

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

Ex-A/217 of 2016 Inre M.A. No. 1955 of 2015

Pushpendra 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>30.01.2017</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.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 style="text-align: center;">On the request made by Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, four weeks' further time is granted to submit compliance report with regard to implementation of Tribunal's order dated 30.10.2015.</p> <p style="text-align: center;">List the case on 06.03.2017 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)

M.A. No. 1890 of 2016 with M.A. No. 2458 of 2016
and M.A. No. 2749 of 2016 Inre O.A. No. Nil of 2016

Dharmendra 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>30.01.2017</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.S. Bisht, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 2458 of 2016</u></p> <p style="text-align: center;">Objection filed by respondents to application for condonation of delay is taken on record.</p> <p style="text-align: center;">M.A. No. 2458 of 2016 is disposed of.</p> <p style="text-align: center;"><u>M.A. No. 2749 of 2016</u></p> <p style="text-align: center;">Reply filed by applicant to objection filed by the respondents is taken on record.</p> <p style="text-align: center;">M.A. No. 2749 of 2016 is disposed of.</p> <p style="text-align: center;"><u>M.A. No. 1890 of 2016</u></p> <p style="text-align: center;">This is an application for condoning delay of about one year in filing the Original Application.</p> <p style="text-align: center;">We have heard Shri K.K.S. Bisht, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel appearing for the respondents assisted by Maj Soma John, OIC, Legal Cell.</p> <p style="text-align: center;">It is argued by Ld. Counsel for the applicant that the applicant was discharged from service on 07.01.2015. However, copy of the discharge order has not been provided even till</p>

today. Only Part II order has been issued. Ld. Counsel for the applicant further submits that the applicant moved application under the Right to Information Act in pursuance to which certain documents were provided to him on 29.11.2015. Accordingly, submission is that the delay caused is neither intentional nor deliberate, hence is liable to be condoned.

Per contra, submission of Ld. Counsel for the respondents is that that all required documents were provided to the applicant. However, it is true that only Part-II order was issued and applicant was provided certain documents through Right to Information Act. He submitted that day-to-day delay has not been explained. There appears deliberate commission and omission on the part of the applicant.

Having heard Ld. Counsel for the parties at length, we are of the view that cause shown is sufficient for purpose of condonation of delay.

Accordingly, we condone the delay and **admit** the O.A.

As prayed by Ld. Counsel for the respondents, six weeks' time is granted for filing counter affidavit. Rejoinder affidavit may be filed by the applicant within two weeks thereafter.

List the case on **01.05.2017** for orders.

(Air Marshal Anil Chopra)
Member (A)

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

anb

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
and M.A. No. 1201 of 2016

Barde Devi
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>30.01.2017</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 style="text-align: center;">Ld. Counsel for the applicant prays for and is granted one week's further to file replication to objection filed by the respondents.</p> <p style="text-align: center;">As prayed, list the case on 06.02.2017 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>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. 26 of 2017 along with M.A. No. 197 of 2017

Lt Col Anil Kumar 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>30.01.2017</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 Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p><u>M.A. No. 197 of 2017</u> Counter affidavit filed by respondents is taken on record. M.A. No. 197 of 2017 is disposed of.</p> <p><u>O.A. No. 26 of 2017</u> Along with the counter affidavit, respondents have annexed copy of order dated 25.01.2017 considering application moved by the applicant for extension of further service.</p> <p>To enable Ld. Counsel for the applicant to submit response or seek instructions, list the case again on 01.02.2017 for orders.</p> <p>Copy of the order be supplied to Ld. Counsel for the parties on payment of usual charges today.</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. 169 of 2011 with M.A. No. 95 of 2017

Lt Col Lokesh Kandpal
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>30.01.2017</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. Shri R.K.S. Chauhan, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 95 of 2017</u></p> <p>Rejoinder affidavit filed by Ld. Counsel for the applicant is taken on record.</p> <p>M.A. No. 95 of 2017 is disposed of.</p> <p style="text-align: center;"><u>O.A. No. 169 of 2011</u></p> <p>Maj (Retd) R.D. Singh, Ld. Counsel for the applicant is reported to be suffering from illness.</p> <p>Keeping in view the fact that the controversy relates to the year 2011, list the case on 09.02.2017 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 dated 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. 163 of 2015

Lt Col Ray Gautam Prasad
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>30.01.2017</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 Kaushik Chatterji, 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 respondents as well as OIC, Legal Cell, list the case again on 31.01.2017 for further 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 dated 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; font-size: small;">anb</p>

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

T.A 1194 of 2010

Sri Ram Singh Pradhan
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>30.01.2017</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 petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the parties, list the case again on 01.02.2017 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 dated 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
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List A)

OA No. 174 of 2015

Jageshwar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India and others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.01.2017</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 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 Shri V.P. Pandey, Ld. Counsel for the applicant, list the case on 17.04.2017 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 dated 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; font-size: small;">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. 1290 of 2010

Arvind Kumar Katiyar
By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India and others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.01.2017</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 J.P. Singh, Ld. Counsel for the petitioner and Shri Kaushik Chatterji, Ld. Counsel for the respondents.</p> <p>Shri Kaushik Chatterji, Ld. Counsel appeared and argued for the respondents.</p> <p>As prayed, list the case again on 31.01.2017 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 dated 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)

M.A. No. 1891 of 2016 In re O.A. No. Nil of of 2016

Shobha Devi

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>30.01.2017</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 applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell</p> <p>The case is taken up in the revised list.</p> <p>As prayed by learned counsel for the respondents, four weeks' time is allowed to file objection against the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List this case for orders 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>JPT</p>

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

M.A. No. 2261 of 2016 In re O.A. No. 130 of 2010

Parmatma Nand Ram

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>30.01.2017</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, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Cost has already been deposited. The receipt submitted by Shri V.A.Singh, learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the applicant submits that copy of the application moved by the applicant for voluntary discharge from service on extremely compassionate ground has not been brought on record by the respondents while filing the counter affidavit. He further submits that copy of the order if passed by the Chief of the Army Staff on his statutory complaint has also not been brought on record.</p> <p>The respondents are directed to bring on record copies of aforesaid two documents by means of a supplementary counter affidavit within two weeks. The applicant shall thereafter have two weeks' time to file supplementary rejoinder affidavit.</p> <p>List this case for further hearing on 02.03.2017. In the meantime, learned counsel for the applicant shall provide amended copy of the OA after serving a copy thereof on the learned counsel for the respondents.</p> <p>Copy of the order be given to the respondents on usual charges today.</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;">JPT</p>

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

O.A. No. 143 of 2015 with M.A. No. 1019 of 2016 (Alongwith T.A. No. 48 of 2011)

Shaikh Ibrahim & Taj Mohd Sheikh 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>30.01.2017</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, learned counsel for the applicant and Shri Anurag Mishra and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>As prayed by Shri Rohit Kumar, learned counsel for the applicant , list this case for hearing on 01.02.2017.</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>JPT</p>

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

T.A. No. 211 of 2009

Liladhar

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>30.01.2017</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 Yash Pal Singh, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties at some length.</p> <p>List this case for further hearing on 01.02.2017.</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>JPT</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

H.C.S. Rautela

By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>30.01.2017</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, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment 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>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. 633 of 2010

Upendra Singh Chauhan

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>30.01.2017</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, learned counsel for the petitioner and Shri Md. Zafar Khan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment 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>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. 1204 of 2010 Alongwith T.A. No. 211 of 2009

T. Kishan 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>30.01.2017</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 Pradeep Chandola, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties at some length.</p> <p>List this case for further hearing on 01.02.2017.</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>JPT</p>

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

O.A. No. 189 of 2010 M.A. No. 107 of 2012

Shiv Kumar Joshi

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>30.01.2017</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 Kaushik Chatterji, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List revised.</p> <p style="text-align: center;">None appears for the applicant. Shri Kaushik Chatterji, learned counsel for the respondents opposed the application in the absence of counsel for the applicant.</p> <p style="text-align: center;">Dismissed for non-prosecution.</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. 1000 of 2010

Smt. Kalawati Devi

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>30.01.2017</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 Pandey, learned counsel for the petitioner and Shri Ajay Singh Bisht and Shri D.K.Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment 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>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. 9 of 2015

Shamsul Waris

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>30.01.2017</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 Ashok Kumar, learned counsel for the petitioner and Shri R.K.S. Chauhan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>One week's further time is allowed to the respondents to file supplementary counter affidavit in terms of order dated 13.12.2016. The petitioner shall thereafter have one week's time to file supplementary rejoinder affidavit.</p> <p>List this case for hearing on 27.02.2017.</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. 46 of 2016

Dhirendra Narayan Giri 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>30.01.2017</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. Shesh Narain Pandey, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">The case was taken up in the revised list.</p> <p style="text-align: center;">Shri Surendra Yadav, learned counsel for the petitioner is reported to be suffering from illness.</p> <p style="text-align: center;">List this case for hearing on 06.03.2017.</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. 58 of 2016

Vijay Shankar Dwivedi

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>30.01.2017</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.M. Mishra, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents, assisted by WO Deshraj Singh, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>Heard learned counsel for the parties at some length.</p> <p>The respondents shall produce the original record in terms of the order dated 25.01.2017.</p> <p>List this case for further hearing on 01.02.2017.</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. 164 of 2017 In re M.A. No. 96 of 2017
& M.A. No. 1916 of 2015

Bal Krishna Tripathi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.01.2017</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 R.K.S. Chauhan and Mrs. Anju Singh, as counsel for the respondents. Let their names be shown in the list when the case is next listed.</p> <p>List has been revised.</p> <p>Present : Shri Beer Prakash, learned counsel for the applicant. Shri R.K.S. Chauhan and Mrs. Anju Singh, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p><u>M.A. No. 164 of 2017</u></p> <p>This is an application for recall of the order dated 04.01.2017, by means of which M.A. No. 1916 of 2015 was rejected for non-prosecution.</p> <p>Heard.</p> <p>Cause shown is sufficient.</p> <p>Accordingly, the application is allowed. The order dated 04.01.2017 is recalled subject to payment of costs of Rs.500/- which shall be remitted to AFT, Bar Association, Lucknow. Let the costs be deposited within one week.</p> <p>List this case for orders on 10.04.2017.</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>JPT</p>

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

Court No. 1 (List A)

M.A. No. 1572 of 2016 with M.A. No. 2257 of 2016
In re O.A. No. Nil of 2016

Udai Narayan 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>27.01.2017</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. Zafar Khan, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List has been revised.</p> <p>None appeared for the applicant.</p> <p>The application is rejected for non prosecution. Interim order, if any, stands discharged.</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>JPT</p>

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

Court No. 1 (List A)

M.A. No. 2670 of 2016 In re O.A. No. 218 of 2016

Shitla Prasad 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>27.01.2017</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. Chandra, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p><u>M.A. No. 2670 of 2017</u></p> <p>This is an application for recall of the order dated 23.11.2016, by means of which O.A. No. 218 of 2016 was dismissed for non-prosecution.</p> <p>Heard.</p> <p>Cause shown is sufficient.</p> <p>Accordingly, the application is allowed. The order dated 23.11.2016 is recalled subject to payment of costs of Rs.500/- which shall be remitted to AFT, Bar Association, Lucknow. Let the costs be deposited within one week.</p> <p>List this case for orders on 05.05.2017.</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>JPT</p>

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

Court No. 1 (List A)

**O.A. No. 311 of 2015 with M.A. No. 154 of 2016, M.A. No. 2381 of 2016
& M.A. No. 2383 of 2016**

Nirma Devi

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>27.01.2017</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 Virendra Prasad, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Shri Kaushik Chatterjee, learned counsel for the respondents has filed counter affidavit , which is taken on record. Rejoinder affidavit, if any may be filed by the applicant within two weeks.</p> <p>List this case on 08.05.2017 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 style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 248 of 2011

Mohd Arif

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>27.01.2017</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 Mrs. Amrita Chakraborty, learned counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Arguments heard at some length.</p> <p>List this case on 10.02.2017 for further 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>JPT</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>27.01.2017</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 Raj Kumar Singh, holding brief of Shri Dharmesh Sinha, 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>This is a part heard matter. Shri Raj Kumar Singh has prayed for adjournment of the case since the learned counsel for the applicant Shri Dharmesh Sinha, who is to argue the case is not present today.</p> <p>List on 02.02.2017 as prayed for further hearing in terms of earlier order.</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>JPT</p>

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

T.A. No. 211 of 2009

Liladhar

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>27.01.2017</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 Raj Kumar Singh, holding brief of Shri Yash Pal Singh, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>This is a part heard matter.</p> <p>List this case on 30.01.2017 for further hearing in terms of earlier orders. The petitioner's counsel shall ensure his presence on the date fixed to argue the case.</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>JPT</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

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>27.01.2017</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 Col Kamal Singh, OIC Legal Cell.</p> <p>This is a part heard matter.</p> <p>List this case on 23.02.2017 for further hearing in terms of earlier orders. The petitioner's counsel shall ensure his presence on the date fixed to argue the case.</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>JPT</p>

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

T.A. No. 1204 of 2010 Alongwith T.A. No. 211 of 2009

T Kishan

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>27.01.2017</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 Pradeep Chandola, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Shri Amit Sharma, learned counsel for the respondents undertakes to file supplementary counter affidavit during the course of the day, to which applicant's counsel may file reply within a week.</p> <p>List this case for further hearing on 30.01.2017 alongwith T.A. No. 211 of 2009, Liladhar vs. Union of India & others.</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;"><small>JPT</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. 1411 of 2016 with M.A. No. 1412 of 2016
In re T.A. No. 1278 of 2010

V.V. Khandekar Rao
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>27.01.2017</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 petitioner and Shri Kaushik Chatterji, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell. .</p> <p>As prayed by Shri Rohit Kumar, learned counsel for the applicant a week's time is allowed to file rejoinder affidavit.</p> <p>List this case on 21.02.2017 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>JPT</p>

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

O.A. No. 112 of 2012

Mukesh 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>27.01.2017</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, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>We have heard the learned counsel for the applicant Shri O.P. Kushwaha and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p>It has been submitted by the learned counsel for the applicant that in pursuance of order dated 24.01.2011, passed in O.A. No. 19 of 2011, the applicant approached his Unit i.e. Jat Regimental Centre at Bareilly but he was not permitted to join the duty. Applicant has also made a statutory complaint to this effect that he has not been allowed to join duty but that too is unheard as he received no communication about it. It has also been submitted by the learned counsel for the applicant that the applicant has been forcibly dismissed from the service as he was not permitted to join the duty. On the other hand the submission of the learned counsel for the respondents, assisted by OIC legal Cell Maj Soma John is that the applicant has never been dismissed from service but something wrong inadvertently mentioned in the impugned order.</p> <p>Since the controversy involves the disputed question of facts, it will be appropriate to dispose of the case finally. The</p>

applicant is present in person in the court, whose presence has been duly verified by Shri O.P. Kushwaha, the learned counsel appearing on his behalf in the case.

Accordingly, keeping in view the fact that the applicant is alleged to be absent w.e.f. 05.10.2010, no useful purpose would be served by keeping the present case pending and prolonging the controversy in question, we direct the applicant to report to Commanding Officer, CMP, Central Command, Lucknow on 02.02.2017, who shall make necessary arrangement to shift the applicant to Jat Regimental Centre at Bareilly to take the applicant in custody.

It shall be open to the applicant to ventilate his grievance before the appropriate authority to establish his case by taking all pleas which he has taken in the present case during Court Martial proceedings, if any to establish his defence and the respondents shall proceed in the matter in accordance with rules.

With the aforesaid observations we dispose of the case finally.

Let a copy of the present order be issued to the learned counsel for the applicant as well as to the learned counsel for the respondents today itself. The OIC Legal Cell shall also inform the Commanding Officer, CMP, Central Command, Lucknow as well as the Commandant Jat Regimental Centre, Bareilly of this order.

(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)

O.A. No. 253 of 2012

Krishna Kumar Thakur

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.01.2017</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 : Col (Retd) Y.R. Sharma, 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 style="text-align: center;">Arguments heard at some length.</p> <p style="text-align: center;">List for further hearing 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 style="text-align: left; font-size: small;">JPT</p>

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

Court No. 1 (List A)

O.A. No. 274 of 2012

Imran Khan

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>27.01.2017</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 Parijaat Belaura, 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 learned counsel for the applicant Shri Parijaat Belaura states that he has not been provided with annexures appended to counter affidavit. The learned counsel for the respondents shall provide copy of counter affidavit alongwith its annexures to the applicant's counsel.</p> <p>List on 06.02.2017 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>JPT</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>27.01.2017</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, 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 style="text-align: center;">Arguments heard at some length.</p> <p style="text-align: center;">List on 06.02.2017 for further 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>JPT</p>

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

O.A. No. 227 of 2014

Bhagwati Prasad

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>27.01.2017</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.C. Lohumi, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Shri D.C. Lohumi, learned counsel for the applicant wants time to prepare the case.</p> <p>As prayed, list on 07.03.2017 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>JPT</p>

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

O.A. No. 195 of 2015

Narendra Kumar Rai 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>27.01.2017</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 Col Kamal Singh, OIC Legal Cell. .</p> <p>List on 10.04.2017 for hearing, as prayed by Shri Rohit Kumar, learned counsel for the applicant, who wanted time to prepare the case.</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>JPT</p>

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

Court No. 1 (List A)

T.A. No. 573 of 2010 with M.A. No. 1394 of 2016

Satyendra Prasad

By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.01.2017</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 : Col (Retd) Ashok Kumar & Shri Rohit Kumar, 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;">Heard learned counsel for the parties. Arguments concluded. Judgment 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>BL</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 with M.A. No. 877 of 2016 M.A. No. 1500 of 2016 &
M.A. No. 2179 of 2016**

Anil Joshi 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>27.01.2017</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 : Col (Retd) Ashok Kumar & Shri Rohit Kumar, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><u>M.A. No. 877 of 2016, M.A. No. 1500 of 2016</u> <u>& M.A. No. 2179 of 2016</u></p> <p style="text-align: center;">We have heard the learned counsel for the parties at length and perused the record.</p> <p style="text-align: center;">Reasons assigned for amendment are justifiable.</p> <p style="text-align: center;">Accordingly, we allow the amendment and permit the applicant/ petitioner 's counsel to amend the petition.</p> <p style="text-align: center;">List this case on 10.02.2017 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;">JPT</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 2011

Parvesh 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>27.01.2017</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. Mishra, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">O.A. is dismissed.</p> <p style="text-align: center;">For orders, see our judgment and order of date passed on separate sheets.</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. 2681 of 2016 Inre M.A. No. 2123 of 2014

Yogesh 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>27.01.2017</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 T.N. Tiwari, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A. No. 2681 of 2016</u></p> <p style="text-align: center;">In orders dated 27.09.2016, 15.11.2016 and 28.11.2016 O.A. No. 183 is corrected as O.A. No. 82.</p> <p style="text-align: center;">M.A. No. 2681 of 2016 is disposed of.</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. 2724 of 2016 Inre O.A. No. 189 of 2016

Ram Prakash
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>27.01.2017</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 style="text-align: center;">As prayed by Ld. Counsel for the applicant, a weeks' time is granted to deposit cost.</p> <p style="text-align: center;">List the case on 03.02.2017 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>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. 221 of 2016

Pramod 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>27.01.2017</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 R.C. Shukla, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, two weeks' time is granted to file counter affidavit. Ld. Counsel for the applicant shall file rejoinder affidavit within next two weeks.</p> <p>List the case on 05.05.2017 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 dated 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. 30 of 2017

PK Mahapatra
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>27.01.2017</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 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 respondents, two weeks' time is granted to file counter affidavit. Ld. Counsel for the applicant shall file rejoinder affidavit within next two weeks.</p> <p style="text-align: center;">List the case on 05.05.2017 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>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. 272 of 2013

Pravat Kumar Behuria
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>25.01.2017</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 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 style="text-align: center;">O.A is allowed.</p> <p style="text-align: center;">For orders, see our judgment and order of date passed on separate sheets.</p> <p style="text-align: center;">The original record submitted by the respondents be returned back to them by the Registry of the Tribunal.</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 1295 of 2010

Chandra Dev Ram
By Legal Practitioner for the Petitioner

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.01.2017</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 D.K. Pandey, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">T.A. is allowed.</p> <p style="text-align: center;">For orders, see our judgment and order of date passed on separate sheets.</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. 232 of 2010

Jagdish 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>25.01.2017</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.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the applicant, list the case on 26.04.2017 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>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. 21 of 2015 alongwith M.A. No. 166 of 2017

Maj Saurabh Dutt

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>25.01.2017</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 : Applicant in person. Shri R.P. Verma and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><u>M.A. No. 166 of 2017</u></p> <p>Supplementary affidavit filed by Ld. Counsel for the respondent no. 6 is taken on record. M.A. No. 166 of 2017 is disposed of.</p> <p><u>O.A. No. 21 of 2015</u></p> <p>Affidavits have been exchanged.</p> <p>List the case on 10.04.2017 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 events.</p> <p>Since parties are not agreeable for amicable settlement, their personal appearance is exempted.</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. 248 of 2011

Mohd Arif

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>25.01.2017</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 Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>As agreed by Ld. Counsel for the parties, list the case on 27.01.2017 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 dated 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. 1194 of 2010

Sri Ram Singh Pradhan

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>25.01.2017</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, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">List on 30.01.2017 for further 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 dated 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. 33 of 2011

Santosh Kumar Singh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.01.2017</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, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell. .</p> <p style="text-align: center;">Heard Shri R.Chandra, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC, Legal Cell.</p> <p style="text-align: center;">Judgment 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. 385 of 2011 with M.A. No. 122 of 2017

Sharma Naresh 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>25.01.2017</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 applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><u>M.A. No. 122 of 2017</u> Supplementary counter affidavit filed by respondents is taken on record. M.A. No. 122 of 2017 is disposed of.</p> <p><u>O.A. No. 385 of 2011</u> As prayed by Ld. Counsel for the applicant, two weeks' time is granted to file supplementary rejoinder affidavit. List the case on 08.02.2017 for hearing. On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench. Ld. Counsel for the parties may submit/exchange synopsis, and list of dated and events.</p> <p style="text-align: center;">.</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. 112 of 2012

Mukesh 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>25.01.2017</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, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As agreed by Ld. Counsel for the parties, list the case on 27.01.2017 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 dated 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. 154 of 2013 Along with T.A. No. 23 of 2013

Nb Subedar Prashant Kumar Sahoo
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>25.01.2017</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 Shyam Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Supplementary affidavit filed by the respondents is on record. Ld. Counsel for the applicant prays for and is granted one week's time to file supplementary rejoinder affidavit.</p> <p style="text-align: center;">List the case on 08.02.2017 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 dated 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; font-size: small;">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. 23 of 2013 Alongwith O.A. No. 154 of 2013

L.M. Butola

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>25.01.2017</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 Rakesh Johri, Ld. Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">List the case on 08.02.2017 for hearing along with O.A. No. 154 of 2013.</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 dated 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. 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>25.01.2017</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 applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>List the case on 27.01.2017 for further hearing as first case.</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 dated 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. 888 of 2010

Ranbir 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>25.01.2017</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 : Petitioner in person. Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Petitioner appeared in person and submits that on account of prolonged illness his counsel Shri P.N. Chaturvedi, the case shall be argued by some other Ld. Counsel.</p> <p style="text-align: center;">As prayed, list the case on 07.02.2017 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 dated 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. 1273 of 2010 with M.A. No. 2628 of 2016

Santosh Kumar 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>25.01.2017</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 Indu Prakash Singh, Ld. Counsel for the petitioner and Shri G.S. Sikarwar, 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 parties, list the case on 31.01.2017 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 dated and events</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="font-size: small; margin-top: 5px;">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. 93 of 2012

Sanjay Kumar

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>25.01.2017</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 petitioner. Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell. .</p> <p>Case is called out. None appeared on behalf of the Petitioner to press this petition in second round after pass over.</p> <p>Shri Amit Sharma, Ld. Counsel appeared for the respondents.</p> <p>T.A. No 93 of 2012 is dismissed for non prosecution. 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>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. 58 of 2016

Vijay Shankar Dwivedi 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>25.01.2017</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.M. Mishra, Ld. Counsel for the petitioner and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the parties, list the case on 30.01.2017 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 dated 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. 29 of 2017

Col Ran Singh Dudee

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>25.01.2017</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. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">We have heard the Applicant in person and also learned counsel for the Respondents. We have also gone through the materials on record.</p> <p style="text-align: center;">Present O.A has been preferred under section 14 of the Armed Forces Tribunal Act 2007 being aggrieved by the non-compliance of the directions contained in the order of the Tribunal dated 17.01.2017. The grievance of the Applicant in the instant O.A is that as preparatory to his retirement, successor has been appointed by the respondents which would imply that he would have no option but to hand over charge of the post to his successor and therefore, he insisted that in the meanwhile, order to maintain status quo may be passed or else the very purpose of the order of the Tribunal would be defeated.</p> <p style="text-align: center;">While deciding the O.A No 260 of 2016, we had allowed the same attended with following orders-</p> <p style="text-align: center;"><i>"39. Accordingly, O.A is allowed with the following directions.-</i></p> <p style="text-align: center;"><i>(A) The impugned order dated 15.10.2014 (Annexure 3) passed by respondent no 3 vide MS Branch IHQ of MoD (Army) Letter No A/21501/4SB/MS-5 is set aside with all consequential benefits.</i></p>

(B) Let final decision be taken by the respondents keeping in view the opinion expressed by the Solicitor General of India dated 20.01.2016 (supra) within two weeks from today for Applicant's promotion to the rank of Brigadier (selection grade).

(C) In case no decision is taken within two weeks or till the date he attains the age of superannuation, the Applicant shall continue on the rank of Colonel till the final decision is taken in pursuance of the present order/judgment. The period after the date of superannuation shall be deemed to be extended period of service with all consequential benefits.

The OIC Legal Cell is directed to communicate the order to the MoD and the Chief of the Army Staff for compliance forthwith.

The Registrar of the Tribunal shall also send a copy of the present order to Defence Secretary and Chief of the Army Staff within 48 hours.

Let certified copies of judgments be issued to the parties of the case today itself in accordance with Rules.

The Registrar shall return the original records forthwith to the OIC Legal Cell.

40. There shall be no order as to costs."

Clause (C) of the order clearly protects the Applicant's service career in so far as continuity in service is concerned. The present O.A with regard to same relief is not maintainable as being barred by constructive res-judicata. In case the order of the Tribunal is not complied with, option is open to the Applicant to approach the appropriate forum for appropriate remedy in accordance with law.

In view of the above, the O.A seems to be not maintainable and is accordingly dismissed subject to above observations.

(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)

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>25.01.2017</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 Col Kamal Singh, OIC Legal Cell.</p> <p>This is an Application seeking execution of the order of the Tribunal dated 05.01.2016 rendered in O.A. No 69 of 2013.</p> <p>The grievance of the Applicant is that the Resurvey Medical Board was held on 05.06.2016 but no final orders have yet been passed nor the same have been communicated to the Applicant in compliance of the order of the Tribunal whereby the order of discharge had been set aside. Learned counsel for the respondents submits that the opinion of the Resurvey Medical Board has been forwarded to the appropriate authority. However, learned counsel for the respondents prays for time to seek instructions.</p> <p>We fail to understand why the matter has been allowed to protract since June 2016 in utter disregard of the order of the Tribunal.</p> <p>List this case on 23.02.2017 for orders on which the learned counsel for the respondents shall update the Court why the matter is still hanging in balance.</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. 151 of 2017 with M.A. No. 157 of 2017
In re M.A. No. 79 of 2016

Vijaypal 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>25.01.2017</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. Mishra, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>Learned counsel for the respondents prays for and is granted two 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 22.02.2017 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. 1425 of 2016 In re O.A. No. Nil of 2016

Inder 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>25.01.2017</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 Shri V.P.S. Vats, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">We are informed that objection and replication thereto have been exchanged and the matter is ripe for disposal of the Application for condonation of delay.</p> <p style="text-align: center;">In view of the above, the case is directed to be listed for disposal of the Application for condonation of delay on 02.02.2017.</p> <p style="text-align: center;">In the meanwhile, learned counsel for the Applicant may submit synopsis showing therein the date-wise explanation of the delay that occurred in filing of the present O.A.</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. 18 of 2014

Gokula Nand Pandey

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>25.01.2017</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 Mrs. Anju Singh, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>We are informed that affidavits have been exchanged and the case is ripe for hearing.</p> <p>In view of the above, the case is ordered to be listed for hearing 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>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. 40 of 2016 with M.A. No. 1771 of 2016

Nitu 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>25.01.2017</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Rejoinder affidavit filed by learned counsel for the Applicant is taken on record.</p> <p style="text-align: center;">Since affidavits stand exchanged, the case is ordered to be listed for hearing on 17.05.2017.</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>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. 254 of 2016

Rashid Ali 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>25.01.2017</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. Sanjay Kumar Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by learned counsel for the respondents, four weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within four weeks next thereafter.</p> <p>List this case on 22.03.2017 for orders alongwith O.A. No 2 of 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. 300 of 2016

Sunil Kumar Thapa

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.01.2017</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. Mishra, 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>As prayed, four weeks' time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within four weeks' next thereafter.</p> <p>List this case on 04.05.2017 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)

O.A. No. 2 of 2017 Alongwith O.A. No. 254 of 2016

Rashid Ali

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>25.01.2017</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. S.K. Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed, four weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any may be filed within four weeks next thereafter.</p> <p>List this case on 22.03.2017 for orders alongwith O.A No 254 of 2016.</p> <p>In the meanwhile, interim order already passed and operating, shall continue to hold good till next date of listing.</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>