

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.2 (Sl. No. 1)

M.A. No. 197 of 2023 with M.A. No. 198 of 2023 Inre O.A. No. 319 of 2015

**Union of India & Others** Applicant-Respondents  
By Legal Practitioner for the Applicant: Mrs Deepti P Bajpai, Advocate

**Versus**

**Ex Nk Sanjay Kumar Singh** Respondent-Applicant  
By Legal Practitioner for Respondents: Shri ....., Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: center;">Heard Mrs Deepti P Bajpai, learned counsel for the respondents.</p> <p><b><u>M.A. No. 197 of 2023</u></b></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. The Tribunal lacks jurisdiction to condone the delay. In view of above, application for condonation of delay in filing application for leave to appeal is rejected.</p> <p><b><u>M.A. No. 198 of 2023</u></b></p> <p>Since application for condonation of delay has been rejected, in consequence thereof, application for leave to appeal is also <b>rejected</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 2)**

**M.A. No. 175 of 2023 with M.A. No. 176 of 2023 D.Y. No. 2565 of 2022**

**Smt Pushpa Devi W/o Ex Sub Vijay Kumar Shukla** Applicant  
By Legal Practitioner for the Applicant: Shri Narendra Pratap Singh, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Shailendra Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Narendra Pratap Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that order dated 14.11.2022 was passed by Court No 1.</p> <p>List before appropriate Bench on <b>03.03.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 3)**

**EX-A. No. 81 of 2022 Inre O.A. No. 183 of 2018**

**Ex Nk Arun Kumar Pandey**

Applicant

By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents submits that PPO has been generated on 09.02.2023. He prays for and is allowed two weeks time to file affidavit of compliance.</p> <p style="text-align: center;">List on <b>15.03.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.2 (Sl. No. 4)

EX-A. No. 128 of 2022 Inre O.A. No. 139 of 2021

**Smt Birmo Devi W/o Late Ex Sep (EBR) Prem Raj** Applicant  
By Legal Practitioner for the Applicant: Shri Pushpendra Kumar Dhaka, Advocate  
Shri Ramakant Gupta, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Mrs Kavita Mishra, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Pushpendra Kumar Dhaka and Shri Ramakant Gupta, Ld. Counsel for the applicant and Mrs Kavita Mishra, Ld. Counsel for the respondents are present.</p> <p>Affidavit filed by learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted three weeks further time as last opportunity to file affidavit of compliance failing which additional cost of Rs 10,000/- shall be paid by them.</p> <p>List on <b>15.03.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 5)**

**O.A. No. 81 of 2022**

**Cpl RS Deo** Applicant  
By Legal Practitioner for the Applicant: Shri Ajeet Yadav, Advocate  
Shri Ravi Kumar Yadav, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri RC Shukla, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Mahendra Singh, Advocate holding brief for Shri Ajeet Yadav and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p>List on <b>03.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

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**Court No.2 (Sl. No. 6)**

**O.A. No. 140 of 2022**

**Sep/NA Satya Prakash Tiwari** Applicant  
By Legal Practitioner for the Applicant: Shri Abhishek Dwivedi, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Mrs Deepti P Bajpai, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Abhishek Dwivedi, Ld. Counsel for the applicant and Mrs Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents seeks and is allowed two weeks further time as last opportunity to file counter affidavit.</p> <p>Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks.</p> <p>List on <b>15.03.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

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**Court No.2 (Sl. No. 7)**

**O.A. No. 146 of 2022**

**Devi Bhukker (through his wife Smt Savita)** Applicant  
By Legal Practitioner for the Applicant: Shri Ashok Singh, Advocate  
Shri Vikas Singh Chauhan, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Mrs Deepti P Bajpai, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vikas Singh Chauhan, Ld. Counsel for the applicant and Mrs Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed by the applicant is taken on record.</p> <p>Pleadings are complete and the case is ripe for hearing.</p> <p>List on <b>03.04.2023</b> for hearing.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

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**Court No.2 (Sl. No. 8)**

**O.A. No. 300 of 2022**

**Mrs Kamlesh Singh, M/o Late Lt Akash Chaudhary** Applicant  
By Legal Practitioner for the Applicant: Shri Pawan Bisht, Advocate  
Ms Priyanka Chaudhary, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Chet Narayan Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Pawan Bisht and Ms Priyanka Chaudhary, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents. Arguments concluded. Order is reserved.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>



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**Court No.2 (Sl. No. 9)**

**O.A. No. 543 of 2022**

**Ex Sub Jai Narayan Rajput** Applicant  
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Arun Kumar Sahu, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks time to file rejoinder affidavit.</p> <p>List on <b>03.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

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**Court No.2 (Sl. No. 10)**

**O.A. No. 973 of 2022**

**Ex Sep Raghavendra Singh** Applicant  
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri BipinKumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents for and is allowed four weeks time to file counter affidavit.</p> <p>List on <b>03.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

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**Court No.2 (Sl. No. 11)**

**O.A. No. 977 of 2022**

**Smt Janki Devi W/o Late Ex Gnr Ram Shankar Rai** Applicant  
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Shailendra Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Advocate holding brief for Shri R Chandra, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal , Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents seeks and is allowed two weeks further time to file counter affidavit.</p> <p>List on <b>05.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 12)**

**O.A. No. 987 of 2022**

**Ex NK Budhi Lal**

Applicant

By Legal Practitioner for the Applicant: Shri VK Pandey, Advocate  
Shri Girish Tiwari, Advocate  
Shri Sandeep Tripathi, Advocate  
Shri Vishnu Kant Awasthi, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief for Shri VK Pandey, Shri Girish Tiwari, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi, Ld. Counsel for the applicant and Shri Yogesh Keserwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">List on <b>05.04.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
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**Court No.2 (Sl. No. 13)**

**O.A. No. 989 of 2022**

**Smt Pin Maya Kumal W/o Late Ex Sub Tek Bahadur Thapa** Applicant  
By Legal Practitioner for the Applicant: Col AK Srivastava (Retd), Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Shailendar Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks next.</p> <p>List on <b>05.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 15)**

**O.A. No. 1067 of 2022**

**Mrs Aarti Srivastava, W/o Late Col Ravindra Kumar Srivastava** Applicant  
By Legal Practitioner for the Applicant: Shri JL Joel, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Manu Kumar Srivastava, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri JL Joel, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>As prayed, three weeks further time is allowed to learned counsel for the respondents to file counter affidavit.</p> <p>Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks next.</p> <p>List on <b>05.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 16)**

**O.A. No. 1120 of 2022**

**Ex Sub Jaswant Singh Bhandari**

Applicant

By Legal Practitioner for the Applicant: Ms Upasna Mishra, Advocate  
Shri Kapil Sharma, Advocate  
Shri Raj Kumar Mishra, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents: Ms Anju Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>1. Heard Ms Upasna Mishra, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents.</p> <p>2. Learned Counsel for the applicant submits that after the Six Central Pay Commission, the Central Government fixed 1<sup>st</sup> July, as the date of increment for all Government Employees, thereafter, the applicant being enrolled on 26.12.1993 and retired on 31.12.2021 is entitled for grant of last increment due on 01.01.2022 as per decision of the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (W.P. No. 15732 of 2017, decided on 15.09.2017) and this Tribunal judgment in OA 366 of 2020, <b><i>Ex HFL Sarvesh Kumar vs. Union of India &amp; Ors</i></b>, decided on 12.08.2021.</p> <p>3. On the other hand, Ld. Counsel for the respondents contended that the applicant had served for complete one year from the date of his last annual increment, but he had not been granted annual increment as on the date of his discharge i.e. 31.12.2021 as per policy in vogue since the date of annual increment falls on the following day i.e. 01.01.2022. Therefore, benefit of the Hon'ble Madras High Court order being <i>in personam</i> cannot be extended to the applicant and hence, Original Application is liable to be dismissed.</p> <p>4. The law on notional increment has already been settled by the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (Supra). Against the said Judgment the Union of India had preferred Special Leave Petition (Civil) Diary No.22282 of 2018 which was dismissed by the Hon'ble Supreme Court vide order dated 23.07.2018. The relevant portion of the</p>

Judgment passed by the Hon'ble Madras Court is excerpted below:-

“5. The petitioner retired as Additional Director General, Chennai on 30.06.2013 on attaining the age of superannuation. After the Sixth Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule 10 of the Central Civil Services (Revised Pay) Rules, 2008. In view of the said amendment, the petitioner was denied the last increment, though he completed a full one year in service, i.e., from 01.07.2012 to 30.06.2013. Hence, the petitioner filed the original application in O.A.No.310/00917/2015 before the Central Administrative Tribunal, Madras Bench, and the same was rejected on the ground that an incumbent is only entitled to increment on 1st July if he continued in service on that day.

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep. by its Secretary to Government, Finance Department and others v. M. Balasubramaniam, reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W.P.No.8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. No costs.”

5. In view of law laid down by the Hon'ble Madras High Court, upheld by the Hon'ble Apex Court, we are of the view that since the applicant had completed one full year service as on 31.12.2021, but the increment fell due on the next day of his retirement 01.01.2022, on which date he was not in service, he has to be treated as having completed one full year of service.

6. In view of the above, the Original Application is **allowed**. The impugned order, if any, is set aside. The applicant shall be given one notional increment for the period from 01.01.2021 to 31.12.2021, as he has completed one full year of service, though his increment fell on 01.01.2022, for the purpose of pensionary benefits and not for any other purpose, after verifying documents. The respondents are directed to issue fresh Corrigendum P.P.O. accordingly. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment

7. Let a copy of this order be provided to the learned Counsel for the parties.

(Maj Gen Sanjay Singh)  
Member (A)

(Justice Anil Kumar)  
Member (J)

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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 17)**

**O.A. No. 1121 of 2022**

**NC (E) Krishna Kumar Gupta (Retd)** Applicant  
By Legal Practitioner for the Applicant: Ms Upasna Mishra, Advocate  
Shri Kapil Sharma, Advocate  
Shri Raj Kumar Mishra, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Ms Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>1. Heard Ms Upasna Mishra, Shri Kapil Sharma and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Mrs Kavita Mishra, Ld. Counsel for the respondents.</p> <p>2. Learned Counsel for the applicant submits that after the Six Central Pay Commission, the Central Government fixed 1<sup>st</sup> July, as the date of increment for all Government Employees, thereafter, the applicant being enrolled on 28.06.1982 and retired on 30.06.2019 is entitled for grant of last increment due on 01.07.2019 as per decision of the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (W.P. No. 15732 of 2017, decided on 15.09.2017) and this Tribunal judgment in OA 366 of 2020, <b><i>Ex HFL Sarvesh Kumar vs. Union of India &amp; Ors</i></b>, decided on 12.08.2021.</p> <p>3. On the other hand, Ld. Counsel for the respondents contended that the applicant had served for complete one year from the date of his last annual increment, but he had not been granted annual increment as on the date of his discharge i.e. 30.06.2019 as per policy in vogue since the date of annual increment falls on the following day i.e. 01.07.2019. Therefore, benefit of the Hon'ble Madras High Court order being <i>in personam</i> cannot be extended to the applicant and hence, Original Application is liable to be dismissed.</p> <p>4. The law on notional increment has already been settled by the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (Supra). Against the said Judgment the Union of India had preferred Special Leave Petition (Civil) Diary No.22282 of 2018 which was dismissed by the Hon'ble Supreme Court vide order dated 23.07.2018. The relevant portion of the</p>

Judgment passed by the Hon'ble Madras Court is excerpted below:-

“5. The petitioner retired as Additional Director General, Chennai on 30.06.2013 on attaining the age of superannuation. After the Sixth Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule 10 of the Central Civil Services (Revised Pay) Rules, 2008. In view of the said amendment, the petitioner was denied the last increment, though he completed a full one year in service, i.e., from 01.07.2012 to 30.06.2013. Hence, the petitioner filed the original application in O.A.No.310/00917/2015 before the Central Administrative Tribunal, Madras Bench, and the same was rejected on the ground that an incumbent is only entitled to increment on 1st July if he continued in service on that day.

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep. by its **Secretary to Government, Finance Department and others v. M. Balasubramaniam**, reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W.P.No.8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. No costs.”

5. In view of law laid down by the Hon'ble Madras High Court, upheld by the Hon'ble Apex Court, we are of the view that since the applicant had completed one full year service as on 30.06.2019, but the increment fell due on the next day of his retirement 01.07.2019, on which date he was not in service, he has to be treated as having completed one full year of service.

6. In view of the above, the Original Application is **allowed**. The impugned order, if any, is set aside. The applicant shall be given one notional increment for the period from 01.07.2018 to 30.06.2019, as he has completed one full year of service, though his increment fell on 01.07.2019, for the purpose of pensionary benefits and not for any other purpose, after verifying documents. The respondents are directed to issue fresh Corrigendum P.P.O. accordingly. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment

7. Let a copy of this order be provided to the learned Counsel for the parties.

(Maj Gen Sanjay Singh)  
Member (A)

(Justice Anil Kumar)  
Member (J)

rathore

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 18)**

**O.A. No. 1122 of 2022**

**Sub Maj (Hony Lt) Satya Narayan (Retd)** Applicant  
By Legal Practitioner for the Applicant: Ms Upasna Mishra, Advocate  
Shri Kapil Sharma, Advocate  
Shri Raj Kumar Mishra, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Kaushik Chatterjee, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>1. Heard Ms Upasna Mishra, Shri Kapil Sharma and Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>2. Learned Counsel for the applicant submits that after the Six Central Pay Commission, the Central Government fixed 1<sup>st</sup> July, as the date of increment for all Government Employees, thereafter, the applicant being enrolled on 01.04.1995 and retired on 31.12.2021 is entitled for grant of last increment due on 01.01.2022 as per decision of the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (W.P. No. 15732 of 2017, decided on 15.09.2017) and this Tribunal judgment in OA 366 of 2020, <b><i>Ex HFL Sarvesh Kumar vs. Union of India &amp; Ors</i></b>, decided on 12.08.2021.</p> <p>3. On the other hand, Ld. Counsel for the respondents contended that the applicant had served for complete one year from the date of his last annual increment, but he had not been granted annual increment as on the date of his discharge i.e. 31.12.2021 as per policy in vogue since the date of annual increment falls on the following day i.e. 01.01.2022. Therefore, benefit of the Hon'ble Madras High Court order being <i>in personam</i> cannot be extended to the applicant and hence, Original Application is liable to be dismissed.</p> <p>4. The law on notional increment has already been settled by the Hon'ble Madras High Court in the case of <b><i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i></b> (Supra). Against the said Judgment the Union of India had preferred Special Leave Petition (Civil) Diary No.22282 of 2018 which was dismissed by the Hon'ble Supreme Court vide order dated 23.07.2018. The relevant portion of the</p>

Judgment passed by the Hon'ble Madras Court is excerpted below:-

“5. The petitioner retired as Additional Director General, Chennai on 30.06.2013 on attaining the age of superannuation. After the Sixth Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule 10 of the Central Civil Services (Revised Pay) Rules, 2008. In view of the said amendment, the petitioner was denied the last increment, though he completed a full one year in service, i.e., from 01.07.2012 to 30.06.2013. Hence, the petitioner filed the original application in O.A.No.310/00917/2015 before the Central Administrative Tribunal, Madras Bench, and the same was rejected on the ground that an incumbent is only entitled to increment on 1st July if he continued in service on that day.

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep. by its **Secretary to Government, Finance Department and others v. M. Balasubramaniam**, reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W.P.No.8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. No costs.”

5. In view of law laid down by the Hon'ble Madras High Court, upheld by the Hon'ble Apex Court, we are of the view that since the applicant had completed one full year service as on 31.12.2021, but the increment fell due on the next day of his retirement 01.01.2022, on which date he was not in service, he has to be treated as having completed one full year of service.

6. In view of the above, the Original Application is **allowed**. The impugned order, if any, is set aside. The applicant shall be given one notional increment for the period from 01.01.2021 to 31.12.2021, as he has completed one full year of service, though his increment fell on 01.01.2022, for the purpose of pensionary benefits and not for any other purpose, after verifying documents. The respondents are directed to issue fresh Corrigendum P.P.O. accordingly. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment

7. Let a copy of this order be provided to the learned Counsel for the parties.

(Maj Gen Sanjay Singh)  
Member (A)

(Justice Anil Kumar)  
Member (J)

rathore

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 19)**  
**O.A. No. 14 of 2023 with M.A. No. 15 of 2023**

**Smt Kamla Devi W/o Late Ex Nk Shri Krishna** Applicant  
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Advocate  
**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Ashish Kumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b> Heard Shri Manoj Kumar Awasthi, Advocate holding brief for Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Objection and reply filed by learned counsel for the parties are taken on record.</p> <p><b><u>M.A. No. 15 of 2023</u></b> This is an application for condonation of delay in filing Original Application. As per office report, there is a delay of 19 years, 04 months and 10 days in filing original application. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents opposing the prayer submits that explanation of delay offered by the applicant is not sufficient and he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 14 of 2023</u></b> Matter needs adjudication. Admit. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks. List on <b>13.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> <b>Member (A)</b> <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 20)**

**O.A. No. 15 of 2023 with M.A. No. 16 of 2023**

**Ex (Hav Nb Sub) Krishnapal Singh**

Applicant

By Legal Practitioner for the Applicant:

Shri Vijay Kumar Pandey, Advocate  
Shri Girish Tiwari, Advocate  
Shri Dheerendra Kumar Agnihotri, Advocate  
Shri Sandeep Tripathi, Advocate  
Shri Vishnu Kant Awasthi, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents:

Shri Gyan Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief for Shri Vijay Kumar Pandey, Shri Girish Tiwari, Shri Dheerendra Kumar Agnihotri, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi Ld. Counsel for the applicant and Shri Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for and is granted two weeks further time to file objection on delay condonation application.</p> <p>List on <b>06.04.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 21)**

**O.A. No. 40 of 2023 with M.A No. 31 of 2023**

**Ex Nb Sub Ram Prakash** Applicant  
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Ashish Kumar Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri PK Khare, Advocate holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Objection filed by the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is allowed two weeks to file replication.</p> <p>List on <b>06.04.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 22)**

**T.A. No. 36 of 2022**

**Abhishek Kumar Mishra, S/o Sh Krishna Kumar Mishra**      Petitioner  
By Legal Practitioner for the Petitioner: Shri Virat Anand Singh, Advocate

**Versus**

**Union of India & Others**      Respondents  
By Legal Practitioner for Respondents: Shri Shailendra Sharma Atal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Rahul Chandra Tripathi, Advocate holding brief for Shri Virat Anand Singh, Ld. Counsel for the petitioner and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Brief holder seeks adjournment on the ground that Shri Virat Anand Singh, learned counsel for the applicant is not available.</p> <p>List on <b>06.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 23)**

**O.A. No. 240 of 2017**

**Sinhasan Singh**

Applicant

By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

**Versus**

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>On request of learned counsel for the applicant, the case is passed over for the day.</p> <p>List on <b>06.04.2023</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 24)**

**O.A. No. 594 of 2022**

**Ex Sep Rahul Banshwar** Applicant  
By Legal Practitioner for the Applicant: Shri Nand Kishore, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Chet Narayan Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Nand Kishore, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>On request of learned counsel for the applicant the case is passed over for the day.</p> <p>List on <b>11.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 25)**

**O.A. No. 103 of 2021**

**Sep Vinod Kumar Mishra (Retd)** Applicant  
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate  
Shri Ravi Kumar Yadav, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Ram Saran Awasthi, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendar Kumar Singh and Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents are present.</p> <p>List on <b>16.03.2023</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 26)**

**O.A. No. 317 of 2021 with M.A. No. 243 of 2022**

**Ex Rect Prashant Kumar Prikshit** Applicant  
By Legal Practitioner for the Applicant: Shri Pankaj Kumar Shukla, Advocate  
Shri Rahul Chaurasiya, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Mahendra Singh, Advocate holding brief for Shri Pankaj Kumar Shukla and Shri Rahul Chaurasiya, Ld. Counsel for the applicant and Shri Amit Jaiswal , Ld. Counsel for the respondents are present.</p> <p>As prayed by brief holder the case is passed over for the day.</p> <p>List on <b>11.04.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p style="text-align: right;"><b>(Justice Anil Kumar)</b> Member (J)</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No. 27)**

**O.A. No. 249 of 2022**

**Col Vikas Pandey** Applicant  
By Legal Practitioner for the Applicant: Shri Prabhat Kumar Tripathi, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Prabhat Kumar Tripathi, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents seeks and is allowed two weeks time to file supplementary counter affidavit challenging on maintainability.</p> <p>List on <b>11.04.2023</b>.</p> <p><b>(Maj Gen Sanjay Singh)</b> Member (A) <i>rathore</i></p> <p><b>(Justice Anil Kumar)</b> Member (J)</p>