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

O.A. No. 467 of 2019

Ex. Sub. Om Prakash Yadav 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Shailendra Kumar Singh and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Ms. Amrita Chakraborty Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 105 of 2020

Ex. Hav. (Hony. Nb. Sub.) Chandra Pal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri R.N. Tripathi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents. Shri R.N. Tripathi, Ld. Counsel for the applicant submits that Original Application may be disposed off with direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21st February, 2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, to which Ld. Counsel for the respondents has no objection. With the consent of Ld. Counsel for the parties, we hereby **dispose of** the Original Application finally with the direction to the respondents to revise the pension of applicant in terms of letter No. 1(13)/2016/D(Pen/Policy) dated 21.02.2020 issued by Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi, within a period of three months from the date of receipt of copy of this order and communicate to the applicant accordingly. Let a copy of this order be provided to the learned Counsel for the parties. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
M.A. No. 445 of 2020 Inre : O.A. No. (Nil) of 2020

Ex. Sep. Jitendra Kumar Saroj 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Shri Vishwesh Kumar, Advocate filed power today in Court on behalf of the respondents which is taken on record. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Vishwesh Kumar, Ld. Counsel for the respondents. The Original Application has been filed with delay of 04 months and 23 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. Their further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. Let Original Application be registered. **O.A. No. 742 of 2020** 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 **05.03.2021** for exchange of pleadings. List the matter before Tribunal on **19.03.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
M.A. No. 434 of 2020 Inre : O.A. No. (Nil) of 2020

Ex. Rect. Mukesh Solanki 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Mrs. Deepti Prasad Bajpai, Advocate filed power today in Court on behalf of the respondents which is taken on record. Heard Shri Om Prakash, Ld. Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents. The Original Application has been filed with delay of 04 years and 19 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. Their further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. Let Original Application be registered. **O.A. No. 741 of 2020** 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 **05.03.2021** for exchange of pleadings. List the matter before Tribunal on **22.03.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11

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

O.A. No. 707 of 2020

Ex. Ptr. Karambir Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Dr. S.N. Pandey, Advocate filed power today in Court on behalf of the respondents which is taken on record. Heard Shri Om prakash, Ld. Counsel for the applicant and Dr. S.N. Pandey, Ld. Counsel for the respondents. 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 **05.03.2021** for exchange of pleadings. List the matter before Tribunal on **23.03.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 446 of 2020 Inre : O.A. No. (Nil) of 2020

Ex. Nk. Rajvir 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Ms. Preeti Mala, Advocate filed power today in Court on behalf of the respondents which is taken on record. Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Preeti Mala Ld. Counsel for the respondents. The Original Application has been filed with delay of 05 years, 11 months and 18 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. Their further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. Let Original Application be registered. **O.A. No. 740 of 2020** 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 **05.03.2021** for exchange of pleadings. List the matter before Tribunal on **24.03.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 732 of 2020

Col. S.K. Dhawan 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Shri Ashish Kumar Singh, Advocate filed power today in Court on behalf of the respondents which is taken on record. Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. The innocuous prayer of the applicant is that to direct the respondents to decide the applicant's representation No. 52234/Pers dated 20.02.2020 in view of Judgment and Order dated 19.04.2011 passed in O.A. No. 144 of 2011 Brig. A.K. Bhutani & Others Versus Union of India & Others, passed by AFT (RB), Chandi Mandir , which is pending with the respondents. With the consent of Ld. Counsel for the parties, we hereby **dispose of** the Original Application finally with the direction to the respondents to decide the applicant's representation dated 20.02.2020 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. Let a copy of this order be provided to the learned Counsel for the parties. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

R.A. No. 31 of 2018 Inre : O.A. No. 135 of 2014

Union of India & Others Review Applicants
By Legal Practitioner for the Applicants

Versus

Rajendra Pratap Singh Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri V.P. Pandey, Ld. Counsel for the respondent is present. An adjournment has been moved on behalf of the applicant. Accordingly, case is adjourned. List on **21.01.2021** for orders. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 50 of 2019 Inre : O.A. No. (Nil) of 2019

Gnr./Clk. Lajja Ram (Retd.) 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Ashish Kumar Singh, Shri Pankaj Kumar Shukla and Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. The Original Application has been filed with delay of 19 years, 01 month and 08 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. Their further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. Let Original Application be registered. **O.A. No. 739 of 2020** 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 **12.03.2021** for exchange of pleadings. List the matter before Tribunal on **26.03.2021**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

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

Rect. Anshuman Pal Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Ms. Astha Singh Chauhan and Shri Prabhat Kumar Tripathi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. There is a delay of 01 month and 26 days in filing Original Application. The submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate or intentional, but for the reasons stated in affidavit filed in support of application. Ld. Counsel for the respondents has vehemently opposed the prayer. Considering the facts and circumstances of the case, we find that cause shown is genuine and sufficient. Accordingly, delay is **condoned**. Let Original Application be registered. **O.A. No. 738 of 2020** 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 **23.03.2021** for exchange of pleadings. List the matter before Tribunal on **06.04.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 821 of 2019 Inre : O.A. No. (Nil) of 2019

Ex. Sep. Narendra Ram Krishna Umratkar 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents. There is a delay of 21 years, 04 months and 28 days in filing Original Application. Shri Rohit Kumar, Ld. Counsel for the applicant submits that delay in filing Original Application is not deliberate or intentionanl, but for the reasons stated in affidavit filed in support of application. Shri Rajiv Pandey, Ld. Counsel for the respondents submits has vehemently opposed the prayer on the premise that there is a long delay of more than 20 years which has not been properly and satisfactorily explained. Considering the facts and circumstances of the case and more so Counter Affidavit has been filed, delay in filing Original Application is **condoned**. Let Original Application be registered. **O.A. No. 746 of 2020** It is a fit case for adjudication. Admit. Counter Affidavit filed by the respondents is taken on record. Rejoinder Affidavit, if any, may be filed within two weeks from today. List **07.05.2021** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 12 of 2020 Inre : O.A. No. 457 of 2019

Ex. Nk. Hira Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Col. H.M. Maheshwari (Retd.), Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present. It is submitted by Shri Shyam Singh, Ld. Counsel for the respondents that execution of the order is under process. He further submits that four weeks time be granted to file affidavit of compliance after completing the process. List on **16.02.2021** for orders. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 80 of 2018

Warrant Officer Gore Lal 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. Pleadings are complete and the case is ripe for hearing. At this juncture, Ld. Counsel for the respondents submitted that since respondents have raised a preliminary objection regarding maintainability of Original Application, this issue should be decided first. The matter regarding maintainability of the Original Application would be taken up at the time of final hearing. List on **27.04.2021** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

Ex. A. No. 94 of 2019 Inre : O.A. No. 222 of 2019

Ex. Nk. Dinesh Shukla 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing none appears on behalf of the applicant to represent his cause. Shri Asheesh Agnihotri, Ld. Counsel for the respondents is present and he submits that order under execution has been complied with. We have gone through the copy of P.P.O. filed along with affidavit of compliance and we find that order has been complied with. Accordingly, Execution Application is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 1798 of 2018 Inre : O.A. No. (Nil) of 2018

Ex. Hav. (Hony. Nb. Sub.) Chhabi Nath Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri J.N. Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents. The Original Application has been filed with delay of 08 years, 10 months and 03 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. Their further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly. Let Original Application be registered. **O.A. No. 743 of 2020** Heard. Order is reserved. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 576 of 2019

Ex. Sgt. Ashish Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

O.A. No. 669 of 2020

Ashish Kumar Singh S/o Ex. Nk. Munesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Pankaj Kumar Shula, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present. List on **17.12.2021** as first case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

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

M.A. No. 1986 of 2018 with M.A. No. 1987 of 2018
Inre : Ex. A. No. 66 of 2018 Inre : O.A. No. 467 of 2017

Ex. Hav. (Hony. Nb. Sub.) Mithilesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Parijaat Belaura, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present. Ld. Counsel for the respondents submitted that in compliance of order passed by this Tribunal in Original Application letter has already been issued to all Pension Disbursing Agency (PDA) ensuring compliance of order in terms of letter dated 21.02.2020. Shri Parijaat Belaura, Ld. Counsel for the applicant submitted that he has to seek instructions in the matter as applicant is not in touch with him since long. Let instructions be sought and the matter be listed on **29.01.2021.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 355 of 2017

Pratap Singh **Applicant**
By Legal Practitioner for the Applicant
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri Prabhav Srivastava, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents are present.** **Despite order dated 20.10.2020 being passed, learned counsel for respondent No 5 has failed to appear in person.** **Learned counsel for the respondent No 5 is directed to appear in person on the next date.** **Dr. Gyan Singh, learned counsel for the respondent No 1 to 3 shall inform Shri Arvind Kumar Srivastava, respondent No 5 regarding the order passed today.** **List on 27.01.2021.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 213 of 2019 alongwith O.A. No 232 of 2015 (Decided)

Ex Nk Chandra Pal **Applicant**
By Legal Practitioner for the Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri R Chandra, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents are present.** **Order in Chamber. (This order sheet is not required to be put up)** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
M.A. No. 941 of 2019 Inre O.A. No. (Nil) of 2019

Ex Nb Sub(MACP) Kalpnath Singh **Applicant**
By Legal Practitioner for the Applicant

Versus

DGMO, IHQ of (Army), MOD, New Delhi **Respondents**
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri RKS Chauhan, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents are present. **M.A. No. 941 of 2019** **Objection filed by the respondents is taken on record.** There is delay of 02 months and 02 days in filing application. Submission of Ld. Counsel for the applicant is that delay caused in filing of Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Respondents have vehemently opposed the prayer and submitted that applicant has failed to offer satisfactory explanation for delay. Upon hearing submissions of learned counsel of both sides and considering facts and circumstances of the case we find that cause shown is sufficient. Accordingly, delay is condoned. Let O.A. be registered. **O.A. No. 744 of 2020** Heard. It is a fit case for adjudication. Admit. Learned counsel for the respondents seeks and is allowed four weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed within next two weeks thereafter. List this case on 18.03.2021 before the Registrar Court for exchange of pleadings and thereafter on 06.04.2021 for final hearing. **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No 81 of 2019

Ex Rect Pintu Verma **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri Satendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.** **Heard.** **For order, see the judgment passed on separate sheets.** **Misc. Applications, pending if any, shall be treated as disposed of accordingly.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

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

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **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.** **PPO dated 19.10.2020 filed by the respondents is taken on record.** **As prayed by learned counsel for the applicant, list on 07.01.2021.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
M.A. No. 406 of 2019 Inre O.A. No. (Nil) of 2019

Ex Sub Babban Singh **Applicant**
By Legal Practitioner for the Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri VP Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present. **M.A. No. 406 of 2019** The Original Application has been filed with delay of 03 months and 23 days. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application. 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. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing of application is condoned. Application stands decided accordingly. Let Original Application be registered. **O.A. No. 745 of 2020** 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 this case on 17.03.2021 before the Registrar Court for

	exchange of pleadings and thereafter on 07.04.2021 for final hearing. **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No 46 of 2019

Smt Shiv Kumari Pandey **Applicant**
By Legal Practitioner for the Applicant
Versus
Union of India & Others **Respondents**
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri VP Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.** **Learned counsel for the applicant submits that applicant does not intend to file rejoinder affidavit.** **List on 13.04.2021 for final hearing.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 94 of 2019

Smt Durgawati Devi **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri VP Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents are present.** **Learned counsel for the applicant submits that applicant does not intend to file rejoinder affidavit.** **List on 14.04.2021 for final hearing.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
R.A. No. 57 of 2019 Inre O. A. No. 523 of 2019

Hony Nb Sub Jeet Bahadur **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri VP Pandey, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents are present. Learned counsel for the respondents submits that the applicant has received the copy of PPO issued by the respondents alongwith Rs 2,35,220/-, however he submits that the same being not in conformity with letter dated 12.06.2009, applicant wishes to file objection against the affidavit of compliance. Let objection, if any, be filed within two weeks. List on 25.01.2021 alongwith review application. (Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J) rathore

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 643 of 2020

Ex Sep Markandey Singh Yadav **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri VP Pandey, learned counsel for the applicant and Mrs Kavita Belaura, learned counsel for the respondents are present.** **Preliminary objection has been raised by learned counsel for the respondents that despite there being delay, no delay condonation application has been filed and, therefore, application deserves to be dismissed on this reason only. She further submits that disability pension claim of the applicant was rejected on 11.04.2020 advising him to prefer first appeal before the competent authority but the said appeal being not filed, application is liable to be dismissed on this reason also.** **Let counter affidavit be filed within four weeks indicating therein the aforesaid facts also.** **List on 04.03.2021.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 33 of 2019

Ex JWO Ram Khilari Kushwaha **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Wg Cdr Ajit Kakkar (Retd), learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents are present.** **Heard.** **For order, see the judgment passed on separate sheets.** **Misc. Applications, pending if any, shall be treated as disposed of accordingly.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
EX-A/ 82 of 2019 Inre O.A. No. 258 of 2018

Ex Gnr Ashish Kumar Pandey **Applicant**
By Legal Practitioner for the Applicant

Versus

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

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri Yashpal Singh, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents are present.** **Affidavit of compliance filed by the respondents is taken on record.** **Applicant intends to file objection against compliance report. Let it be filed within three weeks.** **List on 27.01.2021.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.1 (E. Court)
O.A. No. 719 of 2020

Ex Hav Surendra Singh Sengar **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri Yash Pal Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents are present.** **Learned counsel for the respondents seeks and is allowed two weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by applicant within one week next thereafter.** **List on 28.01.2021 before Tribunal for final hearing.** **(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)** **Member (A) Member (J)** **rathore**

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

Court No.1 (E. Court)

O.A. No. 181 of 2020 with M.A. No. 257 of 2020 alongwith M.A. No. 258 of 2020 Inre M.A.No. 257 of 2020 Inre O.A. No. 181 of 2020 alongwith M.A. No. 298 of 2020 Inre O.A. No. 181 of 2020 Inre M.A. No. 258/2020

Sub/NT JC Kaswa **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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** **On the case being taken up for hearing Shri Yashpal Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents are present.** **M.A. No. 257 of 2020** **Objection filed by the respondents is taken on record.** **Heard learned counsel of both sides.** **Learned counsel for the applicant submitted that amendment is necessitated in the pleadings, as after filing the instant O.A. respondents have de-novo initiated fresh disciplinary proceedings against the applicant. Learned counsel for the respondents has vehemently opposed the prayer.** **Proposed amendment being based on subsequent events are allowed.** **Let amendments be carried out within a week after serving copy of amended pleadings to the respondents.** **M.A. No. 258 of 2020** **Objection filed by the respondents is taken on record.** **Heard learned counsel of both sides.** **By means of this application, applicant has prayed seeking setting aside the de novo disciplinary proceedings initiated against him.** **Learned counsel for the applicant submitted that the applicant has already been tried for the alleged lapses and in summary proceedings has been awarded the punishment of 'severe reprimand' by order dated 15.04.2020. The said punishment has also been published in the Part-II Order. Thus, he submitted that applicant once being tried and punished cannot be tried again for the same offence in de novo proceedings.** **Learned counsel for the respondents, on the other hand,**

	submitted that the order dated 15.04.2020, referred to above being not in conformity with the provisions of Army Rule 22 and 30, this has been withdrawn and applicant has been communicated also in this regard, and, in view of this, it is now not open to applicant to seek stopping against the proceedings seeking protection of double jeopardy. He further submitted that respondents have authority to initiate de novo proceedings after withdrawing the earlier order and the fresh proceedings cannot be said to be violative of the provisions of any Law/Rules. **Having heard the submissions of learned counsel of both aides and also the facts and circumstances of the case, we find that respondents are well within their right in initiating de novo disciplinary proceedings against the applicant after withdrawing the earlier order and the said proceedings are not violative of any law/Rules.** **In the result, we do not find force in the submissions made by the applicant, therefore, interim relief application is rejected.** **<u>O.A. No. 181 of 2020</u>** **Respondents to file counter affidavit within four weeks. Thereafter, rejoinder affidavit, if any, may be filed within two weeks.** **List on 23.03.2021 before Registrar for exchange of pleadings.** **List on 06.04.2021 for final hearing.** **(Vice Admiral Abhay Raghunath Karve) Member (A)** **(Justice Umesh Chandra Srivastava) Member (J)** **rathore**

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

O.A. No. 11 of 2020

Ex Cpl Dinesh Kumar Patel 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 1. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents. 2. The instant Original Application has been filed on behalf of the applicant under Section 14 of the Armed Forces Tribunal Act, 2007, whereby the applicant has sought the following reliefs:- "A. To quash and set aside the Respondent No 3 letter Air HQ 00798/1/795936/02/19/DAV(DP/RMB) dated 12 Nov 2018 (Annexure A-1 of instant OA & Impugned Order) wherein applicant was rejected for grant of disability element. B. To issue/pass an order or directions of appropriate nature to the respondents to grant disability element to the applicant from the date of his retirement from service (01.03.2019) and to pay the arrears along with suitable rate of interest as deem fit by this Hon'ble Tribunal. C. To grant the benefit of rounding off of the disability pension from 50% to 75% in terms of Govt of India letter dated 321 Jan 2001. D. Any other relief as considered proper by the Hon'ble Tribunal be awarded in favour of the applicants." 3. The facts of the case, in brief, are that applicant was enrolled in the Indian Air Force on 04.02.1999 and was discharged from service on 28.02.2019 in low medical category after rendering more than 20 years of service. The Release Medical Board (RMB) assessed his disabilities (i)

Primary Hypertension @ 30%, (ii) Dyslipidaemia @ 1-5%, (iii) D M Type II @ 20% and (iv) Obesity @ Nil%, composite @ 50% for life. However, the RMB opined that the disabilities of the applicant were neither attributable to nor aggravated by Air Force services (NANA). The applicant's claim for grant of disability pension was rejected vide order dated 30.10.2018. The applicant preferred first appeal dated 27.05.2019 which has not been replied by the respondents till filing of the instant original Application.

4. Learned Counsel for the applicant submitted that the applicant was medically fit when he was enrolled in the service and any disability not recorded at the time of enrolment should be presumed to have been caused subsequently. The action of the respondents in not granting disability pension to the applicant is illegal. In this regard, he had relied on the decision of the Hon'ble Supreme Court in ***Dharamvir Singh v. Union of India and others***, (2013) 7 SCC 316 and ***Sukhvinder Singh vs. Union of India & Ors*** reported in (2014) STPL WEB 468 SC and submitted that for the purpose of determining attributability of the disease to military service, what is material is whether the disability was detected during the initial pre-commissioning medical tests, and if no disability was detected at that time, then it is to be presumed that the disability arose while in service, therefore, the disabilities of the applicant are to be considered as aggravated by service and he is entitled to get disability pension @ 50% for life and the same is to be broad banded to 75%.

5. On the other hand, learned counsel for the respondents has filed the Counter Affidavit and submitted that though the RMB had assessed the disabilities of the applicant @ 50% composite, it opined that the disability is neither attributable to nor aggravated by Air Force services (NANA) and onset of the disabilities was in peace area. As such, under the provisions of Rule 153 of Pension Regulations for Indian Air Force, 1961 Part-I), his claim for disability pension has rightly been rejected by the respondents. He submitted that the instant Original Application does not have any merit and the same is to be dismissed.

6. We have heard Ld. Counsel for the applicant as also Ld. Counsel for the

respondents. We have also gone through the Release Medical Board proceedings as well as the records. The question which needs to be answered is straight and simple i.e. Whether the disability of the applicant is attributable to or aggravated by Military Service?

7. As far as first disability i.e. 'Primary Hypertension' is concerned, we have noticed that the only reason for declaring the disease as NANA is that it has originated in peace area and has no close time association with Field/HAA/CI Ops tenure. However, on further scrutiny, we have observed that this disability was initially detected in November, 2013 after 14 years of service. We are, therefore, of the considered opinion that the reasons given in RMB for declaring diseases as NANA are very brief and cryptic in nature and do not adequately explain the denial of attributability. We don't agree with the view that there is no stress and strain of service in military stations located in peace areas. Hence, we are inclined to give benefit of doubt in favour of the applicant. Thus, we are of the considered opinion that first disability ie. "Primary Hypertension" @ 30% for life is to be considered as aggravated by military service because stress and strain of military service in line with the law settled on this matter by the Hon'ble Apex Court in the case of ***Dharamvir Singh*** (supra).

8. As far as second disability (Dyslipidemia) and fourth disability (Obesity) of the applicant are concerned, they are all below 20% and considering all the related issues in totality, we are in agreement with RMB opinion of declaring them NANA.

9. As far as third disability (DM Type-II) is concerned, though it is assessed @ 20% for life but opinion of RMB is that it is "***Ä life style related disorder, onset in Dec 2017 in peace station Nagpur (Mah). There is no close time association with stress/strain or dietary compulsion of filed/HAA/CI OPS service. Hence, the disability is neither attributable to nor aggravated by service in terms of Para 26 of Chapter VI of GMO 2008 (Military Pension)***". Hence, we are of the opinion that benefit of doubt in this disease cannot be given to the applicant and we agree with RMB opinion that the disease is NANA.

10. Thus, after considering all issues, we are of the opinion that the human body is complex and there is interplay between various organs of the body. Once a disability sets in how it affects the course of health and how it is related to other disabilities which originate subsequently, is once again a complex matter and must be left to medical experts. Therefore, we are of the view that there are no valid reasons for us to interfere with the opinion of the Medical Board. Hence, we are in agreement with the opinion of the RMB that second, third and fourth disabilities of the applicant i.e. (ii) Dyslipidaemia, (iii) D M Type II and (iv) Obesity, are not connected with service hence NANA.

11. The applicant will be eligible for the benefit of rounding off of first disability (Hypertension) from 30% to 50% for life in terms of the decision of Hon'ble Supreme Court in ***Union of India and others v. Ram Avtar*** (Civil Appeal No 418 of 2012 dated 10.12.2014).

12. Resultantly, the O.A. deserves to be partly allowed, hence partly allowed. The impugned order is set aside. The applicant's disability "Primary Hypertension" @ 30% for life, is to be considered as aggravated by military service and his disability element of pension is to be rounded off from 30% to 50% for life from the date of his discharge i.e. 28.02.2019. The respondents are directed to give effect to this order within four months from the date of receipt of a copy of this order. Default will invite interest @ 8% per annum till actual payment.

13. Misc. application, if any, pending for disposal also stands disposed of.

14. No order as to costs.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

SB

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

O.A. No 213 of 2019 alongwith O.A. No 232 of 2015 (Decided)

Ex Nk Chandra Pal Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri R Chandra, learned counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents. The present Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to consider the applicant for notional promotion to the rank for which his juniors and batch mates have been granted till date of retirement of applicant for pension purpose only. It is submitted by learned counsel for the applicant that earlier applicant had filed O.A. No 232 of 2015 in this Tribunal which was allowed on 17.12.2016, and while setting aside applicant's discharge order the grant of back wages was declined and respondents were directed that for the purpose of pensionary benefits, the entire period of service of the applicant of the rank he was holding at the time of discharge shall be counted and he shall be paid all consequential benefits including pensionary benefits and arrears thereof. In reply, learned counsel for the respondents submitted that order dated 17.12.2016, passed in O.A. No 232 of 2015 being fully complied with and no objection being raised by the applicant regarding payment of pension and other dues, the same cannot be raised again by way of separate Original Application. Upon hearing submissions of learned counsel of both sides, we find that in respect of cause of action accrued on account of illegal discharge, O.A. was allowed on 17.12.2016 by a detailed order passed by this Tribunal and while setting aside the discharge order of the applicant, grant of back wages was declined and respondents were directed that for the purpose of pensionary benefits, the entire period of service of the applicant of the rank he was holding

at the time of discharge shall be counted and he shall be paid all consequential benefits including pensionary benefits and arrears thereof. In the order it is clearly stated that applicant shall not be granted back wages and shall be paid all consequential benefits including pensionary benefits and arrears of the rank he was holding at the time of discharge. We further find that after the O.A. being allowed respondents complied with the order as in execution proceedings applicant has admitted that the order passed has been fully complied with.

Once the fact regarding compliance being admitted and execution application being dismissed on account of full and final satisfaction, the applicant cannot raise the issue again seeking direction to the respondents to consider the applicant for notional promotion to the rank for which his juniors and batch mates have been granted till the date of retirement of the applicant for the pension purpose only. Further, it is settled in law that all reliefs flowing from a cause of action may be claimed in one suit and separate suit in respect of same cause of action is not allowed. Therefore, the relief claimed in O.A. being barred under law for not being pressed earlier, the O.A. is liable to be dismissed.

Accordingly, O.A. is **dismissed** being not maintainable.

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

UKT/-

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

M.A. No 447 of 2020 Inre Ex. A. No 100 of 2018 Inre O.A. No 438 of 2012

Rakesh Kumar Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Namit Sharma, Ld. Counsel for the applicant. As prayed by learned counsel for the applicant, list on **17.12.2020** for hearing as first case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

Ex. A. No 193 of 2018 Inre O.A. No 145 of 2013

Satendra Singh Pal Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Bachchan Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. Review Application was allowed on 24.05.2019. As a last chance, four weeks further time is granted to make compliance of the order and to file affidavit of compliance on payment of Rs. 10,000/- as cost. Cost shall be payable only when the order is not complied within given time. List on **16.02.2021** for orders. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. NO 66 of 2018

Adesh Kumar 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri VK Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present. Learned counsel for the respondents submits that respondents have submitted an affidavit indicating therein that grievances raised in O.A. have already been addressed and PPO has been issued and in view of that O.A. be dismissed being infructuous. Applicant may file objection, if any, within two weeks. List on **27.01.2020** for orders. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

M.A. No 423 of 2019 Inre O.A. (Nil) of 2019

Ex Rfn/ Clk Lalit Kishor John 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present. Reply to objection on application for condonation of delay filed by learned counsel for the respondents is taken on record. As prayed by learned counsel for the applicant, list on **08.01.2021** for orders. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 86 of 2017

Awadhesh Yadav 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Arun Kumar, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present. List on **01.03.2021** for physical hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 491 of 2018

Sep Sunil Kumar 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Ashok Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. List on **02.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 305 of 2017

Rajbeer Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shr Rohit Kumar, Ld. Counsel for the applicant and Shri Amit Jaaiswal, Ld. Counsel for the respondents are present. List on **05.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 399 of 2017

Kamlesh Kumar 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KK Misra, Ld. Counsel for the applicant and Shri Vipin Kumar Singh, Ld. Counsel for the respondents are present. List on **12.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 585 of 2019

Nb Ris (RT) Rakesh Kumar Tripathi 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri KP Datta, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present. Rejoinder Affidavit filed by learned counsel for the applicant is taken on record. List on **17.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 67 of 2018 with M.A. NO 566 of 2019

Sep Arun Kumar Misra 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Maj RD Singh (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents. **M.A. No 566 of 2019** Applicant wants to incorporate a new relief in the O.A. by way of amendment application. No written objection has been filed against amendment application nor nature of the O.A. would be changed, if amendment is allowed. Accordingly, we allow amendment application. Let amendment be incorporated during course of the day. Supplementary counter affidavit to the amended portion be filed within four weeks. List on **18.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 1 of 2018

Smt Kamlesh 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Dr. Chet Narayan Singh and Shri Manoj Kumar Awasthi, Ld. Counsel for the respondents are present. List on **19.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 389 of 2018

Ex MCOP I Sitaram Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present. List on **22.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 382 of 2017

Col Dilip Singh Shekhawat 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present. List on **23.03.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 320 of 2017

Smt Saroj Tiwari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present. List on **29.01.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

T.A. No 1053 of 2020

Pitambar Datt Nainwal (Deceased) Through
His Wife Smt Kalawati Devi Petitioner
By Legal Practitioner for the Petitioner

Versus

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

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing none is present for the applicant to present his cause. Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present. Learned counsel for the respondent submits that cost Rs. 1,000/- imposed by this Tribunal on 12.09.2018 in M.A. No 1589 of 2018 has not yet been deposited by the applicant. Applicant is directed to deposit the cost by the date fixed failing which order dated 12.09.2018 shall stand withdrawn without any reference. List on **15.02.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. No 478 of 2017

Shiv Mohan Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri SSL Srivastava, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present. List on **26.02.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

T.A. No 6 of 2014

Sepoy Ramesh Prasad Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present. List on **25.02.2021** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-

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

O.A. (A) No 39 of 2017 with M.A. No 1237 of 2018

Smt Sunita Singh, W/o Abhishik Kumar Singh (in custody) 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
	15.12.2020 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present. List on **17.12.2020** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** UKT/-