

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

R.A. No. 58 of 2023 with M.A. No. 1458 of 2023
Inre O.A. No. 165 of 2020

Union of India & Ors

Applicants-respondents

By Legal Practitioner for the Applicants: Shri Namit Sharma, Advocate

Versus

Smt Suman Shahi W/o HFO (Late)

Respondent-applicant

Ram Addhar Shahi (Retd) & Other

By Legal Practitioner for Respondent: Shri....., Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p><u>05.10.2023</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 Namit Sharma, learned counsel for the applicants-respondents is present.</p> <p><u>M.A. No. 1458 of 2023</u></p> <p>1. This application has been filed for condonation of delay in filing review application for review of order dated 19.05.2023 passed in O.A. No. 165 of 2020.</p> <p>2. There is delay of 02 months and 12 days in filing review application. Learned counsel for the applicant-respondents has moved application for condonation of delay in filing review application.</p> <p>3. It is submitted by learned counsel for the applicant-respondents that delay is not deliberate but for the reasons shown in affidavit filed in support of delay condonation application.</p> <p>4. We find that reasons shown in affidavit being sufficient, delay is liable to be condoned. Accordingly, delay in filing review application is condoned. M.A. No. 1458 of 2023 is disposed off.</p> <p><u>R.A. No. 58 of 2023</u></p> <p>5. Matter needs adjudication.</p> <p>6. Learned counsel for the applicant-respondents submitted that the Tribunal did not consider the facts that the basic pay of Rs 6,940/- was erroneously taken into account for pay fixation on 01.04.2006 instead of Rs 6,600/- as per implementation of VIth CPC recommendations and fixed at Rs 12,910/- instead of Rs 12,280/- w.e.f. 01.04.2006. He further submitted that after detection when it was found that Rs 2,14,140/- were paid in excess to the applicant, this amount was recovered from him through his pay for the month of November and December 2019 before retirement.</p> <p>7. We have considered submission of learned counsel for the applicant-respondents and perused the record.</p> |

8. We find that the judgment has been passed after considering fact of the case and legal position. The operative portion of order dated 19.05.2023 is reproduced as under:-

*“11. The respondents while filing counter affidavit submitted that no recovery has been initiated, but the fact is that an amount of Rs 2,14,120/- has been recovered from the account of the deceased soldier in the month of November and December, 2019. Thus, we find that in view of **Rafiq Masih** (supra) the respondents are required to refund Rs 2,14,120/- that was illegally recovered from his account keeping in view that there was no fault on the part of the deceased soldier.”*

*12. In view of aforesaid, Original Application is **allowed**. The respondents are directed to refund Rs 2,14,120/- to the applicant within a period of four months from today. X x x x”*

9. In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of **Parsion Devi and Others vs. Sumitri Devi and others**, reported in (1997) 8 SCC 715, has observed as under :-

“9. Under Order 47 Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power review under Order 47 Rule 1 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise.”

10. In the instant case, the details mentioned in the review application had already been taken into consideration and discussed in detail and thereafter, the order was passed. Thus, in view of the principle of law laid down by the Hon'ble Apex Court in the case of **Parsion Devi** (supra), we are of the considered view that there is no error apparent at the face of record in the impugned order dated 19.05.2023, which may be reviewed in exercise of review jurisdiction.

11. Accordingly, review application No 58 of 2023 is **rejected**.

12. Learned counsel for the applicant-respondents made an oral prayer for grant of leave to appeal against the above order which we have considered and no point of law of general public importance being involved in the case, the plea is **rejected**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Anil Kumar)
Member (J)

Form No. 4

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 2)

Ex-A. No. 134 of 2018 Inre O.A. No. 123 of 2010

Smt Durgawati Singh

Applicant

By Legal Practitioner for the Applicants: Shri Virat Anand Singh, Advocate

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondent: Shri GS Sikarwar, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>05.10.2023</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 Virat Anand Singh, learned counsel for the applicant and Shri GS Sikarwar, learned counsel for the respondents are present.</p> <p>2. Affidavit of compliance filed on behalf of the respondents is taken on record. Objection, if any, may be filed by learned counsel for the applicant within a week.</p> <p>3. List on 16.11.2023.</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>rathore</i></p> |

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 3)

EX.A. No. 78 of 2022 Inre O.A. No. 497 of 2018

Nk (TS) Mistar Singh (Retd) Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>05.10.2023</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the applicant was directed to take steps which has not been taken.</p> <p>3. Learned counsel for the applicant is further directed to take steps within a week. After taking steps, let notice be issued to respondent No 5 returnable within four weeks.</p> <p>4. List on 17.11.2023.</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>rathore</i></p> |

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

EX. A. No. 210 of 2022 Inre OA. No. 149 of 2020

Hav (MP) Akhila Nand Mishra 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

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>05.10.2023</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>2. Compliance report has already been filed to which no objection has been filed by learned counsel for the applicant.</p> <p>3. Learned counsel for the respondents submits that order under execution has been fully complied with.</p> <p>4. In view of the above, since order under execution has been complied with, this execution application is dismissed being rendered infructuous.</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>rathore</i></p> |

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

EX-A. No. 246 of 2022 Inre O.A. No. 746 of 2021

Ex Sub (Hony Capt) Jaipal Singh Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, 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>05.10.2023</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Compliance report has already been filed by the respondents.</p> <p>3. Applicant has filed objection on affidavit of compliance filed by the respondents which is taken on record.</p> <p>4. Learned counsel for the respondents submits that order of the Tribunal has been complied with and in compliance of the court order dated 04.03.2022, the PPO has been issued by the office of PCDA (P), Prayagraj which is annexed to the compliance report.</p> <p>5. Learned counsel for the applicant submits that opposite parties have not paid a single penny to the applicant as per order passed by the Tribunal and his pension is still due from December 2015 till date. It is further submitted that bank account of the applicant has been transferred and it is duty of respondent No. 3 & 4 to transfer entire amount in new bank account of the applicant.</p> <p>6. Keeping in view the contention of learned counsel for the applicant, respondents are directed to submit report on following points :-</p> <p style="padding-left: 40px;">(1) Whether applicant is entitled to arrear of pension since December, 2015?</p> <p style="padding-left: 40px;">(2) If, he is entitled, why PPO is not issued for arrear of pension payable to the applicant.</p> <p>7. List on 09.11.2023.</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><small>SB</small></p> |

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

Ex-A. No. 38 of 2023 Inre O.A. No. 34 of 2022

Ex Nk Ram Babu Pal

Applicant

By Legal Practitioner for the Applicant: Shri JN Mishra, 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>05.10.2023</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 JN Mishra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed. Four opportunities have already been granted to learned counsel for the respondents but compliance report has not been filed.</p> <p>3. Learned counsel for the respondents submits that matter is pending with line directorate. He prays for and is granted four weeks further time to file compliance report failing which respondents shall deposit cost of Rs 10,000/- which shall be remitted to the applicant.</p> <p>4. List on 10.11.2023.</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>rathore</i></p> |

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 7)

O.A. No. 985 of 2022 with M.A. No. 1499 of 2023

Hav (DMT) Jitendra Singh Applicant
By Legal Practitioner for the Appellant: Col AK Srivastava (Retd), Advocate
Shri Shashank Shekar Shukla, 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>05.10.2023</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 Shashank Shekar Shukla, learned counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 1499 of 2023</u></p> <p>2. Applicant has moved amendment application praying that he may be permitted to amend prayer clause regarding quashing of order dated 10.02.2023 vide which his statutory representation has been rejected</p> <p>3. Learned counsel for the respondents have no objection.</p> <p>4. Since amendment will not change nature of O.A., application is allowed. M.A. No. 1499 of 2023 is disposed off.</p> <p>5. Learned counsel for the applicant is directed to incorporate the change within a week.</p> <p><u>O.A. No. 985 of 2022</u></p> <p>6. List on 06.11.2023.</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>rathore</i></p> |

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

O.A. No. 212 of 2023

Smt Sadhna Singh W/o late Hav
Veer Bahadur Singh

Applicant

By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate
Shri Santosh 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>05.10.2023</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 Manoj Kumar Awasthi, Ld. Counsel for the appellant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit on behalf of respondent No 1 to 4 has already been filed. Service of notice to respondent No 5 is deemed to be sufficient. The case shall proceed ex-parte against respondent No 5.</p> <p>3. List on 23.11.2023 for hearing.</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>rathore</i></p> |

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

O.A. No. 266 of 2023

Ex Swr Kalicharan Singh Applicant
By Legal Practitioner for the Petitioner : Shri Manoj Kumar Awasthi, Advocate
Shri Anshuman Srivastava, 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>05.10.2023</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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit on behalf of respondent No 1 to 4 has already been filed. Counter affidavit on behalf of respondent No 5 has not been filed.</p> <p>3. Three weeks further time is granted to respondent No 5 to file counter affidavit.</p> <p>4. List on 23.11.2023.</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>rathore</i></p> |

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

O.A. No. 326 of 2023

Ratna Kumari M/o Ex Sep Aneesh M Applicant
By Legal Practitioner for the Applicant: Shri Shailesh Kumar Pathak, 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>05.10.2023</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 Shailesh Kumar Pathak, Ld. Counsel for the applicants and Dr. Shailendra Sharma Atal, 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 allowed four weeks further time to file counter affidavit.</p> <p>4. List on 20.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

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

O.A. No. 354 of 2023 with M.A. No. 408 of 2023

Driver Engine Static Tula Ram S/o Late Puran Singh Applicant
By Legal Practitioner for the Applicant: Shri Vivek Tripathi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>05.10.2023</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 Vivek Tripathi, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents was directed to file objection on maintainability of O.A. and delay condonation application. Objection has not been filed. Learned counsel for the respondents prays for and is granted a week's further time as last opportunity to file objection, if any, on maintainability of O.A. and delay condonation application.</p> <p>3. List on 13.10.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p> |

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

O.A. No. 381 of 2023

Hav/NA Abhay Kumar Pandey 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>05.10.2023</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 Yashpal Singh, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Rejoinder affidavit has not been filed.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks further time as last opportunity to file rejoinder affidavit.</p> <p>4. List on 09.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 13)

O.A. No. 455 of 2023

Ex Nk Hari Pal Singh

Applicant

By Legal Practitioner for the Applicant: Shri R Chandra, 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>05.10.2023</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 Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit filed on behalf of the respondents is taken on record. Learned counsel for the applicant submits that he does not intend to file rejoinder affidavit in this case.</p> <p>3. Heard arguments of learned counsel for the parties.</p> <p>4. Judgment is reserved.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 14)

O.A. No. 925 of 2023

Ex Sgt Alok Mishra Applicant
By Legal Practitioner for the Applicant: Shri Raj Kumar Mishra, Advocate
Ms. Upasana Mishra, Advocate
Shri Kapil Mishra, 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>05.10.2023</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 JN Mishra, 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 allowed four weeks further time to file counter affidavit.</p> <p>4. List on 09.11.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</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. 626 of 2020 In Ref : with M.A. No. 1369 of 2023

Hariom Singh S/o Late Ex Sep Kedar Singh Applicant
By Legal Practitioner for the Applicant: Shri Veer Raghav Choubey, Advocate

Versus

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

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| | <p><u>05.10.2023</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 Veer Raghav Choubey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 1369 of 2023</u></p> <p>2. Applicant has moved application for amendment in O.A. Learned counsel for the respondents has filed objection. Amendment application moved by learned counsel for the applicant and objection filed by the respondents are taken on record.</p> <p>3. Learned counsel for the applicant has moved application for amending prayer clause and also address of respondent No 5 which is mentioned in array of parties. Amendment application is partly allowed to the extent of amendment in prayer clause and rejected for amendment in address of respondent No 5. Let amendment be incorporated within a week. M.A. No. 1369 of 2023 is disposed off.</p> <p>4. Notice was issued to respondent No 5 but it has not been served. Let fresh notice be issued to respondent No 5 on following address returnable within four weeks:-</p> <p style="text-align: center;">Smt Angoori Devi Village & Post-Seehi P.S. and District-Kumer District-Bharatpur-321602</p> <p>5. Steps within a week.</p> <p><u>O.A. No. 626 of 2020</u></p> <p>6. List on 22.11.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 16)

O.A. (A) No. 594 of 2018

Nk Gyaneshwar Prasad Pandey Appellant
By Legal Practitioner for the Appellant: Shri Raj Kumar Mishra, 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>05.10.2023</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 appellant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Rejoinder affidavit and written arguments have not been filed by learned counsel for the applicant. Let it be filed within a week.</p> <p>3. Learned counsel for the respondents is directed to retain original documents till final hearing.</p> <p>4. List on 04.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
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ORDER SHEET

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

T.A. No. 1061 of 2010 with M.A. No. 674 of 2021 alongwith T.A. No. 1065 of 2010

RN Mishra Petitioner
By Legal Practitioner for the Petitioner: Shri Shiv Kant Pandey, Advocate
Ms. Nisha Pandey, Advocate

Versus

Chief of Air Staff & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p><u>05.10.2023</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 Shiv Kant Pandey, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. List on 10.11.2023 for further hearing.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p> |

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

T.A. No. 1065 of 2010

RN Mishra Petitioner
By Legal Practitioner for the Petitioner: Shri Bhaskar Prasad Dubey, Advocate
Shri Shiv Kant 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 |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p><u>05.10.2023</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 Bhaskar Prasad Dubey, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. List on 10.11.2023 for further hearing.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 19)

T.A. No. 82 of 2012

Mahavir Singh Rawat

Petitioner

By Legal Practitioner for the Petitioner: Shri KK Misra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri RKS Chauhan, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p><u>05.10.2023</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 RKS Chauhan, Ld. Counsel for the respondents is present. Ld. Counsel for the applicant is not present.</p> <p>2. Applicant present in person submits that his counsel is out of station. He prays for adjournment of the case. Accordingly, the case is passed over for the day.</p> <p>3. List on 04.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |