PPO has been generated on 04.06.2020. She also submits that reasonable time be given to respondents to file compliance report.</p> <p style="text-align: justify;">Let compliance report be filed within four weeks.</p> <p style="text-align: justify;">List on <b>18.12.2020</b> on which date applicant shall produce updated pass book for perusal of the Tribunal.</p> <p style="text-align: justify;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b>  Member (A)      Member (J)</p> <p>rathore/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. 1102 of 2018 Inre O.A. (Nil) of 2018**

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

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2020</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 Satendra Kumar Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p style="text-align: center;">Shri Satendra Kumar Singh, learned counsel for the applicant submits that since his file has been misplaced, he is unable to file reply to the objection raised by the respondents.</p> <p style="text-align: center;">He prays for and is granted two weeks time.</p> <p style="text-align: center;">List on <b>18.12.2020</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>rathore/ukt</p>

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

**Ex-A/20 of 2020 Inre O.A. No. 180 of 2019**

**L/Nk Kamil Hussain Beg** 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>13.11.2020</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Learned counsel for the respondents submits that compliance report is in the process.</p> <p>In view of above, a week’s time is granted to file compliance report.</p> <p>List on <b>15.12.2020</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>rathore/ukt</p>







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

**Ex-A/202 of 2017 Inre T.A. No. 15 of 2014 &**  
**Inre T.A. No. 1368 of 2010**

**Maj Kunwar Ambreshwar Singh**  
By Legal Practitioner for the Petitioner

Petitioner

**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>13.11.2020</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 applicant in person and Shri Asheesh Agnihotri, Learned counsel for the respondents alongwith Maj Sini Thomas, Departmental Representative are present.</p> <p>Maj Kunwar Ambreshwar Singh present in person admits that in compliance of order passed by this Tribunal some amount has been credited in his account and he is regularly receiving pension also. However, his submission is that a reasonable time be given to check whether money received in account is in complete compliance of order or not. Applicant is allowed a month time to complete home work.</p> <p style="text-align: center;">List on <b>18.12.2020</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/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. 605 of 2017**

**Om Prakash Mishra**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2020</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 Ashok Kumar and Shri Rajendxra Prasad Misra, 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>Pleadings are complete and the case is ripe for hearing.</p> <p>List on <b>24.03.2021</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>Member (A)</b></p> <p><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>rathore/ukt</p>



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

**T.A. No. 596 of 2010**

**Udai Veer Singh**

Petitioner

By Legal Practitioner for the Petitioner

**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>13.11.2020</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 BP Singh (Retd), learned counsel for the petitioner and Dr. Shailendra Sharma Atal, 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.</p> <p>List on <b>13.01.2021</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><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> <b>Member (A)</b>                                                  <b>Member (J)</b></p> <p>rathore/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. 292 of 2017**

**Abhay Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.11.2020</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 Kunwar Bahadur Singh, learned counsel for the applicant and Shri Sunil Sharma, 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.</p> <p>List on <b>26.03.2021</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 style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b>      <b>(Justice Umesh Chandra Srivastava)</b> Member (A)                                                              Member (J)</p> <p>rathore/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. 537 of 2017**

<b>Dinesh Kumar</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>13.11.2020</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 Ms Navita Sharma, learned counsel for the applicant and Dr. SN Pandey, learned counsel for the respondents are present.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on <b>26.03.2021</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 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/ukt</p>









