

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 1001 of 2010**

**Gopal Singh Danu**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>T.A. No. 1001 of 2010, Gopal Singh Danu vs. Union of India and others is allowed.</p> <p>For order, see our order of date passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A) DDS</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 259 of 2013**

**Chun Bahadur**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents submits that he will file supplementary counter affidavit during the course of day. However, a copy of supplementary counter affidavit has been served upon learned counsel for the applicant today in the court.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file supplementary rejoinder affidavit.</p> <p>List this case on <b>17.07.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 1207 of 2010 with M.A. No. 616 of 2017**

**Smt. Vimla Devi**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Ms. Amrita Chakraborty, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p><b><u>M.A. No. 616 of 2017</u></b></p> <p>Supplementary rejoinder affidavit, filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 640 of 2017 Inre M.A. No. 24 of 2013**

**Bishvendra Nayak**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Vishwadeep Pandey, Advocate, holding brief of Shri Ram Lagan Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri Vishwadeep Pandey, submits that Shri Ram Lagan Mishra, learned counsel for the applicant is out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>04.08.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 278 of 2016**

**Chhedi Singh**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>26.07.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 296 of 2016**

**Lalji Singh**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>As agreed by learned counsel for the parties, list this case on <b>30.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**Court No. 1 (List B)**

**O.A. No. 25 of 2016**  
**With MA No.2166 of 2016**

**Zahir Khan**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p style="text-align: center;"><b><u>ORDER (Oral)</u></b></p> <p>By this instant Original Application, the applicant prays for a direction to the respondents to grant him disability pension and also for a direction to the respondent to conduct Re-Survey Medical Board to reassess the rate of disability of the applicant.</p> <p>We have heard Shri Shailendra Kumar Singh, learned counsel for the applicant, Shri Sunil Sharma, learned counsel for the respondents and perused the record.</p> <p>It is not disputed that the applicant has preferred an appeal on 05<sup>th</sup> June 1998 before the appellate authority i.e. Government of India, Ministry of Defence, New Delhi for grant of disability pension for the reasons that P.C.D.A. (P), Allahabad could not have denied the payment of disability pension, more so under the teeth of the observations made by the Medical Board that the disability was considered as aggravated by military service. However, the same was rejected by the Government of India. The applicant thereafter preferred a second appeal on 31.12.2012 before the Secretary, Government of India and Ministry of Defence, New Delhi, which is still pending.</p> <p>Shri Sunil Sharma, learned counsel for the respondents has raised a preliminary objection that the applicant has already preferred Second Appeal before the authority concerned for payment of disability pension, which is still pending.</p> <p>The Court would not interfere in the statutory provisions of the</p>

Armed Forces Tribunal Act. Learned counsel for the applicant conceded to the objection raised by the learned counsel for the respondents.

Accordingly, the Original Application is disposed of finally, directing the competent authority to consider and take a decision on the Second Appeal dated 31.12.2012 moved by the applicant for grant of disability pension, who shall consider the same and pass a reasoned and speaking order, keeping in view the decisions of Hon'ble The Apex Court in the cases of **Dharamvir Singh Vs. Union of India and Ors** reported in **(2013) 7 Supreme Court Cases 316**, **Sukhhvinder Singh Vs. Union of India**, reported in **(2014) STPL (WEB) 468 SC** (para 9) and **Union of India and Ors vs. Ram Avtar & ors Civil Appeal No 418 of 2012 decided on 10<sup>th</sup> December 2014**), expeditiously within a period of four months from the date of receipt of a certified copy of the order and communicate the decision to the applicant, accordingly.

There shall be no order as to costs.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice D.P. Singh)  
Member (J)

PKG



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A.No.315 of 2016  
with M.A.No.430 of 2017**

**Devendra Pratap Singh**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rahul Singh, learned counsel for the applicant and Shri Dinesh Kumar Pandey, learned counsel for the respondents.</p> <p>We feel that the controversy in question requires rehearing, since the attention of the Tribunal was not drawn to certain material facts, including the earlier judgment.</p> <p>List for this case on <b>26.05.2017</b> for rehearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 1538 of 2016 with M.A. No. 2022 of 2016  
and M.A. No. 615 of 2017**

**Bhawani Datt**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R chandra, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><b><u>M.A. No. 615 of 2017</u></b></p> <p>Reply to the objection against the application for condonation of delay filed by the learned counsel for the applicant is taken on record.</p> <p>The cause shown in the affidavit filed in support of the reply to the objection against the application for condonation of delay seems to be genuine. Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned and the objection raised by the learned counsel for the respondents is rejected.</p> <p>The controversy relates to the grant of payment of disability pension, which itself is recurring cause of action.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time for filing counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case for <b>hearing</b> on <b>30.06.2017</b>, as agreed by the learned counsel for the parties.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 2289 of 2016 with M.A. No. 2290 of 2016**

**(Inre: T.A. No. 79 of 2016)**

**Suresh Singh**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>Objection against the application for condonation of delay of substitution application filed by Shri Anurag Mishra, learned counsel for the respondents is taken on record.</p> <p>Shri Yash Pal Singh, learned counsel for the petitioner prays for and is granted three weeks' time to file reply to the objection filed by counsel for the petitioner.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for <b>orders</b>.</p> <p>Registry is directed to show the name of Shri Anurag Mishra, as counsel for the respondents in Cause List on next date of listing.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 296 of 2017**  
**(Inre: O.A. No. Nil of 2017)**

**Smt Sunita Jaiswal**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Ashutosh Nigam, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Shri Namit Sharma, learned counsel for the respondents prays for and is granted three weeks' further time to file objection against the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within three weeks', thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for <b>orders</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 472 of 2017**  
**(Inre: O.A. No. Nil of 2017)**

**Rajendra Kumar Yadav**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p>Shri Shyam Singh, learned counsel for the respondents prays for and is granted four weeks' further time to file objection against the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within three weeks', thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for <b>orders</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 221 of 2015**

**Smt Moti Singh**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri RP Singh Kuruvanshi, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Shri RP Singh Kuruvanshi, learned counsel for the applicant prays for and is granted a week further time to carry out amendment in Original Application.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 94 of 2016**

**Abdul Hameed**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents.</p> <p>Shri VP Pandey, learned counsel for the applicant prays for and is granted six weeks' further time to file rejoinder affidavit.</p> <p>With the consent of learned counsel for the parties, list this case on 26.07.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 55 of 2016**

**Mani Ram**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri OP Kushwah, holding brief of Shri KK Mishra, learned counsel for the petitioner and Shri AK Sahu, learned counsel for the respondents.</p> <p>On call of the case, Shri OP Kushwaha, Advocate submits that Shri KK Mishra, learned counsel for the petitioner has not come to the Court being out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on 27.07.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 743 of 2017**

**Inre: O.A. No. Nil of 2017**

**Govind Prasad**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Arun Kumar Sahu, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><b><u>M.A. No. 743 of 2017</u></b></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 15 years, 09 months and 24 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 28.04.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>04.08.2017</b> for admission.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 357 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Jhaboo Lal**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri AN Tripathi, learned counsel for the respondents.</p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by learned counsel for the respondents.</p> <p>List this case on <b>08.08.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 372 of 2017 With M.A. No. 736 of 2017  
Inre O.A. No. Nil of 2017**

**Bijay Bahadur Singh**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p><b><u>M.A. No. 736 of 2017</u></b></p> <p>Objection to the application on condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Shri Yash Pal Singh, learned counsel for the applicant prays for and granted two weeks time to file replication to the objection filed by learned counsel for the respondents.</p> <p>List this case on <b>09.08.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 222 of 2016  
Inre O.A. No. 80 of 2016**

**Dhan Devi**  
By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on 09.05.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 17 of 2017**

**Inre M.A. No. 222 of 2016 and**

**O.A. No. Nil of 2016**

**BBS Chauhan**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p><b><u>EX-A No. 17 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 12th July 2016 passed in M.A. No. 222 of 2016 and O.A. No. Nil of 2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>With the consent of learned counsel for the parties, list this case on <b>30.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 826 of 2016 With M.A. Nos. 2589 of 2016 and M.A. No. 335 of 2017  
Inre: O.A. No. Nil of 2016**

**Kishan Singh**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents.</p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication to the objection filed by the respondents.</p> <p>As prayed by learned counsel for the parties, list this case on <b>30.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1533 of 2016 With M.A. No. 2069 of 2016**

**Radhey Shyam Verma**

By Legal Practitioner for 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>08.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents.</p> <p>Reply to the objection on the application for condonation of delay filed by learned counsel for the applicant is taken on record.</p> <p>Controversy relates to payment the disability pension to the applicant, which itself is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly</p> <p>Having hearing the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on <b>30.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 776 of 2017**

**Inre: O.A. No. Nil of 2017**

**Kishan Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Ms Anju Singh, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Nishant Verma, learned counsel for the applicant and Ms Anju Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 776 of 2017</u></b></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 04 years, 06 months and 06 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 26.04.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>16.08.2017</b> for admission.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 508 of 2017**

**Inre: O.A. No. Nil of 2017**

**Dharmendra Pratap Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col Rakesh Johri (Retd), learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 508 of 2017</u></b></p> <p>Objection filed by the learned counsel for the respondents is taken on record. The delay seems to be only one month and odd.</p> <p>The cause shown in the affidavit filed in support of the application for condonation of delay seems to be genuine. Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned and the objection raised by the learned counsel for the respondents is rejected.</p> <p>The controversy relates to the grant of payment of disability pension, which suffers from recurring cause of action.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time for filing counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case for hearing on <b>29.06.2017</b>, as agreed by the learned counsel for the parties.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

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

**EX-A. No. 16 of 2017 With M.A. No. 687 of 2017**  
**Inre: O.A. No. 268 of 2014**

**Hira Singh**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Compliance report filed by Shri Bhanu Pratap Singh, learned counsel for the respondents is taken on record.</p> <p><b><u>EX-A. No. 16 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 14<sup>th</sup> October 2015 passed in O.A. No.268 of 2014 which relates to the payment of pension of Hony Naib Subedar within the stipulated time.</p> <p>At the threshold of the arguments, learned counsel for the respondents states that in compliance of the order of this Tribunal, necessary PPO has already been issued, a copy of which has been provided to the learned counsel for the applicant during course of hearing.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of its communication.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 46 of 2017**  
**Inre: O.A. No. 364 of 2012**

**Raj Narain Gupta**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri DS Tiwari, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 46 of 2017</u></b></p> <p>Learned counsel for the respondents submits that the Government has already accorded sanction for payment of pension of Hony Naib Subedar to the applicant and prays for and is granted four weeks' time to produce the PPO.</p> <p>List this case on <b>29.06.2017</b> for orders, as agreed by learned counsel for the parties.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 47 of 2017**

**Inre: O.A. No. 363 of 2012**

**Shyam Charan Tiwari**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri DS Tiwari, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Compliance report filed by Dr Shailendra Sharma Atal, learned counsel for the respondents is taken on record.</p> <p><b><u>EX-A. No. 47 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 10<sup>th</sup> September 2012 passed in O.A. No.363 of 2012 which relates to the payment of pension of Hony Naib Subedar within the stipulated time.</p> <p>At the threshold of the arguments, learned counsel for the respondents states that in compliance of the order of this Tribunal, necessary PPO has already been issued on 2<sup>nd</sup> May 2017, a copy of which has been provided to the learned counsel for the applicant during course of hearing.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of its communication.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1352 of 2014**

**Devender Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Ashish Agnihotri, Advocate holding brief of Shri Namit Sharma, learned counsel for the respondents.</p> <p>Shri Asish Agnihotri, Advocate states that Shri Namit Sharma, learned counsel for the respondents has not come to the court as he is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>14.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 67 of 2012**

**Khursheeda Beghum**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Record Officer**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents.</p> <p><b><u>ORDER (Oral)</u></b></p> <p>Heard Shri R Chandra, learned counsel for the petitioner, Shri DK Pandey, learned counsel for the respondents alongwith Maj Piyush Thakran, Departmental Representative and perused the record.</p> <p>After the death of Sepoy Late Nek Mohammad, controversy arose with regard to payment of post retiral dues/family pension of Sepoy Late Nek Mohammad. Allegedly one Salma Beghum, who as per records, is the wife of Late Nek Mohammad, seems to be missing since 2<sup>nd</sup> May 1965. The petitioner Khursheeda Beghum approached the respondents that she is the legally wedded wife of Sepoy Late Nek Mohammad and she should be paid post retiral dues/family pension. However, the respondents called upon the petitioner to submit certain documents for grant of family pension, but it has not been submitted by the petitioner.</p> <p>The submission of Shri R Chandra, learned counsel for the petitioner is that Salma Beghum was missing since 2<sup>nd</sup> May 1965 and her whereabouts were not known and thereafter the petitioner had married to Sepoy Late Nek Mohammad and accordingly, she is entitled for post retiral dues/family pension of the deceased Sepoy Late Nek Mohammad.</p> <p>The fact remains that no decision has been taken on the representations made by the petitioner before the respondents. The controversy requires fresh decision in the case.</p> <p>Accordingly, Transferred Application is disposed of with liberty to the petitioner to move a fresh representation before the respondents/competent authority within one month from today, which shall</p>

be adjudicated by the respondents/competent authority by passing a speaking and reasoned order expeditiously say within a period of four months from the date of such representation after providing proper opportunity of hearing to the parties concerned.

The petitioner shall submit all the material documents before the respondents/competent authority which may establish that she is the legally wedded wife of deceased Sepoy Late Nek Mohammad of Indian Army. We may make it clear that we have not entered into the merits of the controversy.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice D.P. Singh)  
Member (J)

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 24 of 2012**

**Smt. Diropa Devi**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties at length.</p> <p>Let the parties concerned appear on next date to find out whether the controversy can be resolved through mediation.</p> <p>With the consent of learned counsel for the parties, list this case on 30.05.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 330 of 2015 with M.A. No. 573 of 2017**

**Lt Col PS Tripathi(Retd)**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col YR Sharma(Retd), learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>So far as the cost is concerned, let the cost Rs. 10,000/-already deposited by the respondents be paid to the applicant through Cheque by the Registry. The order dated 27.07.2016 stands modified accordingly.</p> <p style="text-align: center;"><b><u>ORDER (Oral)</u></b></p> <p>1. Heard learned counsel for the parties and perused the records.</p> <p>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 relief for rounding off of disability pension from 20% to 50% for life.</p> <p>3. Coming to the merits of the case, admittedly, the applicant was commissioned in the Corps of Signals on 31.03.1972 and was superannuated from service on 31.07.2002 after completion of 30 years of service. The applicant was granted 20% disability for life wef 01.08.2002 by the Army Headquarters letter dated 03.07.2003. Thereafter, applicant submitted a representation on 18.09.2012 to PCDA(P), Allahabad for broad banding of pension from 20% to 50% in terms of Government of India, Ministry of Defence letter No 1(2)/97/1/D(Pen-C) dated 31 January 2001. The applicant has been denied the broad banding of pension by the respondents. As per learned counsel for the applicant, another representation has been submitted before the respondent No. 3 on 03.11.2014 for the purpose of broad banding but the learned counsel for the respondents has denied receipt of such representation.</p> <p>4. <b><i>Per contra</i></b>, the learned counsel for the respondents has submitted that the applicant is in receipt of 20% disability pension for life w.e.f. 01.08.2002 as per PPO dated 28.08.2003. Since the applicant was</p>

discharged from the service on fulfilling of his terms and engagement and not invalidated out from service, he is not eligible for the rounding off of disability pension in terms of Government of India, Ministry of Defence letter No. 1(2)/97/D(Pen-C) dated 31.01.2001.

5. We feel to recall the judgment of Hon'ble The Apex Court in the case of **K.J.S. Buttar vs. Union of India and others reported in SCC 2011, XI, 429** wherein Hon'ble The Apex Court has observed that a person who was discharged by retirement on completion of terms of service with a disability, was held to be 'invalided out' and was held entitled to the benefit of 'broad banding'. Hon'ble The Apex Court in Paras 17 & 18 of the judgment of **K.J.S. Buttar** (supra) has observed as under :-

*"17. The respondents submitted that the appellant was not entitled to the above benefits as he had retired on completion of his Short Service Commission of 10 years and had not been invalided out of service.*

*18. In this connection it may be mentioned that the appellant was invalided out and released in a low medical category with permanent disability assessed at 50% by the Release Medical Board. As per the Defence Services Regulations/Pension Regulations for the Army 1961 where any officer is found suffering from disability attributable to or aggravated by Military Service he shall be deemed to have been invalided out of service. Relevant provision (page 25 additional documents) read as under :-*

*53. Officers Compulsorily Retired on Account of Age or on Completion of Tenure.*

*(1) An officer retired on completion of tenure or on completion of terms of engagement or on attaining the age of 50 years (irrespective of their period of engagement), if found suffering from a disability attributable to or aggravated by military service and recorded by service medical authorities, shall be deemed to have been invalided out of service and shall be granted disability pension from the date of retirement, if the accepted degree of disability is 20% or more, and service element, if the degree of disability is less than 20%. The retiring pension/retiring gratuity, if already sanctioned and paid, shall be adjusted against the disability pension/service element, as the case may be.*

*(2) The disability element referred to in clause (1) above shall be assessed on the accepted degree of disablement at the time of retirement/discharge on the basis of the rank held on the date on which the wound/injury was sustained or in the case of disease.*

*In our opinion the appellant is entitled to the benefit of the above Regulation."*

6. It is also observed that the Hon'ble Supreme Court in **Review Petition (C) No. 2688 of 2013 in Civil Appeal No. 5591/2006, U.O.I. & ANR vs K.J.S. Buttar** has dismissed the Review Petition both on ground of delay as well as on merits on 21.01.2014.

7. On the issue of rounding off of the disability pension, we feel to recall the judgment and order of Hon'ble The Apex Court in the case of **Union of India and Ors vs Ram Avtar & ors (Civil Appeal No. 418 of 2012 dated 10th December 2014)** in which Hon'ble The Apex Court

nodded in disapproval the policy of the Government of India in not granting the benefit of rounding off of disability pension to the personnel who have retired on attaining the age of superannuation or completion of their tenure of engagement, if found to be suffering from some disability.

8. In view of the directions given by Hon'ble The Apex Court in the cases of **K.J.S. Buttar vs. Union of India & others** (supra) and **Union of India & others vs. Ram Avtar** (supra), we are of the considered view that in conformity with the Rules, Regulations and the dictum of law laid down by Hon'ble The Apex Court, the applicant is entitled to the benefit of rounding off of disability pension to 50%.

9. The Original Application No. 330 of 2015 succeeds and is **allowed**. The applicant is entitled for benefit of rounding off and shall be paid enhanced disability pension by rounding off from 20% to 50% for life from the date of superannuation i.e. 31.07.2002. The respondents are directed to pay the enhanced disability pension alongwith the arrears within four months from the date of receipt of a certified copy of this order. In case the respondents fail to give effect to this order within the stipulated time, they will have to pay interest @ 9% on the amount accrued from due date till the date of actual payment.

10. No order as to costs

(Lt Gen Gyan Bhushan)

Member (A)

RPM/-

(Justice D.P. Singh)

Member (J)

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 13 of 2016**

**Akash Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On call of the case, Shri PK Shukla, learned counsel for the applicant submits that he does not intend to file rejoinder affidavit.</p> <p>Let the original records be reproduced by learned counsel for the respondents on next date.</p> <p>List this case on 30.05.2017 for <b>hearing</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 249 of 2016**

**Shamsher Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri DS Tiwari, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents.</p> <p>Let the original records be reproduced by learned counsel for the respondents on next date.</p> <p>List this case on 30.05.2017 for <b>hearing</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 297 of 2016**

**Jyoti Sharan Gandhi**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents.</p> <p>Shri Kaushik Chattarji, learned counsel for the respondents prays for and is granted three weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>Registry shall ensure to mention 'Navy' in Case Wing of Daily Cause List being the Navy matter on next date.</p> <p>With the consent of learned counsel for the parties, list this case on 29.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**R.A. No. 13 of 2013 with M.A. No. 2455 of 2016**

**(Inre: O.A. No. 233 of 2010)**

**Ravi Pratap Pandey**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>With the consent of learned counsel for the parties, list this case on 18.05.2017 at Circuit Bench, Nainital for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 33 of 2017 With M.No. 747 of 2017**

**Inre: O.A. No. Nil of 2017**

**SK Pandey**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 747 of 2017</u></b></p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Controversy relates to assess the disability pension to the applicant, which itself is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly</p> <p>Having hearing the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Learned counsel for the respondents prays for and is granted 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>29.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 288 of 2017**  
**Inre O.A. No. Nil of 2017**

**Akash Vishwakarma**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by the respondents.</p> <p>List this case on <b>29.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 346 of 2017**  
**Inre O.A. No. Nil of 2017**

**Kamlesh Kumar Dey**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: COL AK Srivastava (Retd), learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by the respondents.</p> <p>List this case on <b>29.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 319 of 2015 With M.A. Nos. 1870 & 1871 of 2016**

**Sanjay Kumar Singh**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VA Singh, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1870 of 2016</u></b></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p><b><u>M.A. No. 1871 of 2016</u></b></p> <p>This is an application for amendment to the original application filed by learned counsel for the applicant.</p> <p>The reasons given in the affidavit filed in support of the amendment application seems to be genuine. The learned counsel for the respondents has no objection. Accordingly, the application is allowed. Let the necessary amendment be carried out with a week.</p> <p>List this case on <b>17.07.2017</b> for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 197 of 2016**

**Chandeshwer Prasad**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PK Shukla, Advocate appeared on behalf of Shri VK Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri PK Shukla, learned counsel for the applicant states that Shri VK Pandey is out of station and he prays for adjournment of the case. Accordingly the case is adjourned.</p> <p>List this case on <b>21.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 88 of 2017**

**Dharam Chand Sharma**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Ms Mayuri Sajwan, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks' thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on <b>29.06.2017</b> for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 1317 of 2010**

**Rambir Singh (Deceased) Smt Kusuma Devi**

**Pettioner**

By Legal Practitioner for 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>05.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>With the consent of learned counsel for the parties, list on <b>29.06.2017</b> for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 36 of 2017  
Inre O.A. No. 326 of 2013**

**Lalla Singh**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**OIC Records, Rajput Regiment & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents states that the Government sanction has accorded, however PPO has not been issued. He prays for and is granted four weeks' time to ensure the issuance of PPO and produce the same before the Tribunal.</p> <p>List this case on <b>29.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1729 of 2016 With M.A. No. 2463 of 2016  
Inre O.A. No. Nil of 2016**

**Rajbir Singh Sangwan**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri OP Kushwah, Advocate holding brief of Shri KK Mishra, learned counsel for the applicant and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p>Shri OP Kushwaha, learned counsel for the applicant states that Shri KK Mishra, learned counsel for the applicant is out of station and he prays for adjournment of the case, accordingly the case adjourned.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication to objection filed by learned counsel for the respondents.</p> <p>List this case on <b>17.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1522 of 2016**

**Shiwu Prasad Bari**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Mohd Shariq Khan, Advocate holding brief of Shri SG Singh, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection on the application for condonation of delay. Replication to objection may be filed by the learned counsel for the applicant with two weeks' thereafter.</p> <p>List this case on <b>28.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1891 of 2016**  
**Inre: O.A. No. Nil of 2016**

**Shobha Devi**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents.</p> <p>Dr Shesh Narain Pandey, learned counsel for the respondents do not want to file objection on the application for condonation of delay.</p> <p>Learned counsel for the respondents prays for and is granted six weeks, time to file counter affidavit. Rejoinder affidavit may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on <b>19.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 2275 of 2016**  
**Inre: O.A. No. Nil of 2016**

**Gaya Ram**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection to the condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>28.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 2450 of 2016 with M.A. 571 of 2017**

**Inre: O.A. No. Nil of 2016**

**Smt Gomti Devi Mother of Late Sanjay Kumar**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 571 of 2017</u></b></p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Replication to the objection filed learned counsel for the applicant is taken on record.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p>List this case on <b>02.08.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**DY-No. 911 of 2017**

**Inre: O.A. No. Nil of 2017**

**Pratap Singh**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr Gyan Singh, Advocate is taken on record. His name be shown as learned counsel for the respondents when the case is next listed.</p> <p>Present: Shri Prabhav Srivastava, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p><b><u>DY-No. 911 of 2017</u></b></p> <p>There appears to be no delay.</p> <p>It appears that in spite of the letter sent by the Office of the Principal Controller of Defence Accounts (Pension), Allahabad dated 06<sup>th</sup> March 2017, the respondent bank had not acted upon providing pensionary benefits to the applicant, as discussed therein.</p> <p>Notice has been accepted by Dr. Gyan Singh, Advocate on behalf of respondent nos.1 and 3.</p> <p>Issue notice to respondent nos.2, 4 and 5 through regular mode of service as well as by registered speed post returnable by 29<sup>th</sup> June 2017.</p> <p>As agreed by the learned counsel for the parties, list this case on <b>29.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 142 of 2017**

**Akhilesh Chandra Upadhyay**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p>Having heard learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case for hearing on <b>11.08.2017</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 501 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Virendra Nath Shukla**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None appeared for the applicant. Shri DK Pandey, learned counsel for the respondents is present.</p> <p>Learned counsel for the respondents pointed out certain defects in the Original Application. However, learned counsel for the applicant is not present to give reply to the same.</p> <p>List this case on <b>14.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 167 of 2016  
Inre O.A. No. 299 of 2015**

**Hari Bahadur Thapa**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 167 of 2016</u></b></p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents submits that the Government has accorded sanction with regard to payment of pension to the applicant in pursuance of the order dated 19<sup>th</sup> January 2016 passed by the Tribunal in O.A.No.299 of 2015. However, no PPO has been issued. He prays for some time to produce the copy of the PPO.</p> <p>As agreed by the learned counsel for the parties, list this case on <b>29.06. 2017</b> for orders to enable the learned counsel for the respondents to produce the PPO.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 15 of 2017  
Inre O.A. No. 48 of 2014**

**Avdhesh Pandey**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>List this case on <b>12.05.2017</b> for orders to enable the learned counsel for the respondents to produce the copy of the PPO.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1485 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**Rajbir Singh Rohella**  
By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Om Prakash Kushwaha, Advocate holding brief of Shri VA Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri Om Prakash Kushwah, Advocate holding brief of learned counsel for the applicant submits that Shri VA Singh, learned counsel for the applicant is out of station and prays for adjournment of the case. Learned counsel for the applicant has no objection.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 2574 of 2016 with M.A. No. 2575 of 2016**

**(Inre: T.A. No. 40 of 2009)**

**Sushil Singh**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Ravi Prakash Tripathi, Advocate holding brief of Shri VA Singh, learned counsel for the petitioner and Mrs Appoli Srivastava, learned counsel for the respondents.</p> <p>Shri Ravi Prakash Tripathi, Advocate holding brief of learned counsel for the petitioner prays for and is granted two weeks' further time to file reply to the objection against the application for condonation of delay filed by the respondents.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>orders.</b></p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 264 of 2015**

**Natha Yadav**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri SG Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Shri SG Singh, learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List this case on 06.07.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 46 of 2016 with M.A. No. 1599 of 2016**

**Smt Munni Devi**

**Applicant**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p>In compliance of the Tribunal order dated 07.03.2017, proposed amendment has been carried out in the relief clause by learned counsel for the applicant.</p> <p>Counter and rejoinder affidavits have been exchanged.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 186 of 2016 with M.A. No. 439 of 2017**

**Rashid Ahmed Khan**

**Applicant**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Maj RD Singh(Retd), learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 439 of 2017</u></b></p> <p>Counter affidavit filed by Shri Virendra Kumar Singh, learned counsel for the respondents is taken on record. M.A. No. 439 of 2017 stands disposed of.</p> <p>Maj RD Singh(Retd), learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 277 of 2016**

**Bimal Kishor Charan**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri YR Sharma, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p>Ms Deepti P Bajpai, learned counsel for the respondents prays for and is granted four weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within four weeks', thereafter.</p> <p>List this case on 17.07.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 61 of 2016**

**Jamil Ahmad**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri SK Singh, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>Shri SK Singh, learned counsel for the applicant prays for and is granted four weeks' time to provide Bench copy.</p> <p>With the consent of learned counsel for the parties, list this case on 29.06.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 93 of 2016**

**Smt Sushma Devi**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Pravir Kumar Singh Chauhan, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Shri Namit Sharma, learned counsel for the respondents prays for and is granted three weeks' further time to file supplementary counter affidavit. Supplementary rejoinder affidavit, if any, may be filed by Shri Pravir Kumar Singh Chauhan, learned counsel for the petitioner within two weeks', thereafter.</p> <p>List this case on 11.07.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 146 of 2015**

**Devendra Singh Bhandari**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents and Shri Rohit Triathi, learned counsel for Respondent No. 9 and Wg Cdr Sardul Singh, Departmental Representative.</p> <p>On call of the case, Wg Cdr Abhijit Lal appeared from the unit. He shall file copies of all the documents, orders and circular through an affidavit, as directed by the order dated 30.03.2017. He shall also produce the entire original records on the date fixed.</p> <p>List this case on <b>18.05.2017</b> for further hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, an officer from the unit shall appear in person to assist the Court and file affidavit.</p> <p>Subject to filing an affidavit, the personal presence of Wg Cdr Abhijit Lal is exempted for the next date.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 39 of 2014 with M.A. No. 2274 of 2015 & M.A. No. 2167 of 2016**

**Subhash Mishra**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Dharmesh Sinha, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents and Shri Alok Trivedi, Respondent counsel for the Bank.</p> <p>Shri Alok Trivedi, appeared on behalf of Respondent Bank and prays for and is granted a weeks' time to file affidavit. Replication, if any, may be filed by learned counsel for the applicant within a week, thereafter.</p> <p>List this case on <b>22.05.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 85 of 2014**

**Shyam Neeraj**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Ministry of Defence**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Two weeks' further time is granted to learned counsel for the respondents to file objection to amended portion of Original Application in terms of earlier order dated 10.03.2017. Replication, if any, may be filed within two weeks, thereafter.</p> <p>As agreed by learned counsel for the parties, list this case on <b>29.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 209 of 2015**

**Ram Niwas**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Akhilesh Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the applicant, list this case on <b>12.05.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 310 of 2015**

**Pratap Singh**

By Legal Practitioner for 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>04.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Bachchan Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed, list this case on <b>11.07.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 190 of 2015**

**Sazid Ali**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to prepare the case.</p> <p>As agreed by learned counsel for the parties, list this case on <b>29.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 323 of 2015**

**Pramod Kumar Yadav**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>As agreed by learned counsel for the parties, list this case on <b>28.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 95 of 2016**

**Anil Kumar**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col Rakesh Johri (Retd), learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>As prayed, list this case on <b>13.07.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 32 of 2017**

**J.P. Ahlawat**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col Y.R. Sharma (Retd), learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' and no more time to file counter affidavit. Rejoinder affidavit, if any may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>As agreed by learned counsel for the parties, list this case on <b>28.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 99 of 2017**

**Bashisht Kumar Dwivedi**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri S.G. Singh, learned counsel for the applicant and Mrs. Anju Singh, learned counsel for the respondents.</p> <p><b><u>M.A. No. 772 of 2017</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>As agreed by learned counsel for the parties, list this case on <b>28.06.2017</b> for 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A.No.204 of 2016**

**Mohan Ram**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri A.K.Singh, learned counsel for the respondents.</p> <p style="text-align: center;"><b><u>ORDER (Oral)</u></b></p> <p>1. 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 relief for rounding off of disability pension from 20% to 50% for life.</p> <p>2. The applicant is in receipt of disability pension and he has filed this Original Application for the relief of rounding off of the disability pension. Undisputed facts of the case, as agreed by learned counsel for the parties, is that the applicant was enrolled in the Indian Army on 04.12.1987 and was discharged from service on completion of terms of engagement w.e.f. 01.01.2005 in Medical Category S1H1A2P1E2 (Permanent) for the disability due to OSTEO ARTHRITIS and CHORIORATILIDIES LEFT EYE and the disability was assessed as 20% for life. The applicant submitted a representation on 11.01.2013 before the respondents for rounding off of disability pension, but the same was rejected on 23.01.2013. Aggrieved, the applicant has filed this Original Application. The delay in filing of Original Application has been condoned today.</p> <p>3. Heard Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri A.K.Singh, learned counsel for the respondents alongwith Maj Piyush Thakran, OIC, Legal Cell and perused the record.</p> <p>4. The applicant submitted that he is in receipt of 20% disability</p>

pension for life w.e.f. 01.01.2005 and as per Govt. of India letter dated 31.01.2001, he is entitled for rounding off of disability pension but it has not been granted to him.

5. **Per contra**, the learned counsel for the respondents has submitted that the applicant is in receipt of 20% disability pension for life w.e.f. 01.01.2005 as per PPO dated 02.07.2005. Since the applicant was discharged from the service on fulfilling of his terms and engagement and not invalidated out from service, he is not eligible for the rounding off of disability pension in terms of Government of India, Ministry of Defence letter No. 1(2)/97/D(Pen-C) dated 31.01.2001.

6. We feel to recall the judgment of Hon'ble The Apex Court in the case of **K.J.S. Buttar vs. Union of India and others reported in SCC 2011, XI, 429** wherein Hon'ble The Apex Court has observed that a person who was discharged by retirement on completion of terms of service with a disability, was held to be 'invalided out' and was held entitled to the benefit of 'broad banding'. Hon'ble The Apex Court in Paras 17 & 18 of the judgment of **K.J.S. Buttar** (supra) has observed as under :-

*"17. The respondents submitted that the appellant was not entitled to the above benefits as he had retired on completion of his Short Service Commission of 10 years and had not been invalided out of service.*

*18. In this connection it may be mentioned that the appellant was invalided out and released in a low medical category with permanent disability assessed at 50% by the Release Medical Board. As per the Defence Services Regulations/Pension Regulations for the Army 1961 where any officer is found suffering from disability attributable to or aggravated by Military Service he shall be deemed to have been invalided out of service. Relevant provision (page 25 additional documents) read as under :-*

*53. Officers Compulsorily Retired on Account of Age or on Completion of Tenure.*

*(1) An officer retired on completion of tenure or on completion of terms of engagement or on attaining the age of 50 years (irrespective of their period of engagement), if found suffering from a disability attributable to or aggravated by military service and recorded by service medical authorities, shall be deemed to have been invalided out of service and shall be granted disability pension from the date of retirement, if the accepted degree of disability is 20% or more, and service element, if the degree of disability is less than 20%. The retiring pension/retiring gratuity, if already sanctioned and paid, shall be adjusted against the disability pension/service element, as the case may be.*

*(2) The disability element referred to in clause (1) above shall be assessed on the accepted degree of disablement at the time of retirement/discharge on the basis of the rank held on the date on*

*which the wound/injury was sustained or in the case of disease.  
In our opinion the appellant is entitled to the benefit of the above  
Regulation.”*

7. It is also observed that the Hon'ble Supreme Court in **Review Petition (C) No. 2688 of 2013 in Civil Appeal No. 5591/2006, U.O.I. & ANR vs K.J.S. Buttar** has dismissed the Review Petition both on ground of delay as well as on merits on 21.01.2014.

8. On the issue of rounding off of the disability pension, we feel to recall the judgment and order of Hon'ble The Apex Court in the case of **Union of India and Ors vs Ram Avtar & ors (Civil Appeal No. 418 of 2012 dated 10th December 2014)** in which Hon'ble The Apex Court nodded in disapproval the policy of the Government of India in not granting the benefit of rounding off of disability pension to the personnel who have retired on attaining the age of superannuation or completion of their tenure of engagement, if found to be suffering from some disability.

9. In view of the directions given by Hon'ble The Apex Court in the cases of **K.J.S. Buttar vs. Union of India & others** (supra) and **Union of India & others vs. Ram Avtar** (supra), we are of the considered view that in conformity with the Rules, Regulations and the dictum of law laid down by Hon'ble The Apex Court, the applicant is entitled to the benefit of rounding off of disability pension to 50%.

10. The Original Application No. 204 of 2016 succeeds and is **allowed**. The applicant is entitled for benefit of rounding off and shall be paid enhanced disability pension by rounding off from 20% to 50% for life from the date of discharge i.e. 01.01.2005. The respondents are directed to pay the enhanced disability pension alongwith the arrears within four months from the date of receipt of a certified copy of this order. In case the respondents fail to give effect to this order within the stipulated time, they will have to pay interest @ 9% on the amount accrued from due date till the date of actual payment.

11. No order as to costs.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice D.P. Singh)  
Member (J)

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 745 of 2016 with M.A. No. 1730 of 2016**

**Munisha Devi**

**Applicant**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri OP Kushwaha, learned counsel for the applicant and Maj Piyush Thakran, Departmental Representative.</p> <p>On call of the case, Shri Rajeev Pandey, Advocate, submits that Shri Anurag Mishra is out of station and prays for adjournment of the case.</p> <p>Learned counsel for the applicant has no objection.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on <b>19.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1659 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**Satyapal Singh**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant.</p> <p>On call of the case, Shri Rajeev Pandey, Advocate, submits that Shri Anurag Mishra is out of station and prays for adjournment of the case.</p> <p>Learned counsel for the applicant has no objection.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on <b>19.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 2652 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**SC Saksena**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents prays for and is granted two weeks' further time to file objection against the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>orders</b>.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 488 of 2017**  
**(Inre: T.A. No. 46 of 2016)**

**Dhirendra Narayan Giri**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the petitioner and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>Receipt of cost for Rs. 500/- for recall of the order dated 06.03.2017 in T.A. No. 46 of 2016 filed by Shri Om Prakash Kushwaha, learned counsel for the petitioner is taken on record.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 625 of 2016 with M.A. No. 1430 of 2016 and M.A. No. 1544 of 2016**

**Yogendra Singh Chahal**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rajeev Srivastava, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On call of the case, Shri Vikas Pandey, Advocate submits that he has filed Vakalatnama on 01.03.2016. Let his name be also shown as learned counsel for the applicant on next date of listing.</p> <p>As prayed by Shri Vikas Pandey, list this case on 05.07.2017 for <b>hearing.</b></p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 502 of 2017**  
**(Inre: T.A. No 1234 of 2010)**

**Raj Kumar**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the petitioner and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>On call of the case, Shri VP Pandey, learned counsel for the petitioner submits that cost of Rs 500/- for recall of the order dated 17.01.2017 in T.A. No 1234 of 2010 has already been deposited and receipt for the same shall be filed during course of the day.</p> <p>With the consent of learned counsel for the parties, list this case on 28.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 64 of 2013**

**Chandra Ballabh Bhatt(Deceased) through  
Smt Madhuri Bhatt and another**  
By Legal Practitioner for Applicants

**Applicants**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KK Singh Bisht, learned counsel for the applicants and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>As prayed by Shri KK Singh Bisht, learned counsel for the applicant, list this case at Circuit Bench, Nainital on 18.05.2017 for <b>hearing.</b></p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 158 of 2014**

**Amar Ram**

By Legal Practitioner for Applicants

**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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri SK Pandey, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri SK Pandey, learned counsel for the applicant prays for and is granted four week further time to prepare the case.</p> <p>As agreed by learned counsel for the parties, list this case on 29.06.2017 for <b>hearing</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 190 of 2016**

**Anand Pathak**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 190 of 2016, Anand Pathak Vs. Union of India and Others is allowed.</p> <p>For orders, see our order of date passed in separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 769 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Smt Monika Tiwari**  
By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Rajiv Pandey, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><b><u>M.A. No. 769 of 2017</u></b></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 05 years, 09 months and 28 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 02.05.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>09.08.2017</b> for admission.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**EX-A. No. 75 of 2017**

**Inre: O.A. No. 44 of 2016**

**Krishana Chandra Singh**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 75 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 13th May 2016 passed in O.A. No. 44 of 2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>List this case on <b>26.05.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 1463 of 2016 With M.A. No. 2079 of 2016**

**Ram Vilas Dixit**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Mod Shariq Khan holding brief of Shri SG Singh, learned counsel for the applicant and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p><b><u>M.A. Nos. 1463 and 2079 of 2016</u></b></p> <p>Controversy relates to payment of pension to the rank of Honorary Naib Subedar to the applicant, which itself is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted 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>10.07.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 227 of 2017**

**Inre: O.A. No. Nil of 2017**

**Hind Pal Singh**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Yogesh Agarwal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay. Replication, if any, may be filed within two weeks, thereafter.</p> <p>List this case on <b>28.06.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**M.A. No. 661 of 2013 With M.A. Nos. 529 & 651 of 2016**

**Vikas Pandey**

By Legal Practitioner for 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>03.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>As prayed by Shri PN Chaturvedi, learned counsel for the applicant, four weeks' time is allowed to file amended copy of the Original Application.</p> <p>List this case on <b>26.05.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce the original document pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>