T.A. No. 35 of 2011

**Union of India & Others** 

Respondents

By Legal Practitioner for the Respondents

**Versus** 

Sanjay Kumar Singh

Petitioner

By Legal Practitioner for Petitioner

Notes of	Orders of the Tribunal
the Registry	
	20.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present : Shri Yogesh Kesarwani, learned counsel for the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell and
	Shri Yash Pal Singh, learned counsel for the petitioner.
	It is mentioned by Dr. Shailendra Sharma Atal, that on
	account of death of the mother of Shri Yogesh Kesarwani,
	learned counsel for the respondents, he has not attended the
	Court. He prays for adjournment of the case.
	In view of the above, the case is adjourned and is directed
	to be listed on 03.02.2017 for hearing.
	(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)

### T.A. No. 84 of 2016

**Devendra Singh Kushwaha** 

Petitioner

By Legal Practitioner for the Petitioner

Versus

**Union of India & Others** 

Respondent

Notes of the Registry	Orders of the Tribunal
	20.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri Nishant Verma, learned counsel for the
	petitioner and Dr. Shailendra Sharma Atal, learned counsel for
	the respondents, assisted by Col Kamal Singh, OIC Legal Cell.
	. As prayed by learned counsel for the Applicant, the case is
	ordered to be listed for further hearing on 02.02.2017.
	(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)

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

T. Kishan Petitioner

By Legal Practitioner for the Petitioner

**Versus** 

**Union of India & Others** 

Respondent

Natas	Onders of the Tallerred
Notes of the	Orders of the Tribunal
Registry	
regiony	19.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	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
	We have heard learned counsel for the Applicant at
	length.
	As prayed, list this case on 27.01.2017 for further
	hearing.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### O.A. (A) 309 of 2016

### **Gyanendra Madhukar**

Applicant

By Legal Practitioner for the Applicant

### Versus

### **Union of India & Others**

Respondents

Notes of the Registry	Orders of the Tribunal
	19.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri Devesh Bhardwaj, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.
	List for orders on <b>24.04.2017</b> to enable Ld. Counsel for the applicant to move amendment application.  Name of Shri Sunil Sharma, Ld. Counsel for the
	respondents shall be shown in the cause list.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### T.A. No. 59 of 2016

Nandji Singh Petitioner

By Legal Practitioner for the Petitioner

Versus

**Union of India & Others** 

Respondents

Notes of the Registry	Orders of the Tribunal
	19.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: None for the petitioner. Shri Arun Kumar Sahu, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell for the respondents It is informed that Shri P.K. Shukla, Ld. Counsel for the petitioner is out of station. List the case on <b>06.02.2017</b> for admission.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### Ex-A No 1 of 2017 in Re T.A. 115 of 2011

**Hyder Shah** Petitioner

By Legal Practitioner for the Petitioner

### Versus

### **Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the	Orders of the Tribunal
Registry	
	19.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	TION DIE AN MAISHAI AM CHOPIA, MCMOCI (A)
	Present: Shri R. Chandra, Ld. Counsel for the petitioner
	and Shri Shyam Singh, Ld. Counsel for the respondents,
	assisted by Col Kamal Singh, OIC Legal Cell.
	We have been informed by Ld. Counsel for the
	respondents that the petitioner has already attained the age of
	superannuation of the rank from which he retired from service.
	Accordingly it is clarified that in case the petitioner has
	already attained the age of superannuation then he shall be
	provided all consequential benefits notionally including arrears of
	salary and post retiral dues whatsoever in accordance with rules.
	Let the order be complied with within two months from
	today.
	Execution application stands disposed of.
	(Air Marshal Anil Chopra) (Justice D. P. Singh) Member (A) Member (J)

### M.A. No. 1731 of 2016

**Pradeep Kumar** 

Applicant

By Legal Practitioner for the Applicant

### Versus

### **Union of India & Others**

Respondents

Notes of the	Orders of the Tribunal
Registry	
	<u>19.01.2017</u>
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri Ashok Kumar, Ld. Counsel for the applicant
	and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted
	by Col Kamal Singh, OIC Legal Cell.
	As prayed by Ld. Counsel for the applicant three weeks'
	time is granted to file reply to objection.
	Ld. Counsel Shri V.P.S. Vats appearing for the
	respondents does not intend to oppose the prayer made by Ld.
	Counsel for the applicant.
	List the case on <b>20.04.2017</b> for admission.
	(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)

### O.A. No. 102 of 2012 with M.A. No. 2591 of 2016 & M.A. No. 127 of 2017

Jeetendra Kumar

**Applicant** 

By Legal Practitioner for the Applicant

**Versus** 

**Union of India & Ors** 

Respondents

Notes of	Ondere of the Tribunel
Notes of the	Orders of the Tribunal
Registry	
	19.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri V.K. 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.
	M.A. No. 127 of 2017
	Supplementary rejoinder affidavit filed by Ld. Counsel for the
	applicant is taken on record. M.A. No. 127 of 2017 is disposed of.
	O.A. No. 102 of 2012
	List the case on 22.02.2017 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 events.
	(Air Marshal Anil Chopra) (Justice D. P. Singh)  Member (A) Member (J)

### O.A. No. 8 of 2016 alongwith M.A. No. 128 of 2017 and M.A. No. 129 of 2017

### **Keshar Bahadur Tamang**

**Applicant** 

By Legal Practitioner for the Applicant

### Versus

### **Union of India & Ors**

Respondents

Notes of the	Orders of the Tribunal
Registry	19.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri K.K. Mishra, Ld. Counsel for the applicant and
	Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by
	Col Kamal Singh, OIC Legal Cell.
	M.A. No. 128 of 2017
	Delay in filing the counter affidavit is condoned.
	M.A. No. 128 of 2017 is disposed of.
	M.A. No. 129 of 2017
	Counter affidavit filed by the respondents is taken on record.
	M.A. No. 129 of 2017 is disposed of.
	O.A. No. 8 of 2016
	Applicant may file rejoinder affidavit within four weeks.
	List the case on <b>11.05.2017</b> for orders.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### T.A. No. 211 of 2009

**Liladhar** Petitioner

By Legal Practitioner for the Petitioner

**Versus** 

**Union of India & Others** 

Respondent

Notes of the Registry	Orders of the Tribunal
	19.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: 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
	We have heard learned counsel for the Applicant at
	length.
	As prayed, list this case on 27.01.2017 for further
	hearing.
	(Air Marahal Anil Channa) (Inatica D.D. Circult)
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) 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. 23 of 2017

Rajendra Pal Singh

**Applicant** 

By Legal Practitioner for the Applicant

**Versus** 

**Union of India & Others** 

Respondents

	Orders of the Tribunal
the Registry	
i togicu y	18.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Memo of appearance filed in court today by Shri Shyam
	Singh as counsel for the respondents is taken on record. Let his
	name be shown in the list when the case is next listed.
	Present: Shri Shailendra Kumar Singh, learned counsel
	for the applicant and Shri Shyam Singh, learned counsel for the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell.
	This is a case for new admission.
	List this case on 31.01.2017 in order to enable learned
	counsel for the respondents to receive instructions on the count
	why the O.A be not admitted.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) 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. 7 of 2017 In re O.A. No. 31 of 2016

**Abhishek Kumar** 

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others** 

Respondents

Notes of	Orders of the Tribunal
the Registry	
Registry	18.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri S.S. Rajawat, learned counsel for the
	applicant and Shri R.K.S. Chauhan, learned counsel for the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell.
	Ex. A. No. 7 of 2016
	The above Application has been filed seeking execution of
	the judgment and order of this Tribunal dated 22.8.2016 whereby
	direction was given to comply with the order within a period of
	four months.
	List this case be listed after four weeks on 21.02.2017 for
	orders by which date the respondents shall show cause why the
	order of the Tribunal aforesaid has not been observed in
	compliance.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) 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. 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

Notes of the	Orders of the Tribunal	
Registry	1001001	
	18.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J)	
	Hon'ble Air Marshal Anil Chopra, Member (A)	
	Present: Col (Retd) Rakesh Johri, learned counsel for	or the
	applicant and Shri Shyam Singh, learned counsel for	the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell.	
	It is informed by learned counsel for the respondents	that
	the requisite format which is required to be filled up by	the
	Applicant as a pre-requisite for implementation of the order of	of the
	Tribunal has been provided to the learned counsel for	r the
	Applicant. At this stage, learned counsel for the respond	dents
	further submits that an affidavit is also required to be filed b	y the
	Applicant to the effect that whatever excess pension has	•
	paid to him, shall be refunded to the respondents.	
	Learned counsel for the Applicant objected to it, subm	ittina
	that if any excess payment has been made to the Applica	
	way of Pensionary benefits, the same can be recovered from	_
		11 1113
	salary.	oo io
	As prayed by learned counsel for the Applicant, the ca	ise is
	ordered to be listed on 22.02.2017 for orders.	
	(Air Marshal Anil Chopra) (Justice D.P. Singh Member (A) Member (J)	)

### EX-A. No. 234 of 2016 In re O.A. No. 69 of 2015

Awadhesh Yadav

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others** 

Respondents

Member (J)

By Legal Practitioner for Respondents

Notes of the	Orders of the Tribunal
Registry	
	18.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri Arun Kumar, learned counsel for the
	applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell.
	Ex. A. No 234 of 2016
	It is informed by learned counsel for the respondents that
	the order of the Tribunal has been complied with inasmuch as
	the statutory petition filed by the Applicant has been decided by
	the Chief of the Army Staff. A copy of the order has been
	provided to the learned counsel for the Applicant in court today.
	It is further informed that cost of Rs 10,000/- as imposed by the
	Court has also been deposited today with the Registry of the Tribunal.
	In view of the above, the Execution Application is rendered
	infructuous and is accordingly rejected in terms of the above.
	The cost deposited by the respondents shall be released in
	favour of the Applicant through cheque.
	Tavoar or the Applicant tillough cheque.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)

(Air Marshal Anil Chopra) Member (A)

### M.A. No. 1602 of 2016 with M.A. No. 2187 of 2016 & M.A. No. 100 of 2017 In re O.A. No. Nil of 2016

**Arun Kumar Pandey** 

**Applicant** 

By Legal Practitioner for the Applicant

Versus

**Union of India & Others** 

Respondents

Notes of	Orders of the Tribunal	
the		
Registry		
	18.01.2017	
	Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)	
	Tion ble All Marshal Allii Chopia, Member (A)	
	Present : Shri Shailendra Kumar Singh, learned counsel	
	for the applicant and Shri Bhanu Pratap Singh, learned counsel	
	for the respondents, assisted by Col Kamal Singh, OIC Legal	
	Cell.	
	Reply to objection has been filed by learned counsel for	
	the Applicant.	
	List this case on 19.04.2017 for disposal of Application for	
	condonation of delay.	
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)	

### M.A. No. 2136 of 2016 In re O.A. No. Nil of 2016

Rajendra Prasad

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others** 

Respondents

Notes of the Registry	Orders of the Tribunal
	18.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: Shri V.K. Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.  As prayed by learned counsel for the respondents, three weeks' further time is granted to file objection to the Application for condonation of delay. Replication, if any, may be filed within two weeks next thereafter.  List this case on 15.05.2017 for orders.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### M.A. No. 2147 of 2016 In re O.A. No. Nil of 2016

**Chintamani Mishra** 

**Applicant** 

By Legal Practitioner for the Applicant

Versus

**Union of India & Others** 

Respondents

Notes of the Registry	Orders of the Tribunal
	<u>18.01.2017</u>
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	Present : Shri Yash Pal Singh, learned counsel for the
	applicant and Shri Amit Sharma, learned counsel for the
	respondents, assisted by Col Kamal Singh, OIC Legal Cell.
	Three weeks' and no more further time is granted to
	learned counsel for the respondents to file objection to the
	Application for condonation of delay. Replication if any may be
	filed within two weeks next thereafter.
	List this case on <b>16.05.2017</b> for orders.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

O.A. No. 267 of 2016

**Chandra Singh** 

**Applicant** 

By Legal Practitioner for the Applicant

**Versus** 

**Union of India & Others** 

Respondents

Notes of	Orders of the Tribunal
the Registry	
registry	18.01.2017
	Hon'ble Mr. Justice D.P. Singh, Member (J)
	Hon'ble Air Marshal Anil Chopra, Member (A)
	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.
	It is informed by learned counsel for the Applicant that the
	grievance for which the present O.A was filed has been obviated
	inasmuch as the Applicant has been permitted to resume duty.
	Learned counsel for the respondents has countenanced the
	above statement submitting that the Application is rendered
	infructuous.
	In view of the above, the Application has become
	infructuous and is accordingly dismissed as such.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

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

**T Kishan** Petitioner

By Legal Practitioner for the Petitioner

Versus

**Union of India & Others** 

Respondent

Notes of the Registry	Orders of the Tribunal
	18.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	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  As prayed by learned counsel for the Applicant, the case is ordered to be listed on 19.01.2017 alongwith T.A. No 211 of 2009 listed at serial No 14 of the list today.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)

### T.A. No. 211 of 2009

**Liladhar** Petitioner

By Legal Practitioner for the Petitioner

**Versus** 

**Union of India & Others** 

Respondent

Notes of the Registry	Orders of the Tribunal
	18.01.2017 Hon'ble Mr. Justice D.P. Singh, Member (J) Hon'ble Air Marshal Anil Chopra, Member (A)
	Present: 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.  List this case on 19.01.2017 for hearing alongwith T.A No 1204 of 2010.
	(Air Marshal Anil Chopra) (Justice D.P. Singh)  Member (A) Member (J)