

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

M.A. No. 358 of 2017 In re O.A. No. Nil of 2017

Sudhanshu Parasari Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri Amit Jaiswal, as counsel for the respondents is taken on record. Let his name be shown in the list when the case is next listed.</p> <p>Present: Shri V.A. Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>This case is for new admission. The Application has been filed with a delay of a little over six months.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to the Application for condonation of delay. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 11.05.2017 for admission.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>MH</p>

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

O.A. No. 78 of 2017

Maj K Venkateswara

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri D.K.Pandey, as counsel for the respondents is taken on record. Let his name be shown in the list when the case is next listed.</p> <p>Present : Shri Devansh Bhardwaj, learned counsel for the applicant and Shri D.K.Pandey, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is a case in which vires of statutory provision has been assailed on the ground of invidious discrimination on account of his being an officer of Short Service Commission.</p> <p>Learned counsel for the respondents has raised a preliminary objection submitting that the Applicant has rushed to this Tribunal without ventilating his grievance to the higher authorities by way of filing appeal or statutory representation.</p> <p>The objection raised by learned counsel for the respondents is wholly misconceived inasmuch as where the vires of statutory provision is challenged, it is not necessary for the litigant to approach the authorities by way of filing statutory representation or appeal as the authorities are not vested with the power to undo the statutory provisions under challenge.</p> <p>Coming to the submission of learned counsel for the Applicant, we are not satisfied with the arguments advanced to prop up the challenge to vires of the statutory provisions.</p>

Sensing trouble, the learned counsel for the Applicant seeks time in order to enable him to prepare the case on the dotted lines.

In view of the above, the case is adjourned and is directed to be listed for further hearing on limited point on 27.02.2017.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

EX-A. No. 32 of 2017 In re O.A. No. 100 of 2016

Col Ram Kumar Nayar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri S.G. Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>. The grievance of the Applicant is that the order of the Tribunal dated 21.03.2016 has not yet been complied with despite elapse of more than 11 months.</p> <p>Learned counsel for the respondents however, seeks four weeks more time to seek instructions in the matter.</p> <p>As prayed four weeks' time is allowed to the respondents to either comply with the order or to show cause why the order of the Tribunal dated 21.03.2016 has not yet been complied. In case order is not complied with, the Tribunal would not view the matter with equanimity and would be compelled to take harsh view of the matter.</p> <p>List this case on 23.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>MH</p>

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

M.A. No. 355 of 2017 with M.A. No. 356 of 2017
In re T.A. No. 262 of 2010

Narendra Pal Singh Tomar Petitioner
By Legal Practitioner for the Petitioner
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Memo of appearance filed in court today by Dr. Shailendra Sharma Atal, as counsel for the respondents is taken on record. Let his name be shown in the list when the case is next listed.</p> <p style="text-align: center;">Present: Shri R. Chandra, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted six weeks' time to file objection. Replication if any may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case on 25.05.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; margin-left: 10px;">MH</p>

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

T.A. No. 18 of 2016

Balram Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed in court today by Yogesh Kesarwani, as counsel for the respondents is taken on record. Let his name be shown in the list when the case is next listed.</p> <p>Present : None for the Petitioners and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>The Present T.A which has been received by transfer yet remains to be admitted.</p> <p>A mention has been made that the learned counsel for the Petitioner has gone to Allahabad for casting his vote.</p> <p>In view of the above, the case is adjourned and is directed to be listed for admission on 10.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

EX-A. No. 215 of 2016 In re O.A. No. 288 of 2015

Mukul Saxena

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Anand Saran, learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is informed that in compliance of the order of the Tribunal 16.03.2016 has been complied with vide order dated 08.02.2017 and a copy of which has been supplied to learned counsel for the Applicant.</p> <p>In view of the above, the Application has become infructuous and is accordingly dismissed as infructuous with liberty to the Applicant to approach the appropriate forum if aggrieved by the order passed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

EX-A. No. 3 of 2017 In re O.A. No. 21 of 2014

Gajay Kumar Suman

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is informed that the Government Sanction has been issued and the PPO is in process of being issued.</p> <p>In view of the above, let a copy of the PPO be produced before the Tribunal within four weeks.</p> <p>List on 28.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

EX-A. No. 13 of 2017 In re O.A. No. 69 of 2013

Prashant Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The grievance of the Applicant is that the order of the Tribunal dated 10.05.2016 has not yet been complied with without any valid justification. It would appear that the respondents were granted time on two occasions to submit status report vide orders dated 10.01.2017 and 07.02.2017.</p> <p>Let the order be complied with in letter and spirit within four weeks positively. The compliance report be submitted by the next date fixed in the case failing which the Court would be compelled to proceed accordingly.</p> <p>List this case on 27.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>MH</p>

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

M.A. No. 1464 of 2016

Umesh Chandra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri S.G. Singh, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell and</p> <p style="text-align: center;">It is submitted that objection has already been filed and it is on record. Replication, if any, may be filed within four weeks.</p> <p style="text-align: center;">List this case on 25.05.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 1770 of 2016 with M.A. No. 2342 of 2016
In re O.A. No. Nil of 2016

Amar Bahadur Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Md. Shariq Khan, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Replication filed by learned counsel for the Applicant is taken on record.</p> <p>Learned counsel for the Applicant however prays for some time to prepare the case.</p> <p>As prayed, list this case on 23.05.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 2440 of 2016 In re O.A. No. 311 of 2013

Gulshan Kumar Dogra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Applicant has filed the instant Execution Application lamenting that the order of the Tribunal has not yet been complied with.</p> <p>Four weeks' further time is allowed to file compliance report in terms of the order of the Tribunal dated 12.01.2017.</p> <p>List this case on 23.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

EX-A. No. 33 of 2017 In re T.A. No. 158 of 2010

Prem Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri K.K.S. Bisht, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Four weeks' further time is granted to Ld. Counsel for the respondents to comply with order of this Tribunal dated 08.09.2016 and submit compliance/status report</p> <p>List the case on 24.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

M.A. No. 226 of 2017 In re O.A. No 183 of 2010

Satish Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Brijesh Verma, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents, assisted by Lt Mohsin Adavadar, OIC Legal Cell. (Navy).</p> <p>List on 08.03.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 211 of 2010

Shyam Kumar

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Anand Shekhar Asthana, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List the case on 01.03.2017 for further hearing.</p> <p>Ld. Counsel for the respondents is granted time to file supplementary counter affidavit to supplementary affidavit filed by the applicant on or before the next date fixed.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce the cheque book and other original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 63 of 2012

Sanjay Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Petitioner appeared in person and prayed for adjournment of the case on the ground that his Counsel is not attending Court on account of illness.</p> <p>As prayed, list the case on 30.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 496 of 2012

Nizamuddin

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, learned counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List on 02.03.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 133 of 2010 with M.A. No. 200 of 2017

Yogendra Singh Tomar Petitioner
By Legal Practitioner for the Petitioner

Versus

Govt of India MOD Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri D.K.S. Rathore, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 200 of 2017</u></p> <p>Supplementary Counter Affidavit filed by the respondents is taken on record.</p> <p>M.A.No. 200 of 2017 is disposed of.</p> <p style="text-align: center;"><u>T.A. No. 133 of 2010</u></p> <p>As prayed by Ld. Counsel for the respondents, last opportunity is give to the respondednts to comply order of this Tribunal dated 04.11.2017.</p> <p>List the case on 24.03.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(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 A)

O.A. No. 224 of 2010 along with M.A. No. 371 of 2017

Girish Chandra Tiwari By Legal Practitioner for the Applicant	Applicant
Versus	
Union of India & Others By Legal Practitioner for Respondents	Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 371 of 2017</u></p> <p>Supplementary rejoinder affidavit filed by the applicant is taken on record.</p> <p>M.A.No. 371 of 2017 is disposed of.</p> <p style="text-align: center;"><u>O.A. No. 224 of 2010</u></p> <p>As prayed by Ld. Counsel for the respondents, list the case on 03.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; margin-left: 10px;"><small>anb</small></p>

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

O.A. No. 492 of 2012

Bans Raj Pal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Sri Shri Kant Mishra, learned counsel for the petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the parties, the case is adjourned for the day.</p> <p>List again on 20.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 325 of 2013

Surender Singh Yadav

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri D.K. Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Applicant appeared in person and prayed for adjournemnt on the ground that his counsel is not attending Court on account of illness.</p> <p>As prayed, list the case on 06.04.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 1036 of 2010

Jasawant Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri S.K. Mishra, learned counsel for the petitioner and Dr. Chet Narain Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the petitioner, the case is passed over for day.</p> <p>List again on 01.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 82 of 2012 with M.A. No. 116 of 2016

Mahavir Singh Rawat Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Case is called out. None appeared on behalf of the petitioner to press this application in second round after pass over.</p> <p>Shri RKS. Chauhan, Ld. Counsel for the respondents opposed the petition.</p> <p>T.A. No 82 of 2012 is dismissed for non prosecution.</p> <p>Interim order, if any, is hereby vacated.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p>

anb

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

T.A. No. 103 of 2012

Sita Ram

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Alok Mathur & Shri R. Chandra, learned counsel for the petitioner and Shri Shyam Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard Shri Alok Mathur & Shri R. Chandra, Ld. Counsel for the petitioner and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Maj Soma John. OIC Legal Cell.</p> <p>Arguments concluded.</p> <p>Order is reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 17 of 2015

Trilok Dixit

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Rajiv Manglik & Harsh Singhal, learned counsel for the petitioner and Dr. Shesh Narain Pandey, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Shri Rajiv Manglik, Ld. Counsel for the petitioner submits that the petitioner and his wife have entered into compromise and charges against the petitioner are that he has assaulted his wife causing injuries to her.</p> <p>Let compromise/affidavit be filed by both the husband and the wife, whose signatures shall be verified by the Registrar of the Tribunal.</p> <p>We keep it open to Ld. Counsel for the parties to argue with regard to filing compromise before the Tribunal and compoundability of the offences.</p> <p>List the case on 29.03.2017 for further hearing.</p> <p>The authorities shall grant leave to the petitioner's wife to enable her to approach this Tribunal and file compromise/affidavit.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

M.A. No. 345 of 2017 In re O.A. No. Nil of 2017

Shishpal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Anurag Mishra, Advocate files power on behalf of the respondents, which is taken on record.</p> <p>Heard Col (Retd) A.K. Srivastava, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>This is an application under Section 14 of the Armed Forces Tribunal Act, 2007, filed by the applicant being aggrieved with the impugned order of discharge dated 29.12.2016.</p> <p>It is not disputed that on the basis of medical opinion, the petitioner has been released under LMC P3 (Permanent) category. Since the petitioner has been placed under LMC P3 (Permanent) category, there appears to be no error on the part of the respondents while passing the impugned order of discharge.</p> <p>As regards the submission of learned counsel for the applicant that the applicant belongs to P-2 category and is entitled to continue in service in view of the judgment in the case of Union of India and others versus Rajpal Singh, reported in <i>(2009) 1 SCC 216</i>, we find that the facts and circumstances of the present case are entirely different from one in the case of Rajpal Singh (supra). Moreover, the argument of learned counsel for the applicant that the applicant belongs to P-2</p>

category is not substantiated by medical opinion.

Further submission of learned counsel for the applicant, that the aforesaid medical opinion/recommendation that the applicant belongs to LMC P3 (Permanent) category, is based on some extraneous consideration, does not seem to be sustainable for the reason that no *mala fide* has been alleged against the doctor, who has given the said opinion nor has she been arrayed as respondent in the present OA.

In view of above, the impugned order of discharge dated 29.12.2016 does not seem to suffer from any illegality or impropriety. The OA lacks merit and is hereby dismissed.

At this stage, learned counsel for the applicant submits that he wants to cite certain case-laws and prays for grant of time for further argument.

List this case for further arguments on **01.05.2017**. When the case is next listed, name of Shri Anurag Mishra be shown as counsel for the respondents.

(Air Marshal Anil Chopra)
Member (A)

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

LN/

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

O.A. No. 59 of 2017

Narendra Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents.</p> <p>Heard Shri D.S. Tiwari, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The applicant had filed Execution Application No. 89 of 2016 for compliance of the order of the Tribunal dated 24.11.2015, passed in OA No. 100 of 2013. The said Execution Application was disposed of vide order of this Tribunal dated 27.07.2016 with the direction that in case any amount is further found due/outstanding, it shall be open to the applicant to represent his case to the PCDA (P), Allahabad, who was directed to consider and dispose of the matter within a specified time.</p> <p>Now, the applicant is aggrieved by the impugned order, by means of which he has been asked to deposit at first AGIF disability benefits and the interest at the rate of 10%. The OIC Records had written a letter dated 15.10.2016 to applicant Ex Sub Narender Singh for consent certificate on an affidavit indicating his consent for recovery of AGIF disability benefits. It has been indicated that no positive reply to the said letter has been submitted by the applicant till date.</p>

As is evident from the impugned order dated 20.12.2016, certain information has been required to be submitted by the applicant to proceed further in the matter. No cause of action has arisen at present and the OA seems to have been preferred at premature stage.

Dismissed.

(Air Marshal Anil Chopra)
Member (A)

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

LN/

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

O.A. No. 60 of 2017

Chander Pal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Shyam Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Shyam Singh be shown as counsel for the respondents.</p> <p>Present : Shri D.S. Tiwari, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The applicant is said to have been discharged on his own request, but at the same time he has been declared as an inefficient soldier to continue in military service. The opinion so expressed while discharging the applicant from service <i>prima facie</i> seems to suffer from the vice of arbitrariness.</p> <p>Admit.</p> <p>Six weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 04.05.2017..</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

O.A. No. 61 of 2017

Ram Badan Yadav
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri VPS Vats, Advocate filed memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri VPS Vats be shown as counsel for the respondents.</p> <p>Present : Shri Srikant Mishra, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents, assisted by Col Kamal Singh and Maj Soma John, OIC Legal Cell.</p> <p>Heard learned counsel for the parties.</p> <p>It appears that the applicant has been placed in medical category P-2 for a period of two years with the remark that the next categorisation shall be done on 01.06.2018. A question crops up as to whether the respondents can take steps to discharge the applicant before the said date on account of low medical category.</p> <p>Admit.</p> <p>The respondents are granted six weeks' time to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 09.05.2017. Till the next date of listing, the impugned order dated 29.08.2016, in so far as it relates to the applicant, shall remain stayed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

EX-A. No. 223 of 2016 In re T.A. No. 396 of 2010

Hari Murat Singh Petitioner
By Legal Practitioner for the Petitioner
Versus
Chief of Army Staff & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present Petitioner Hari Murat Singh in person and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Petitioner appeared in person.</p> <p>Vide order dated 11.01.2017, the respondents were granted four weeks' time to comply with the order of this Tribunal dated 07.12.2015 subject to payment of cost of Rs.10000/-. Cost has been deposited. Still the respondents have not complied with the order of the Tribunal and seek four weeks' further time for the same. Subject to payment of cost of Rs.5000/-, they are granted further time to comply with the aforesaid order. Cost so deposited shall be released by the Registry in favour of the petitioner, who appears in person, through cheque.</p> <p style="text-align: center;">List this case for orders on 22.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

EX-A. No. 29 of 2017 In re O.A. No. 151 of 2015

Pramesh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Shailendra Sharma Atal, Advocate has filed memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Dr. Shailendra Sharma Atal be shown as counsel for the respondents!</p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is allowed to the respondents to seek instructions as to why the order of the Tribunal has not been complied with as yet. We hope and trust that by the next date fixed, the order of the Tribunal shall be complied with. The respondents shall submit compliance report on the next date.</p> <p style="text-align: center;">List this case for orders on 22.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

EX-A. No. 30 of 2017 In re O.A. No. 126 of 2013

Satendra Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R. Chandra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard learned counsel for the parties.</p> <p>The respondents as well as the Bank concerned are directed to settle the controversy and implement the order of the Tribunal dated 29.10.2015 passed in OA No. 126 of 2013 in letter and spirit within two weeks. They shall submit compliance report on the next date fixed.</p> <p>List this case for orders on 09.03.2017. In case the order of the Tribunal is not implemented within the time stipulated as above in spite of completing all formalities on the part of the applicant, the respondents shall pay interest at the rate of 10% on the entire outstanding dues from the date of the order of the Tribunal.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

M.A. No. 151 of 2017 with M.A. No. 157 of 2017
In re M.A. No. 79 of 2016

Vijaypal Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K. Mihsra, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, the respondents are granted a week's time to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p style="text-align: center;">List this case for orders on 03.04.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

M.A. No. 331 of 2017 In re T.A. No. 149 of 2010

Union of India & Others By Legal Practitioner for the Petitioner	Applicants
Versus	
Virendra Kumar By Legal Practitioner for Respondents	Respondent

Notes of the Registry	Orders of the Tribunal		
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri G.S. Sikarwar, learned counsel for the applicants alongwith Maj Soma John, OIC Legal Cell .</p> <p><u>M.A.No. 331 of 2017</u></p> <p style="text-align: center;">Heard Shri G.S.Sikarwar, learned counsel for the applicants.</p> <p style="text-align: center;">It has been argued by Shri G.S.Sikarwar, learned counsel for the applicant that the Tribunal has directed for re-trial of respondent Virendra Kumar. However, no substantial question of law of public importance has been pointed out, which is a condition precedent to grant leave to appeal under Section 31 of the Armed Forces Tribunal Act, 2007.</p> <p style="text-align: center;">Accordingly, the application lacks merit and is hereby dismissed.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal Anil Chopra) Member (A)</td><td style="width: 50%; text-align: center;">(Justice D.P. Singh) Member (J)</td></tr></table> <p style="text-align: left; margin-top: 5px;"><small>LN/</small></p>	(Air Marshal Anil Chopra) Member (A)	(Justice D.P. Singh) Member (J)
(Air Marshal Anil Chopra) Member (A)	(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 A)

M.A. No. 334 of 2017 In re T.A. No. 1346 of 2010

Shesh Nath Singh Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Ms Amrita Chakraborty, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Ms Amrita Chakraborty be shown as counsel for the respondents.</p> <p>Present : Shri Ziauddin Khan, learned counsel for the petitioner and Ms Amrita Chakraborty, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p><u>M.A.No. 334 of 2017</u></p> <p>This is an application for recall of the order dated 01.02.2017, by means of which TA No. 1346 of 2010 was dismissed for non-prosecution.</p> <p>Heard learned counsel for the parties.</p> <p>Cause shown is sufficient.</p> <p>Accordingly, the application is allowed. The order dated 01.02.2017 is recalled subject to payment of Rs.500/- as costs which a period of two weeks, which shall be remitted to AFT Bar Association. On deposit of costs as directed above, the petition shall be restored to its original number and be listed for hearing on 01.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left;"><small>LN/</small></p>

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

M.A. No. 343 of 2017 In re O.A. No. 158 of 2014

Amar Ram

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Sarvesh Kumar Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p><u>M.A.No. 343 of 2017</u></p> <p>This is an application for recall of the order dated 10.02.2017, by means of which OA No. 158 of 2014 was dismissed for non- prosecution.</p> <p>Heard learned counsel for the parties.</p> <p>Cause shown is sufficient.</p> <p>Accordingly, the application is allowed. The order dated 10.02.2017 is recalled subject to payment of Rs.200/- as costs which a period of two weeks, which shall be remitted to AFT Bar Association. On deposit of costs as directed above, the petition shall be restored to its original number and be listed for hearing on 03.04.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

T.A. No. 30 of 2016

Shesh Nath Pandey Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Shyam Singh, Advocate has filed memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Shyam Singh be shown as counsel for the respondents!</p> <p>Present : Shri R. Chandra, learned counsel for the petitioner and Shri Shyam Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Parties have already exchange their affidavits.</p> <p>Admit.</p> <p>List this case for hearing on 28.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

T.A. No. 59 of 2016

Nandji Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.K. Shukla, learned counsel for the petitioner and Shri Arun Kumar Sahu, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Shri P.K.Shukla, learned counsel for the applicant, list this case for admission on 03.04.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

EX-A. No. 186 of 2016 In re O.A. No. 29 of 2010

Shiv Shankar Singh Sengar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Col (Retd) Rakesh Johri, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>At the very outset, Shri Shyam Singh, learned counsel for the respondents states that PPO has been issued and a copy of the same has been provided to the applicant.</p> <p>Since PPO has already been issued, this application seems to have lost its efficacy. However, we direct the Bank concerned to release the amounts as per PPO expeditiously, say within a period of one month from the date of receipt of PPO.</p> <p>The application stands disposed of accordingly.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

EX-A. No. 12 of 2017 In re O.A. No. 339 of 2015

Rajender Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri A.K. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Order of the Tribunal dated 23.08.2016 has not been complied with in spite of time granted on 24.01.2017.</p> <p style="text-align: center;">The applicant is suffering from cancer of rectum and cancer of abdomen. In such a pity condition of the applicant, who has served the country, non compliance of the order of the Tribunal within time provided seems to be high handedness on the part of the respondents.</p> <p style="text-align: center;">Keeping in view the financial crunch which the applicant is facing on account of non compliance of the order of the Tribunal (supra) we impose cost of Rs 25,000/- (Rupees twenty five thousand only) on the respondents. We further direct the respondents to comply the order of the Tribunal in letter and spirit and submit compliance report within two weeks.</p> <p style="text-align: center;">The cost shall be deposited by the respondents within two weeks which shall be released in favour of the applicant through cheque by the Registry forthwith.</p> <p style="text-align: center;">Ld. Counsel for the respondents shall inform the Tribunal who are the persons who committed fault by not complying the order of the Tribunal so that cost may be recovered from their pay and allowances, if any, imposed on the next date.</p> <p style="text-align: center;">List the case on 10.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(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 A)

M.A. No. 1876 of 2016 with M.A. No. 1877 of 2016 In re
T.A. No. 1312 of 2010

Roopa Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Cost imposed by order dated 08.11.2016 has not been deposited as per office report dated 20.02.2017.</p> <p style="text-align: center;">On account of non compliance of the order of the Tribunal, the petition is dismissed for non prosecution in view of the provisions contained in Section 35 of CPC.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 132 of 2010

Maan Singh

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present :Petitioner in person. Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Petitioner appeared in person and stated that he has moved application for withdrawal of <i>Vakalatnama</i> of his Counsel Shri P.N. Chaturvedi.</p> <p>We allow the application and permit the petitioner to argue and pursue his case personally.</p> <p>Heard petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by OIC, Legal Cell.</p> <p>Order is reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 264 of 2013

Narender Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant is reported to be out of station.</p> <p>As prayed on his behalf, list the case on 10.04.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 41 of 2015

Parmjit Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties. Arguments could not conclude.</p> <p>List the case on 27.02.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

O.A. No. 163 of 2015

Lt Col Ray Gautam Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Shri V.A. Singh, Ld. Counsel for the applicant is reported to be out of station.</p> <p>As prayed on his behalf, list the case on 21.03.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 202 of 2010

Mukesh Mishra

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Applicant appeared in person and prayed for adjournment of the case on the ground that his counsel Shri P.N. Chaturvedi is not attending Court on account of illness.</p> <p>As prayed, list the case on 29.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

O.A. No. 102 of 2012 with M.A. No. 2591 of 2016

Jeetendra Kumar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the applicant and Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Shri RKS Chauhan, Ld. Counsel for the respondents is reported to be out of station.</p> <p style="text-align: center;">As prayed, list the case on 27.02.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 129 of 2013

Rajendra Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Shri R.P. Shukla, Ld. Counsel for the applicant is reported to be out of station as mentioned by Ld. Counsel Shri V.P. Pandey.</p> <p>List the case on 11.04.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 224 of 2016

Shivjeet Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Ld. Counsel for the applicant may file rejoinder within next two weeks.</p> <p>List this case on 09.05.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 1283 of 2010

Inderjeet Kumar Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri A.K. Singh, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List the case on 03.03.2017 to enable Ld. Counsel for the parties to submit date chart on the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p><small>anb</small></p>

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

T.A. No. 69 of 2013 with M.A. No. 282 of 2017

Col Dayanand

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Col (Retd) Rajesh Johri, Ld. Counsel for the petitioner and Maj Soma John, OIC Legal Cell for the respondents.</p> <p>Shri R.K.S. Chauhan, Ld. Counsel for the petitioner is reported to be out of station.</p> <p>As prayed, list the case on 27.02.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 1 of 2014

Sarbeswar Pattanaik

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R.P. Verma, Ld. Counsel for the petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List the case for further hearing on 22.03.2017 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

T.A. No. 63 of 2016 with M.A. No. 283 of 2017

Shri Ram Yadav Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 283 of 2017</u></p> <p style="text-align: center;">Rejoinder affidavit filed by Ld. Counsel for the applicant is taken on record.</p> <p style="text-align: center;">M.A. No. 283 of 2017 is disposed of.</p> <p style="text-align: center;"><u>T.A. No. 63 of 2016</u></p> <p style="text-align: center;">Let copy of the rejoinder affidavit be forwarded to Ld. Counsel for the respondents within two days.</p> <p style="text-align: center;">List this case on 21.03.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left; font-size: small;">anb</p>

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

M.A. No. 349 of 2017 With M.A. No. 350 of 2017
In Re : T.A. No. 924 of 2010

Shinde SM
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><u>22.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, learned counsel for the applicant and Maj Soma John, OIC Legal Cell for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 349 of 2017</u></p> <p style="text-align: center;">This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The Application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p style="text-align: center;">Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p style="text-align: center;"><u>M.A. No. 350 of 2017</u></p> <p style="text-align: center;">This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p style="text-align: center;">Since the application for condonation of delay has already been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

M.A. No. 339 of 2017 Inre M.A. No. 1572 of 2016
with M.A. No. 2257 of 2016 Inre O.A. No. Nil of 2016

Udai Narayan Singh
By Legal Practitioner for Applicant
Versus
Union of India and Others
By Legal Practitioner for Respondents

Applicant
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri D.N. Pandey, Ld. Counsel for the applicant and Mohd Zafar Khan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p><u>M.A. No. 339 of 2017</u> Heard Ld. Counsel for the parties. Cause shown is sufficient.</p> <p>Order dated 27.01.2017 is recalled subject to payment of Rs. 200.00 (Rupees two hundred). Subject to deposition of cost, the case shall be restored to its original number.</p> <p>Cost shall be deposited by the applicant within a week which shall be remitted to the Bar Association of Armed Forces Tribunal, Lucknow.</p> <p>List the case on 23.03.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

O.A. No. 64 of 2011 with M.A. No. 2403 of 2016

Vijay Kumar By Legal Practitioner for Applicant	Versus	Applicant
Union of India and Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal		
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">List the case again on 07.03.2017 for further hearing.</p> <p style="text-align: center;">Respondents shall produce the record in terms of earlier orders.</p> <table style="width: 100%; border: none; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;">(Air Marshal Anil Chopra) Member (A)</td><td style="width: 50%; text-align: center;">(Justice D.P. Singh) Member (J)</td></tr></table> <p style="margin-left: 20px;">anb</p>	(Air Marshal Anil Chopra) Member (A)	(Justice D.P. Singh) Member (J)
(Air Marshal Anil Chopra) Member (A)	(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 'A'

T.A. No. 37 of 2010
alongwith M.A. No. 286 of 2017 & M.A. No. 348 of 2017

Ghanshyam
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.P. Singh, Ld. Counsel for the petitioner and Shri B.P.S. Vats, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 286 of 2017</u></p> <p>Supplementary affidavit filed by respondents is taken on record.</p> <p style="text-align: center;">M.A. No. 286 of 2017 is disposed of.</p> <p style="text-align: center;"><u>M.A. No. 348 of 2017</u></p> <p>Objection to application for dismissal of the petition is taken on record.</p> <p style="text-align: center;">M.A. No. 348 of 2017 is disposed of.</p> <p style="text-align: center;"><u>T.A. No. 37 of 2010</u></p> <p>Ld. Counsel for the respondents prays for some time to study the case.</p> <p style="text-align: center;">As prayed, list the case on 01.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

T.A. No. 208 of 2010

Gopal Pandey
By Legal Practitioner for Petitioner
Versus

Petitioner

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.C. Tiwari, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">List the case in 'List-B' of Court No. 1 on 28.02.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

T.A. No. 572 of 2010

HCS Rautela
By Legal Practitioner for Petitioner

Petitioner

Versus

Chief of Army Staff and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">List the case on 08.03.2017 for further hearing.</p> <p style="text-align: center;">The records shall be produced by the respondents in terms of earlier orders.,</p> <p style="text-align: center;">Shri Shailendra Sharma Atal, Incharge Litigation shall assist the Tribunal whether during custody under Army Regulation 392 (k), plea of guilty could have been recorded.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

T.A. No. 595 of 2010 with M.A. No. 2054 of 2015

Vijay Keshav Singh
By Legal Practitioner for Petitioner
Versus
Union of India and Others
By Legal Practitioner for Respondents

Petitioner
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Petitioner in person. Shri Anurag Mishra, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>The petitioner present in person prays for adjournment on the ground that his Ld. Counsel Shri P.N. Chaturvedi is not attending Court due to illness. The case is adjourned accordingly.</p> <p>As prayed, list the case on 26.04.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

T.A. No. 633 of 2010

Upendra Singh Chauhan
By Legal Practitioner for Petitioner

Petitioner

Versus

Chief of Army Staff and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Mohd Zafar Khan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">List the case on 08.03.2017 for further hearing.</p> <p style="text-align: center;">The records shall be produced by the respondents in terms of earlier orders.,</p> <p style="text-align: center;">Shri Shailendra Sharma Atal, Incharge Litigation shall assist the Tribunal whether during custody under Army Regulation 392 (k), plea of guilty could have been recorded.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

T.A. No. 983 of 2010

Ajit Singh
By Legal Practitioner for Petitioner

Union of India and Others
By Legal Practitioner for Respondents

Petitioner

Respondents

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Beer Prakash, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the petitioner, list the case on 07.03.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

T.A. 35 of 2011

Union of India & Ors
By Legal Practitioner for Petitioners
Versus

Petitioners

Sanjay Kumar Singh
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Yogesh Kesarwani, Ld. Counsel for the petitioners and Shri Yashpal Singh, Ld. Counsel for the respondent assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Shri Yashpal Singh, Ld. Counsel appearing for the respondent states that in spite of communication, the respondent has not turned up.</p> <p>Let notice be issued by the Registry to the respondent through Registered Post as well as through Chief Judicial Magistrate, Mainpuri (UP) intimating the respondent of the next date. It shall also be indicated in the notice that in case the respondent does not appear or makes alternative arrangement, the case may proceed ex-parte against him.</p> <p>List the case on 07.04.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of date and events.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

Court No. 1
List 'A'

T.A. No. 27 of 2010

Maj Gen Nilendra Kumar
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Dipak Seth, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">A complete copy of amended TA alongwith annexures has been filed by learned counsel for the petitioner in Court after serving its copy to the learned counsel for the respondents. It is taken on record.</p> <p style="text-align: center;">On being asked whys the same was not filed in the Registry, it is submitted that the same was not accepted by the Registry and, therefore the same is being filed in Court.</p> <p style="text-align: center;">The Registrar shall look into the matter and see that whenever amended copy of the TA/OA is filed in the office, the same should be entertained and accepted for being placed on record.</p> <p style="text-align: center;">We have heard learned counsel for the parties at length.</p> <p style="text-align: center;">In the present case, the entire record including Court of Inquiry and Summary of Evidence Is required to be looked into.</p> <p style="text-align: center;">List this case for further hearing on 08.03.2017. Let the entire original record including the noting of the Ministry be placed before the Tribunal on the said date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

T.A. No. 15 of 2014 with M.A. No. 1151 of 2016

Major Kunwar Ambreshwar Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri V.A. Singh, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>As prayed by learned counsel for the parties, list this case alongwith TA No. 1368 of 2016 for hearing on 23.03.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

T.A. No. 84 of 2016

Devendra Singh Kushwaha
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Nishant Verma, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Amendment application filed by Shri Nishant Verma, learned counsel for the petitioner is taken on record.</p> <p>As prayed by Dr. Shailendra Sharma Atal, learned Standing Counsel appearing for the respondents, he is granted two weeks' time to file objection. Replication, if any, may be filed within a week thereafter.</p> <p>List this case for hearing on 21.03.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

M.A. No. 1411 of 2016 with M.A. No. 1412 of 2016,
M.A. No. 229 of 2017 & M.A. No. 230 of 2017
Inre T.A. No. 1278 of 2010

VV Khandekar Rao
By Legal Practitioner for Petitioner
Versus
Union of India and Others
By Legal Practitioner for Respondents

Petitioner
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Kaushik Chatterji, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Two weeks' time, as prayed by respondents' counsel is allowed to file objection to the supplementary affidavit filed by the petitioner. The petitioner shall thereafter have two weeks' time to file replication.</p> <p>List this case for hearing on 30.03.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

O.A. No. 63 of 2010

Rupesh Vardhan
By Legal Practitioner for Applicant

Applicant

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri R. Chandra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Heard learned counsel for the parties at some length.</p> <p>List this case for further hearing on 06.03.2017. The respondents shall find out and inform the Tribunal on the date fixed as to whether the applicant can be accommodated/adjusted in the Army with the change of trade, in case the impugned order of dismissal is set aside.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

Court No. 1
List 'A'

O.A. No. 108 of 2010 with M.A. No. 127 of 2016
& M.A. No. 1201 of 2016

Barde Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p><u>M.A.No. 1201 of 2016</u></p> <p>We have heard Shri V.P.Pandey, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell at length and perused the record.</p> <p>This is an application under Section 5 of the Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 (hereinafter referred to as the Act), for condonation of delay in preferring the present OA under Section 14 of the Act,</p> <p>The present OA has been preferred for setting aside the impugned order dated 11.03.1980, by means of which the applicant's husband late Sepoy Jaspal Singh was dismissed from service.</p> <p>Submission of Shri V.P.Pandey, learned counsel for the applicant is that after the death of applicant's husband on 03.09.1994, due to financial crunch and for many other compelling reasons, she could not approach the appropriate forum for redressal of her grievance, hence delay has been caused in preferring this OA. According to the learned counsel for the applicant, cause shown is sufficient and delay in filing the present OA is liable to be condoned.</p> <p>On the other hand, the application for condonation of delay has been vehemently opposed by the respondents. Their</p>

submission is that the cause of action relates back to the year 1980, when the impugned order of dismissal against the applicant's husband was passed on 11.03.1980. There is inordinate delay in preferring the present OA. According to the respondents' counsel, the applicant's deceased husband had not approached any forum during his life-time and the applicant herself has approached this Tribunal after a lapse of almost sixteen years. The applicant has failed to explain day-to-day delay of 32 years and 22 days.

It is well settled that courts should be liberal with regard to condonation of delay and doors of the court should not be closed to advance substantial justice to the needy on the ground of delay. In the present case, however, the fact remains that there is a delay of more than 32 years in approaching the Tribunal. The courts must be satisfied keeping in view the pleadings on record with regard to condonation of delay. The forum or the court should not be taken as granted to ventilate the grievance. The provisions of Section 5 of the Limitation Act read with Section 22 of the Armed forces Tribunal Act extend statutory right to the respondents to oppose such application and in case it is filed beyond time, such statutory rights should not be taken lightly and the application must be decided keeping in view the pleadings on record.

In the case of *Balwant Singh (Dead) versus Jagdish Singh and others*, reported in (2010) 8 SCC 685, their Lordships of the Supreme Court has held as under:

“34. Liberal construction of the expression ‘sufficient cause’ is intended to advance substantial justice which itself presupposes no negligence or inaction on the part of the applicant, to whom want of bona fide is imputable. There can be instances where the Court should condone the delay; equally there would be cases where the Court must exercise its discretion against the applicant for want of any of these ingredients or where it does not reflect ‘sufficient cause’ as understood in law. [Advanced Law Lexicon, P. Ramanatha Aiyar, 2nd Edition, 1997]

35. The expression ‘sufficient cause’ implies the presence of legal and adequate reasons. The word ‘sufficient’ means adequate enough, as much as may be necessary to answer the purpose intended. It embraces no more than that which provides a plentitude which, when done, suffices to accomplish the purpose intended in the light of existing circumstances and when viewed from the reasonable standard of practical and cautious men. The sufficient cause should be such as it would persuade the Court, in exercise of its judicial discretion,

to treat the delay as an excusable one. These provisions give the Courts enough power and discretion to apply a law in a meaningful manner, while assuring that the purpose of enacting such a law does not stand frustrated.”

In a recent case i.e. Maniben Devraj Shah versus Municipal Corporation of Brihan Mumbai, reported in (2012) 5 SCC 157, the Hon’ble Supreme Court held that the courts are empowered to condone the delay provided that sufficient cause is shown by the applicant for not availing the remedy within the prescribed period of limitation.

Keeping in view the pleadings on record, it appears that the applicant’s husband late Sepoy Jaspal Singh himself did not think it fit to approach or knock the door of the Tribunal or any appropriate forum within the prescribed period of limitation to ventilate his grievance against the dismissal order which was passed on 11.03.1980, though he died on 03.09.1994. Even after the death of her husband, the applicant kept silent upto 2010. It may be argued by the applicant that being a lady, she was ignorant of her right. The question is not about the ignorance of right, but it relates to duty of her husband to defend his case while he was surviving after more than 14 years of passing of the dismissal order. In such circumstances, we find that the applicant has miserably failed to show sufficient cause, which may make out a case for condonation of delay in preferring the OA.

One of the arguments raised by learned counsel for the applicant is that the applicant’s husband tried his best to approach the appropriate forum to ventilate his grievance against the impugned order of dismissal. May it be, the fact remains that the applicant or her husband has not approached the High Court or later on this Tribunal within a reasonable time showing sufficient cause to make out a case for condonation of delay.

In view of above, we find that cause of delay has not been satisfactorily explained. The application lacks merit and is hereby rejected.

In consequence, the OA also being not maintainable is hereby dismissed.

(Air Marshal Anil Chopra)

(Justice D.P. Singh)

	Member (A)	Member (J)
	LN/	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

M.A. No. 304 of 2017 Inre O.A. No. Nil of 2017

Ram Khelawan Singh
By Legal Practitioner for Applicant
Versus

Applicant

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri G.S.Sikarwar, as counsel for the respondents is taken on record. Let his name be shown in the cause list when the case is next listed.</p> <p>Present: Shri Yashpal Singh, Ld. Counsel for the applicant and Shri G.S.Sikarwar, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>It is a case for new admission.</p> <p>Learned counsel for the respondents prays for time to file objection. As prayed, six weeks' time is granted to file objection. Replication, if any, may be filed within four weeks next thereafter.</p> <p>List this case for admission on 22.05.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

Court No. 1
List 'A'

O.A. No. 50 of 2017

Nanda Singh
By Legal Practitioner for Applicant

Union of India and Others
By Legal Practitioner for Respondents

Applicant

Respondents

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri Ashish Kumar Singh, as counsel for the respondents is taken on record. Let his name be shown in the cause list when the case is next listed.</p> <p>Present: Mohd Murtaza Hasan, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>A preliminary objection has been raised by learned counsel for the respondent that the present Application is not accompanied with any application seeking condonation of delay in filing the Application. However, office has not affixed any report about the Application being barred by time.</p> <p>Learned counsel for the Applicant admits that there is delay.</p> <p>In view of the above, the Application being time barred is not maintainable in view of the provisions contained in the Armed Forces Tribunal Act 2007, particularly when it is not accompanied with any Application for condonation of delay.</p> <p>Thus, the O.A is dismissed as barred by time with liberty to the Applicant to file fresh O.A if advised.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

Ex-A No 23 of 2017 Inre O.A. No. 310 of 2016

Surendra Kumar Kushwaha
By Legal Practitioner for Applicant

Applicant

Versus

Chief of the Army Staff and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Rajat Pratap Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Present Execution Application has been preferred with the grievance that the order of the Tribunal dated 06.12.2016 has not yet been complied with despite peremptory direction in the order that the same would be complied with within four months.</p> <p>Learned counsel for the respondents seeks four weeks' further time to seek instructions as to why the order of the Tribunal aforesaid has not yet been complied with. As prayed, four weeks' time is allowed to seek response from the authority concerned as to why the order of the Tribunal has not been complied with as yet.</p> <p>List this case on 21.03.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

Court No. 1
List 'A'

M.A. No. 1 of 2017 with R.A. No. 1 of 2017
Inre O.A. No. 160 of 2010

SRP Singh
By Legal Practitioner for Applicant
Versus

Applicant

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lal Chandra Sahu, Ld. Counsel for the applicant and Shri A.K. Gupta, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents seeks six weeks' time to file objection to the Application for condonation of delay in filing Review Application. Replication if any may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case on 02.05.2017 for orders.</p> <p style="text-align: center;">It is amusing that on being asked as to under what provisions the present Review Application has been filed, the counsel for the Applicant could not tell and pleaded that he was new in the profession as he was earlier serving in the Air Force. Be that as it may, he has been asked to prepare himself well to answer the query of the Court.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

M.A. No. 311 of 2017 with M.A. No. 312 of 2017

Inre O.A. No. 34 of 2015

Ram Singh Yadav

Applicant

By Legal Practitioner for Applicant

Versus

Union of India and Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri D.S. Yadav, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Present O.A was dismissed for default vide order dated 28.11.2016. The case is listed for recall of the aforesaid order as well as for condonation of delay in filing the Recall Application.</p> <p>As prayed, six weeks' time is allowed to file counter affidavit to the Application filed for Recall of the order dated 28.11.2016 as well as the Application seeking condonation of delay in filing the aforesaid Recall Application. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 08.05.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

M.A. No 327 of 2017 with M.A. No. 328 of 2017
Inre T.A. No. 700 of 2010

Anand Kumar Srivastava
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Manjive Shukla, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>This is an Application for recall of the order dated 06.12.2016 whereby the T.A had been dismissed as having abated with accompanying Application for condonation of delay in filing the aforesaid recall Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to the Application for condonation of delay as well as to the Application for Recall as aforesaid. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 01.05.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

Ex-A No 6 of 2017 Inre O.A. No. 322 of 2013

Manish Shukla
By Legal Practitioner for Applicant
Versus

Applicant

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri S.N. Singh Gaherwar, Ld. Counsel for the applicant and Ms Deepti Prasad Bajpai, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC, Legal Cell.</p> <p>This is an Execution Application seeking implementation of the order of the Tribunal dated 20.11.2015. The grievance is that despite elapse of more than a year, the order of the Tribunal has not yet been complied with.</p> <p>Learned counsel for the respondents prays for time in order to enable her to seek response why the order of the Tribunal has not yet been complied with.</p> <p>It is perturbing that the Authorities have sat tight over the matter for more than a year constraining the Applicant to move this Tribunal again for enforcing obedience to the order. In our view it is a fit case in which the Applicant should be recompensed with cost.</p> <p>As prayed, four weeks' time is granted to learned counsel for the respondents of course subject to payment of cost which we quantify at Rs 10,000/- (ten thousand). The cost shall be deposited with the</p>

Registrar of the Tribunal within a week. On deposit of cost, the same shall be released in favour of the Applicant by crossed cheque.

List this case on 06.04.2017 for orders.

**(Air Marshal Anil Chopra)
Member (A)**

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

MH

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

Ex-A No 7 of 2017 Inre O.A. No. 31 of 2016

Abhishek Kumar
By Legal Practitioner for Applicant
Versus
Union of India and Others
By Legal Practitioner for Respondents

Applicant
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri S.S. Rajawat, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>This is an Execution Application seeking implementation of the order of the Tribunal dated 22.08.2016. The grievance of the Applicant is that despite elapse of more than the stipulated period, the order has not yet been complied with compelling the Applicant to file the instant Execution Application.</p> <p>It may be noticed that by order dated 18.01.2017, a notice was issued to show cause why the order of the Tribunal has not yet been complied with. To our chagrin, no cause has been shown and instead, learned counsel for the respondents seeks further time to seek response from the authorities concerned.</p> <p>It is perturbing that the Authorities have sat tight over the matter constraining the Applicant to move this Tribunal again for enforcing obedience to the order. In our view it is a fit case in which the Applicant should be recompensed with cost.</p> <p>As prayed, four weeks' time is granted to learned counsel for the respondents of course subject to payment of</p>

cost which we quantify at Rs 10,000/- (ten thousand). The cost shall b deposited with the Registrar of the Tribunal within a week. On deposit of cost, the same shall be released in favour of the Applicant by crossed cheque.

List this case on 03.04.2017 for orders.

**(Air Marshal Anil Chopra)
Member (A)**

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

MH

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

M.A. No. 2372 of 2016 with M.A. No. 2373 of 2016
Inre T.A. No. 1368 of 2016

Kunwar A Singh
By Legal Practitioner for Petitioner
Versus

Petitioner

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>It is reported that there is a delay of more than four years in filing the Recall/restoration Application.</p> <p>Learned counsel has explained the delay submitting that initially the brief was with Applicant's counsel namely Shri S.K.Rai, who left for heavenly abode after prolonged illness. When the Applicant came to know of the death of his counsel, he immediately tried to get hold of the brief but could not get it. Hence the file was reconstructed and it was thereafter that the present Recall/Restoration Application was filed.</p> <p>In our considered view, the cause shown is sufficient. Hence delay in filing the Recall/Restoration Application is condoned.</p> <p><u>M.A. No 2372 of 2016</u></p> <p>In view of the above, the Application for condonation of delay is allowed.</p> <p><u>M.A. No 2373 of 2016</u></p> <p>In view of the above, the M.A aforesaid is allowed.</p>

T.A.No 1368 of 2016

The T.A aforesaid shall stand restored to its original number of course subject to payment of cost of Rs 1000/- which shall be deposited with the Registrar of the Tribunal within a week. On deposit of the said amount, the same shall be remitted to the Accounts of the Local Bar Association, Armed Forces Tribunal, for upgradation of its Library etc through account payee cheque.

List this case for hearing on 23.03.2017.

**(Air Marshal Anil Chopra)
Member (A)**

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

MH

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1

List 'A'

M.A. No. 2724 of 2016 Inre O.A. No. 189 of 2016

Ram Prakash

Applicant

By Legal Practitioner for Applicant

Versus

Union of India and Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri V. P. Pandey, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC, Legal Cell.</p> <p>It is submitted by learned counsel for the respondents that copy of the appellate order deciding the appeal preferred by the Applicant, has been served to learned counsel for the Applicant.</p> <p>In view of the above, the case is rendered infructuous and is accordingly dismissed as having become infructuous. However, the Applicant would be at liberty to file fresh petition in case he feels aggrieved by the order passed by the appellate authority alongwith other orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

M.A. No. 58 of 2017 Inre T.A. No. 35 of 2013

Hira Singh
By Legal Practitioner for Applicant
Versus

Petitioner

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, Ld. Counsel for the Petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Learned counsel for the petition submits that the cost imposed by the Tribunal has already been deposited.</p> <p>It is a case of plural marriage. The submission of the learned for the Applicant starts with the argument that during pendency of case in the civil courts, the parties entered into a compromise and by this reckoning, the allegations of plural marriage consequent to which the petitioner was punished, shall be rendered non-est.</p> <p>In our considered view, the argument to the above extent is wholly misconceived inasmuch as it is well settled that there cannot be a compromise or estoppel against the provisions of law compromising the rights of the parties and it shall not render the order passed by the Army redundant whereby the petitioner has been punished on account of plural marriage.</p>

However, at this stage, learned counsel for the Petitioner submits that he would press the arguments on merits.

In view of the request made by learned counsel for the Petitioner, the case is ordered to be listed for further hearing on 21.03.2017.

**(Air Marshal Anil Chopra)
Member (A)**

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

MH

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

Court No. 1
List 'A'

O.A. No. 302 of 2011

Brijendra Kumar Singh
By Legal Practitioner for Applicant
Versus
Union of India and Others
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Applicant in person and Dr. S.N. Pandey, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">Applicant appeared in person and prayed for adjournment of the case.</p> <p style="text-align: center;">List this case on 23.03.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A) MH</p> <p style="text-align: right;">(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 'A'

O.A. No. 236 of 2016 with M.A. No. 2515 of 2016
& M.A. No. 209 of 2017

Kunal Krishna Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Dr. Ashish Asthana, Ld. Counsel for the applicant and Shri D.K. Pandey/Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell. Ms Soma Pandey, learned counsel for respondent no 7.</p> <p>As prayed, two weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 03.05.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

Court No. 1
List 'A'

O.A. No. 256 of 2016

Ajay Kumar Singh
By Legal Practitioner for Applicant
Versus
Union of India and Others
By Legal Practitioner for Respondents

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.S. Rajawat, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case on 02.05.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

T.A. No. 132 of 2010

Maan Singh
By Legal Practitioner for Petitioner
Versus
Union of India and Others
By Legal Practitioner for Respondents

Petitioner
Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Petitioner in person and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Petitioner appeared in person and prayed for adjournment of the case submitting that he would himself argue the case. The prayer made by the Petitioner is not accompanied with any Application withdrawing power from his counsel.</p> <p>List this case on 22.02.2017 for orders. In the meantime, let appropriate Application be moved accordingly.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 299 of 2017 In re T.A. No. 1451 of 2010

Union of India & Others

Applicant

By Legal Practitioner for the Applicant

Versus

Anil Kumar

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Dinesh Kumar, learned counsel for the applicant, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Present Application has been preferred under section 30 (1) of the Armed Forces Tribunal Act, 2007 seeking grant of leave to appeal, being aggrieved by the order passed in T.A No 1451 of 2010.</p> <p>The solitary ground urged is that Rule 177 does not mandate that a court of inquiry must invariably be set up in each and every case prior to recording of summary of evidence or convening of a court martial. Be that as it may, the issue in question being agitated before us by the learned counsel for the Applicant has been dealt with and decided, regard being had to the decisions of the Apex Court in Lt Col Prithi Pal Singh Bedi vs Union of India and Ors (AIR 1982 SC 1413). In this view of the matter, no substantial question of law of public importance seems to be involved in order to make out a case for grant of leave to appeal.</p> <p>Thus, the Application for leave to appeal lacks merit and is accordingly rejected.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

O.A. No. 33 of 2017

Tarjan Kumar

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Vijay Kumar Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>The affidavit filed by the Applicant today in court is taken on record.</p> <p>In the instant case, the Applicant has filed an affidavit clearly mentioning therein that in observance of the order of this Tribunal dated 31.01.2017, he had approached the Authorities with the request to permit him to resume duty but they declined. The relevant portion of the order being relevant is abstracted below.</p> <p style="padding-left: 40px;">“However, it is made clear that it would be open to the Applicant to report for duty which shall be subject to the appropriate proceedings which may be conducted in accordance with Rules, if required, in the facts and circumstances of the present case.”</p> <p>From the affidavit, it would crystallise that the Applicant was prohibited to resume duty notwithstanding the order of the Tribunal attended with direction that we had given liberty to proceed against the Applicant in accordance with rules for</p>

overstaying the leave. The names of the officers who were involved in prohibiting the Applicant from resuming the duty are enumerated in the affidavit filed by the Applicant.

In view of the above, it would be necessary to have affidavit of the officers including respondent nos. 3 and 4 showing why they stopped the Applicant from resuming duty in the face of the order of the Tribunal. It is made clear that in case no affidavit is filed, they would appear in person before this Tribunal.

However, in the meantime, liberty is given to the aforesaid officers to send a letter to the Applicant fixing therein a date for resumption of duty by him subject to furtherer orders by this Court.

Let a copy of this order be supplied to the learned counsel for the respondents/OIC Legal Cell by tomorrow.

The case is ordered to be listed on **07.03.2017** for orders.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

EX-A. No. 240 of 2016 In re O.A. No. 184 of 2010

Ramesh Chandra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri R.Chandra, learned counsel for the applicant and Shri R.C. Shukla, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is a case in which the Applicant has come up for the relief of order directing respondents to implement the order dated 12.01.2016 which mentioned four months within which the order was to be complied with. More than a year has elapsed since then but there is no compliance.</p> <p>In this connection, we may also refer to the orders passed by the Tribunal dated 08.12.2016, and 13.01.2017 whereby repeated time was granted to enable them to seek compliance of the final order of the Tribunal dated 12.01.2016.</p> <p>Now the learned counsel for the respondents as also OIC Legal Cell, seek four weeks' further time to seek instructions in the matter.</p> <p>It makes us sadder that in almost every case, the Applicants have to rush to this Tribunal seeking implementation of the order which makes further dent on their pockets besides suffering harrowing torment. In no case, OIC Legal Cell seeks extension for compliance of the order and it is the applicant which bear the brunt and bring it to the notice of the Court that Army Authorities have not yet complied with the order. It is</p>

indeed a sorry state which needs to be remedied. In case the situation is not remedied, the Tribunal will have no option but to deal such non compliance with penal action.

Looking to the facts and circumstances and regard being had to commiserating submissions, we are inclined to grant four weeks' further time to seek instructions and file affidavit why inspite of the repeated orders of the Tribunal, the order has not been observed in compliance. However it shall be subject to payment of cost which we quantify at Rs 10,000/- which shall be deposited with the Registrar of the Tribunal through cheque within a week. Immediately on deposit of the cost, the same shall be released in favour of the Applicant through crossed cheque.

List this case on 21.03.2017 for orders.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

M.A. No. 2699 of 2016 Inre O.A. No. Nil of 2016

Devendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri S.S. Rajawat, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>In the instant case, the Applicant is yet to be admitted as it involves the delay of more than six years.</p> <p>As prayed by learned counsel for the respondents, four weeks further time is allowed to file objection. Replication if any may be filed within four weeks next thereafter.</p> <p>List this case on 24.04.2017 for admission.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 2705 of 2016 In re O.A. No. Nil of 2016

Sunil Tiwari

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Virat Anand Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It would appear that petition is not yet admitted as counsel for the Applicant has to be heard on delay.</p> <p>Two weeks' further time is allowed to file objection. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 08.05.2017 for admission.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 2724 of 2016 In re O.A. No. 189 of 2016

Ram Prakash

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is stated across the bar by learned counsel for the respondents that the appeal against the impugned order of punishment has already been decided by the competent authority, though copy of the order has not yet been supplied to the learned counsel for the Applicant.</p> <p>In view of the above, as prayed by learned counsel for the respondents, the case is ordered to be listed on 21.02.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

M.A. No. 116 of 2017 In re EX-A. No. 41 of 2016
& O.A. No. 78 of 2013

Shiv Murat Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Col (Retd) Ashok Kumar & Shri Rohit Kumar, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is submitted by learned counsel for the respondents assisted by OIC Legal Cell that the order of the Tribunal has been complied with and the PPO shall be issued very soon. In the order of the Tribunal dated 20.01.2017, the reason spelt out for the delay was that the Govt sanction and the PPO issued required certain correction.</p> <p>In view of the above, four weeks' further time is allowed to the respondents to produce copy of the Govt sanction and the PPO.</p> <p>The case is ordered to be listed on 21.03.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

T.A. No. 57 of 2016 with M.A. No. 2666 of 2016

Santosh Kumar Tripathi Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri O.P.Kushwaha, holding brief of learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>A mention has been made by Shri O.P.Kushwaha, Advocate, holding brief of learned counsel for the petitioner to adjourn the case as the counsel for the Petitioner has not attended the Court on account of some personal difficulties.</p> <p>In the instant case, replication to objection was to be filed which has not been filed despite time having been granted.</p> <p>It is an old relating back to the year 1991 and therefore, we would not relish to postpone the case on account of absence of learned counsel for the Petitioner. Let it be informed that the case would not be postponed henceforth.</p> <p>As prayed, the case is adjourned and is directed to be listed for orders on 07.03.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

O.A. No. 266 of 2011

Chand Pati

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri H.N.Tiwari, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case substantially is that the marriage of respondent no 5, who was the wife of the deceased and who has remarried after the death of the deceased had in fact not been consummated as Gona ceremony remained yet to be performed. On the other hand, learned counsel for the respondent no 5. Repudiated the submission and stated that Gona ceremony had already taken place before the death of the deceased and the marriage was consummated.</p> <p>Be that as it may, the case is adjourned and is directed to be listed for orders on 03.04.2017 on which date relevant papers including case-laws in support of their respective contention shall be produced for perusal of the Bench.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

O.A. No. 278 of 2012

Hemendra Kumar

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Bachchan Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Short counter affidavit filed today is taken on record.</p> <p>Four weeks and no more time is allowed to file counter affidavit by respondent no 6. Replication, if any may be filed within two weeks next thereafter.</p> <p>List this case for hearing on 05.04.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>MH</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
List 'A'

T.A. No. 58 of 2016

Vinay Shankar Dwivedi
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>List this case on 28.02.2017 for rehearing. Registry shall issue notice to parties concerned.</p> <p>(Air Marshal Anil Chopra) Member (A) <i>gsr</i></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 'A'

OA No. 303 of 2012

Raj Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India and Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Diwakar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p>Heard Shri Diwakar Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by OIC, Legal Cell at length.</p> <p>Order is reserved.</p> <p>It shall be open for the parties to submit written arguments and synopsis of case law by 22.02.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p> <p><i>gsr</i></p>

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

O.A. No. 123 of 2010 with M.A. No. 2232 of 2016,
M.A. No. 2443 of 2016 & M.A. No. 330 of 2017

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.A. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 2443 of 2016</u> Supplementary affidavit filed by the respondents is taken on record. M.A. No. 2443 of 2016 is disposed of. <u>M.A. No. 2232 of 2016.</u> Supplementary counter affidavit filed on behalf of respondent No. 1 is taken on record. M.A. No. 2232 of 2016 is disposed of. <u>M.A. No. 330 of 2017</u> Supplementary affidavit filed by the respondents is taken on record. M.A. No. 330 of 2017 is disposed of. <u>O.A. No. 123 of 2010</u> Ld. Counsel for the respondents Shri G.S. Sikarwar states that he has already filed summary of evidence. Ld. Counsel for the applicant prays for and is granted time to file reply. List the case on 10.03.2017 for hearing. On the date fixed, Ld. Counsel for the Respondents</p>

shall produce original documents pertaining to case for perusal of the Bench.

Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.

(Air Marshal Anil Chopra)
Member (A)

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

gsr

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

O.A. No. 224 of 2010

Girish Chandra Tiwari
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List the case for hearing on 23.02.2017 to enable Ld. Counsel for the applicant to file affidavit.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

O.A. No. 324 of 2013

Prabodh Nath Tiwari
By Legal Practitioner for the Applicant
Versus

Applicant

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC, Legal Cell at length.</p> <p>Order is reserved.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

O.A. (A) No. 167 of 2014

Hav Govind Singh Bisht
By Legal Practitioner for the Applicant
Versus

Applicant

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : None for the applicant. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Case is called out. None appeared on behalf of the applicant to press this application in second round after pass over.</p> <p>Ld. Counsel for the respondents Shri Dr. Shailendra Sharma Atal is present.</p> <p>O.A. (A) 167 of 2014 is dismissed for non prosecution.</p> <p>Interim order, if any, is hereby vacated.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

Court No. 1 (List A)

T.A. No. 27 of 2010

Maj Gen Nilendra Kumar
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Dipak Seth, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List the case on 21.02.2017 for further hearing.</p> <p style="text-align: center;">Ld. Counsel for the petitioner shall file complete copies of the amended petition along with annexures.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

T.A. No. 635 of 2010

Anil Joshi
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, list the case on 20.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

T.A. No. 1207 of 2010

Smt. Vimla Devi
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present :Shri Rohit Kumar, Ld. Counsel for the petitioner and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, list the case on 20.03.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>

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

T.A. No. 1283 of 2010

Inderjeet Kumar
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri A.K. Singh, Ld. Counsel for the petitioner and Col Kamal Singh, OIC Legal Cell for the respondents. .</p> <p>OIC, Legal Cell informed that Ld. Counsel for the respondents is not available today and prayed for adjournment of the case. Ld. Counsel for the petitioner has no objection to it.</p> <p>As prayed, list the case on 22.02.2017 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>Gsr</p>

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

T.A. No. 1455 of 2010 with M.A. No. 1693 of 2016
& M.A. No. 101 of 2017

Sarvjit Singh
By Legal Practitioner for the Petitioner
Versus

Petitioner

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.02.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the petitioner, list the case on 22.03.2017 for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>gsr</p>