

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 1)

O.A. No. 1184 of 2023 with M.A. No. 1640 of 2023

Col Rakesh Chandra Jain (Retd) Applicant
By Legal Practitioner for the Applicant: Shri Raj Kumar Mishra, Advocate

Versus

Chief of Army Staff & Others Respondents
By Legal Practitioner for Respondents: Shri JN Mishra, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri JN Mishra, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri Raj Kumar Mishra, Ld. Counsel for the applicants and Shri JN Mishra, Ld. Counsel for the respondents are present.3. There is delay of 01 year and 20 days in filing Original Application.4. Submission of learned counsel for the respondents is that applicant has not availed alternative remedy for the grievance raised in the Original Application for which present Original Application is not maintainable.5. Learned counsel for the respondents prays for and is granted two weeks time to seek instruction and file objection, if any.6. List on 14.12.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

O.A. No. 1188 of 2023 with M.A. No. 1644 of 2023

Ex Nk Khedkar Sharad Sukhdev Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed on behalf of Shri Amit Jaiswal, Advocate for the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri Yashpal Singh, Ld. Counsel for the applicant and Maj Naman Gupta, Ld. Counsel for the respondents are present.3. There is delay of 07 months and 01 day in filing Original Application.4. Applicant has moved application for condoning the delay.5. The applicant also moved application for interim relief for consideration of application dated 27.02.2023.6. We have gone through affidavit filed in support of delay condonation application and we are of the view that ground shown is sufficient. Accordingly, delay in filing Original Application is condoned. Delay condonation application stands disposed of. <p><u>O.A. No. 1188 of 2023</u></p> <ol style="list-style-type: none">7. Matter needs adjudication.8. Admit.9. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 12.12.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 3)

O.A. No. 1194 of 2023

Hav Dileep Kumar Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri JN Mishra, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri JN Mishra, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri Yashpal Singh, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.3. Matter needs adjudication.4. Admit.5. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.6. List on 14.12.2023. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><small>SB</small></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 4)

O.A. No. 1196 of 2023 with M.A. No. 1650 of 2023

Ex Hav Prakash Chandra Yadav

Applicant

By Legal Practitioner for the Applicant: Shri KP Datta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Manu Kumar Srivastava, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Manu Kumar Srivastava, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri KP Datta, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.3. There is delay of 01 year and 23 days in filing this Original Application.4. Applicant has moved application for condoning the delay.5. We have gone through affidavit filed in support of delay condonation application and we are of the view that ground shown is sufficient. Accordingly, delay in filing Original Application is condoned. Delay condonation application stands disposed of. <p><u>O.A. No. 1196 of 2023</u></p> <ol style="list-style-type: none">6. Matter needs adjudication.7. Admit.8. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.9. List on 13.12.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

O.A. No. 1198 of 2023

Lt Col Kulbhushan Sharma Applicant
By Legal Practitioner for the Applicant: Shri Lohitaksha Shukla, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri Lohitaksha Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.3. This Original Application has been filed for retention of official accommodation of the applicant till end of academic session of his son.4. Learned counsel for the respondents submits that this Original Application is not maintainable because it does not come in the purview of service matter.5. In this Original Application, interim relief for retention of allotted accommodation has also been sought by the applicant. It is submitted that he has received his posting order on 05.06.2023 during the academic session of his son.6. Learned counsel for the respondents contended that he will seek instruction and file objection on maintainability and grant of interim relief.7. As prayed by learned counsel for the respondents ten days time is granted to seek instruction and file objection on maintainability and grant of interim relief to the applicant.8. List this O.A. on 18.10.2023.9. Keeping in view that in case interim relief for retention of allotted accommodation is not granted, the purpose of hearing on merit of this case and also interim relief will become infructuous. Therefore, applicant is permitted to retain the accommodation only till the date of listing, i.e. 18.10.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 6)

O.A. (A) No. 1189 of 2023 with M.A. No. 1645 of 2023

Ex Sep Sabbir Khan Applicant
By Legal Practitioner for the Applicant: Shri Satendra Kumar Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri R.C. Shukla, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri RC Shukla, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.3. There is delay of 30 years, 06 months and 26 days in filing Original Application.4. Applicant has moved application for condoning the delay.5. Learned counsel for the respondents prays for and is granted two weeks time to file objection on delay condonation application and maintainability of the Original Application.6. List on 10.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.7)

EX-A. No. 366 of 2023 Inre O.A. No. 334 of 2022

Ex Nb Sub (TA) Shyam Ram Applicant
By Legal Practitioner for the Applicant: Wg Cdr SN Dwivedi (Retd), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajeev Narayan Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Shri Rajeev Narayan Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Wg Cdr SN Dwivedi (Retd), Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents are present.3. This execution application has been filed for implementation of order dated 25.01.2023 passed in O.A. No. 334 of 2022.4. This is fresh execution application.5. Learned counsel for the respondents prays for and is granted four weeks time to seek instruction and file affidavit of compliance.6. List on 13.12.2023. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.8)

EX-A. No. 368 of 2023 Inre O.A. No. 343 of 2022

Ex Nk Rajendra Prasad Applicant
By Legal Practitioner for the Applicant: Wg Cdr SN Dwivedi (Retd), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Dr. Gyan Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of Appearance filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as Counsel for the respondents when the case is listed next.2. On the case being taken up for hearing, Wg Cdr SN Dwivedi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.3. This execution application has been filed for implementation of order dated 25.01.2023 passed in O.A. No. 343 of 2022.4. This is fresh execution application.5. Learned counsel for the respondents prays for and is granted four weeks time to seek instruction and file affidavit of compliance.6. List on 07.12.2023. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><small>SB</small></p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 9)

EX-A. No. 316 of 2022 Inre O.A. No. 478 of 2021

Ex MEI Anuj Kumar Applicant
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.2. Compliance report filed by the respondents is taken on record.3. Objection, if any, may be filed within two weeks.4. List on 01.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 10)

EX-A. No. 348 of 2022 Inre O.A. No. 774 of 2021

Ex POME LOG (MAT) Rahul Dev Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Lt Cdr Aman Chhibber, Departmental Representative for the respondents are present.2. Affidavit of compliance has not been filed. Cost imposed has also not been deposited by the respondents.3. Departmental Representative submits that Govt. sanction has been issued on 19.05.2023.4. Shri Ashish Kumar Singh, Advocate, brief holder and Departmental Representative prays for and is granted three weeks further time to file affidavit of compliance failing which respondents shall deposit cost of Rs. 10,000/- which shall be remitted to the applicant.5. List on 01.11.2023.6. Let a copy of order be provided to learned counsel for the respondents/AFT Legal Cell for compliance. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 11)

EX-A. No. 236 of 2023 Inre O.A. No. 337 of 2022

Ex JWO Santosh Sharma Applicant
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Gp. Capt. Amulya Dayal, Departmental Representative for the respondents are present.2. Affidavit of compliance has not been filed.3. Shri Ashish Kumar Singh, Advocate, brief holder and Departmental Representative prays for and is granted four weeks further time to file affidavit of compliance.4. List on 21.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

O.A. No. 867 of 2022

Ex MCAA-II (Hony Sub Lt) Ram Gopal Pandey & Others Applicants
By Legal Practitioner for the Applicants: Shri Parijaat Belaura, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, Ld. Counsel for the applicants and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Rejoinder affidavit filed by the applicant is taken on record.</p> <p>3. Pleadings are complete.</p> <p>4. List on 01.11.2023 for hearing.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.13)

O.A. No. 982 of 2022

Ex CPO Radio (Tel) Mahendra Kumar Applicant
By Legal Practitioner for the Applicant: Shri Rang Nath Pandey, Advocate
Shri Rahul Pandey, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rang Nath Pandey, Ld. Counsel for the applicants and Lt. Cdr. Aman Chhibber, Departmental Representative for the respondents are present.</p> <p>2. Shri Rajiv Pandey, Advocate, brief holder and Departmental Representative for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>3. Interim relief is extended till further order.</p> <p>4. List on 06.12.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 14)

O.A. No. 2 of 2023

Cdr Onkar Prasad Pattnaik (Retd)

Applicant

By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Lt. Cdr. Aman Chhibber, Departmental Representative for the respondents are present.</p> <p>2. Rejoinder affidavit has not been filed.</p> <p>3. A week further time is granted, as last opportunity, to file rejoinder affidavit.</p> <p>4. List on 01.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

O.A. No. 328 of 2023

POM(H) Sunil Kumar Singh (Retd) Applicant
By Legal Practitioner for the Applicant: Shri Sarvesh Kumar Verma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Sunil Sharma, Advocate
Mohd Zafar Khan, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents No. 1 to 4 and Mohd. Zafar Khan, Ld. Counsel for the respondent No. 5 are present.2. Counter affidavit has not been filed.3. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.4. List on 01.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

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

O.A. No. 643 of 2023 with M.A. No. 779 of 2023

Ex Nk Sher Bahadur Gurung

Applicant

By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate
Shri RK Singh, Advocate
Maj S M Mustafa (Retd), Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr.Shailendra Sharma Atal, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri VP Pandey and Shri RK Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 779 of 2023</u></p> <p>2. There is delay of 3 years, 6 months and 8 days in filing this Original Application. Applicant has filed application for condoning the delay.</p> <p>3. Objection has been filed by the respondents on delay condonation application and maintainability of the Original Application.</p> <p>4. It is submitted by learned counsel for the respondents that applicant is neither original habitant of Uttar Pradesh and Uttaranchal nor he is presently working within the territorial jurisdiction of this Bench, hence, application is not maintainable. It is further submitted that applicant has not availed any alternative remedy available to him. It is submitted by learned counsel for the respondents that application has not been filed within the stipulated time and is time barred and delay has not been explained properly.</p> <p>5. Learned counsel for the applicant has filed reply to the objection of the respondents. It is submitted by leaned counsel for the applicant that it is a pensionary matter having recurring cause of action in which bar of limitation does not apply and reason of delay has been explained properly in delay condonation application filed by him. It is further submitted by learned counsel for the applicant that applicant is permanent resident of Nepal. He has served in the Indian Army and receiving his service pension from respondent No. 4, Principal Controller of Defence Accounts (Pension) which is within the jurisdiction of the Hon'ble Tribunal. He has filed this Original Application for grant of service pension for the services rendered in Defence Security Corps and this matter has been adjudicated by the Hon'ble Supreme Court in this</p> |

court in many matters. Hence, this case is similar to those matters. He deserves parity.

6. We have considered submissions of learned counsel for the parties and perused the record. After retirement from Army, applicant is residing in Nepal which is nearest place from Lucknow and concerned PCDA (P) (respondent No. 4) is in district Prayagraj. Applicant is a retired Army personnel. Though, he has not represented to the respondents but he is claiming parity to other personnel who have been granted relief from the Tribunal.

7. We are of the view that objection raised by the respondents is liable to be overruled.

8. Accordingly, objection raised by the respondents is hereby overruled.

O.A. No. 643 of 2023

9. Heard on admission.

10. Matter needs adjudication.

11. Admit.

12. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

13. List on **11.12.2023**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Anil Kumar)
Member (J)

SB

Form No. 4
{See rule 11(1)}
ORDER SHEET

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

O.A. No. 835 of 2023 with M.A. No. 1023 of 2023

Ex Hav (PA) Vikram Kumar Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri DK Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents.2. Objection on delay condonation application filed by the respondents today in the court is taken on record.3. There is delay of 15 years and 26 days in filing this Original Application.4. Applicant has moved application for condoning the delay.5. Submission of learned counsel for the applicant is that delay caused in filing Original Application is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.6. Learned counsel for the respondents vehemently opposed submission of learned counsel for the applicant and submitted that there is delay of more than 15 years and explanation of delay offered by the applicant is not sufficient as he has failed to offer day to day explanation of delay, hence, application deserves rejection.7. We have gone through affidavit filed in support of delay condonation application and objection raised by the respondents and we are of the view that reasons shown in the affidavit are sufficient. Accordingly, delay condonation application is allowed and delay in filing Original Application is condoned. Delay condonation application stands disposed of. <p><u>O.A. No. 835 of 2023</u></p> <ol style="list-style-type: none">8. Matter needs adjudication.9. Admit.10. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.11. List on 21.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 18)

O.A. No. 876 of 2023

Ritu Pandey D/o Ex LS Late Kailash Nath Pandey Applicant
By Legal Practitioner for the Applicant: Shri Dharam Raj Singh, Advocate
Shri Ashish Asthana, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, none is present for the applicant. Shri Rajiv Pandey, Ld. Counsel for the respondents is present.</p> <p>2. Learned counsel for the respondents submits that parawise comments are still awaited. He prays for and is granted four weeks further time to file counter affidavit.</p> <p>3. List on 05.12.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 19)

O.A. No. 883 of 2023

Ex HFO Rishi Muni Tripathi and Others

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Bipin Kumar Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is granted three weeks further time to file counter affidavit.</p> <p>4 List on 29.11.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</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. 888 of 2023

Ex Hav Arun Kumar Vimal

Applicant

By Legal Practitioner for the Applicant: Shri Dhiraj Kumar, Advocate
Shri Tatsat Shukla, Advocate
Shri Rahul Pal, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>4 List on 29.11.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></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. 973 of 2023 with MA. No. 1292 of 2023

Ex PO (UW) Shivashankar Mishra Applicant
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.2. Objection on delay condonation application filed by the respondents is taken on record.3. There is delay of 03 years, 07 months and 24 days in filing Original Application.4. Learned counsel for the applicant submits that delay in filing Original Application is not deliberate but for the reasons shown in affidavit filed in support of delay condonation application.5. Learned counsel for the respondents submits that delay of more than three years has not been explained properly.6. We have gone through affidavit filed in support of delay condonation application and we are of the view that ground shown is sufficient. Accordingly, delay condonation application is allowed and delay in filing Original Application is condoned. Delay condonation application stands disposed of. <p><u>O.A. No. 973 of 2023</u></p> <ol style="list-style-type: none">7. Matter needs adjudication.8. Admit.9. Ld. Counsel for the respondents is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.10. List on 01.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 22)

O.A. No. 975 of 2023 with M.A. No. 1294 of 2023

Ex PO (US) Hemant Mishra Applicant
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Dr. Gyan Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.2. Objection on delay condonation application filed by the respondents is taken on record.3. Learned counsel for the applicant prays for and is granted two weeks time to file reply.4. List on 01.11.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></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. 1045 of 2023 with M.A. No. 1405 of 2023

Smt Vidya Devi W/o Ex Sep Late Kaptan Singh Applicant
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate
Ms. Supriya Srivastava, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Namit Sharma, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the applicant submits that name of respondent No. 6 in array of parties is not correct. He intends to file amendment application for correction of the name of respondent No. 6. He prays for and is permitted two weeks time to file amendment application.</p> <p>3. Original Application has been filed with delay of 25 years, 02 months and 07 days. Applicant has moved application for condoning the delay.</p> <p>4. Let notice be issued to respondent No. 5 for hearing on delay condonation application. Step be taken within a week.</p> <p>5. List on 31.10.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

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

O.A. (A) No. 159 of 2023

Nk (Dismissed) Bhanu Pratap Pandey Applicant
By Legal Practitioner for the Applicant: Shri Parijaat Belaura, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, Ld. Counsel for the applicant and Maj Naman Gupta, Departmental Representative for the respondents are present.</p> <p>2. Applicant has moved amendment application in Original Application which is taken on record.</p> <p>3. This amendment application has been moved for impleading Commanding Officer 58 Rashtriya Rifles (Rajput) and Commander Sector 11 (RR) as respondent No. 5 & 6 respectively.</p> <p>4. Learned counsel for the respondents submits that he has no objection to this amendment application.</p> <p>5. There is sufficient ground to allow the application. Accordingly, application is allowed.</p> <p>6. Amendment be incorporated within two weeks.</p> <p>7. Departmental Representative accepts notice on behalf of newly proposed respondents No. 5 & 6, therefore, notice need not be sent to respondents No. 5 & 6.</p> <p>8. List on 22.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 25)

O.A. (A) No. 693 of 2023 with M.A. Nos. 1525, 797 & 798 of 2023

ExSep (L/Nk) Rajendra Prasad (Through wife & Pairokar Smt Ravina Applicant
By Legal Practitioner for the Applicant: Shri Pankaj Srivastava, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Ms. Appoli Srivastava, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Pankaj Srivastava, Ld. Counsel for the applicant and Ms. Appoli Srivastava Ld. Counsel for the respondents are present.2. Applicant has moved amendment application which is taken on record.3. Heard learned counsel for the parties on amendment application.4. Learned counsel for the respondents has not objection to the proposed amendment.5. Accordingly, amendment application is allowed.6. Let amendment be incorporated within a week.7. List on 25.10.2023. <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

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

M.A. No. 1613 of 2023 Inre O.A. (A) No. 898 of 2023

Ex Lt (MNS) Imrana Begum

Applicant

By Legal Practitioner for the Applicant: Shri Vinay Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vinay Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Supplementary affidavit filed by the applicant is taken on record.</p> <p>3. Reply may be filed by the applicant within a week.</p> <p>4. List on 25.10.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></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. 232 of 2010

Jagdish Singh

Applicant

By Legal Practitioner for the Applicant: Shri SK Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri DK Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri SK Singh, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.2. Case is listed today for final hearing.3. Leaned counsel for the respondents submits that original documents pertaining to this case are retained with Legal Cell for perusal of the Bench.4. Learned counsel for the parties are directed to file synopsis/written points of arguments in nutsself within two weeks.5. List on 07.11.2023 for hearing. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 28)

O.A. No. 65 of 2021 with M.A. No. 247 of 2022

Ex Sep Deepak Singh Chouhan Applicant
By Legal Practitioner for the Applicant: Shri Shiva Nand Mishra, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shiva Nand Mishra, Ld. Counsel for the applicant and Maj Naman Gupta, Departmental Representative for the respondents are present.</p> <p>2. Objection on application filed under Section 340 of Cr.P.C. has not been filed by the respondents.</p> <p>3. Learned counsel for the respondents prays for and is granted two weeks and no more time to file objection, if any, on application under Section 340 of Cr.P.C.</p> <p>4. List on 26.10.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 29)

O.A. No. 740 of 2022

Ex LCK (S) Ghanshyam Singh Applicant
By Legal Practitioner for the Applicant: Shri Parijaat Belaura, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>2. On the request of learned counsel for the respondents hearing of the case is adjourned for the day.</p> <p>3. List on 01.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 30)

O.A. No. 753 of 2022

BHM Gnr Ram Babu Applicant
By Legal Practitioner for the Applicant: Col AK Srivastava (Retd), Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Col AK Srivastava (Retd), Ld. Counsel for the applicant and Maj Naman Gupta, Departmental Representative for the respondents are present.</p> <p>2. Respondents were directed to produce original record of ACRs of five years of the relevant period for perusal of the bench but today original record has not been produced by the respondents/Legal Cell.</p> <p>3. Shri Rajiv Pandey, advocate, brief holder and Departmental Representative prays for and is granted two weeks time to produce five years ACRs of relevant period and other documents relating to promotion of the applicant for perusal of the Bench on next date of listing otherwise it will amount adjournment of the case.</p> <p>4. List on 26.10.2023.</p> <p>5. Let a copy of order be provided to learned counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 31)

O.A. No. 986 of 2022 with M.A. No. 1194 of 2022

Mrs Dhan Maya 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 RC Shukla, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>03.10.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard arguments of Col AK Srivastava (Retd), Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents assisted by Maj Naman Gupta, Departmental Representative.</p> <p>2. Judgment reserved.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p> |