

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

**M.A. No. 240 of 2020 Inre : O.A. No. (Nil) of 2020**

**Smt. Subhauta Devi W/o Late Ex. Hav. (Hony. Nb. Sub.) Raja Ram Singh** Applicant  
By Legal Practitioner for the Applicant

**Versus**

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>22.09.2020</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;">Memo of appearance filed today in Court by Shri Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents in the cause list.</p> <p style="text-align: justify;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents on delay condonation application.</p> <p style="text-align: justify;">There is a delay of eleven years and twenty eight days in filing of Original Application.</p> <p style="text-align: justify;">The submission of Ld. 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 is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the application saying day to day explanation of the delay has not been given.</p> <p style="text-align: justify;">Matter concerning denial of pension is a continuing wrong in which bar of limitation is not applicable. The cause of action in such matter does not arise on a fixed date rather it accrues from month to month. Considering this aspect as well as reasons mentioned in affidavit filed in support of delay condonation application being genuine and sufficient, application deserves to be allowed.</p> <p style="text-align: justify;">Delay condonation application is accordingly allowed. Delay caused in filing of Original Application is condoned.</p> <p><b><u>O.A. No. 192 of 2020</u></b></p> <p style="text-align: justify;">Heard.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: justify;">List this case on <b>02.12.2020</b> before the Registrar Court for exchange of pleadings.</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 style="text-align: left;">AKD/SB/-</p>







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

**M.A. No. 239 of 2020 Inre : O.A. No. 302 of 2011**

<b>Union of India &amp; Others</b> By Legal Practitioner for the Applicants	Applicants
<b>Versus</b>	
<b>Ex. Sep. Brijendra Kumar Singh</b> By Legal Practitioner for Respondent	Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>22.09.2020</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 Yogesh Kesarwani, Ld. Counsel for the applicants and Shri Virat Anand Singh, Ld. Counsel for the respondent are present.</p> <p style="text-align: center;">Ld. Counsel for the respondent seeks and is allowed two weeks time to file objection against application for modification of order. Reply to the objection, if any, maybe filed within a week thereafter.</p> <p style="text-align: center;">List on <b>06.11.2020</b> for orders.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">AKD/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)		









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

**Ex.A. No. 74 of 2019 Inre O.A. No. 446 of 2017**

<b>Smt Meera Devi</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>22.09.2020</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 none is present on behalf of the applicant.</p> <p style="text-align: center;">Shri Amit Jaiswal, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for, and as a last chance, is granted two weeks time to seek instruction into the matter.</p> <p style="text-align: center;">List on <b>06.11.2020</b> for orders.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve)</b> Member (A)</td><td style="width: 50%; text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</td></tr></table> <p style="text-align: left; margin-top: 10px;">AKD/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)		

























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**Court No.1 (E. Court)**

**T.A. No. 700 of 2010 alongwith T.A. No. 699 of 2010 & T.A. No. 701 of 2010**  
**(Decided)**

**Smt. Poonam Srivastava W/o Anand Kumar Srivastava (Deceased) & Others**      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>22.09.2020</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 petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents are present.</p> <p>As prayed by the Ld. Counsel for the applicant list on <b>30.12.2020</b> for final hearing.</p> <p>Name of Shri D.K. Pandey, Advocate be shown as Counsel for the respondents in place of Shri Asheesh Agnihotri when the case is listed next.</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>

