

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

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

**Smt. Durgawati Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Dev Tripathi, Advocate, holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Compliance report filed by the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted one weeks' time to file objection on compliance report.</p> <p>List on <b>01.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**Ex-A. No. 6 of 2019 Inre: O.A. No. 290 of 2016**

**Ex Sep Harendra Vikram Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Yashpal Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>In spite of granting last opportunity, compliance report has not been filed by the respondents. Learned counsel for the respondents further prays for time to file compliance report. As a last chance, one more opportunity is granted to respondents to file compliance report. It is clarified that if the compliance report is not filed by the next date fixed, no further opportunity shall be granted to file compliance report and officer responsible for compliance shall remain present in the Court to clarify his position.</p> <p>List on <b>06.02.2023</b>.</p> <p>Copy of this order be provided to learned counsel for the respondents.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**Ex-A. No. 39 of 2022 Inre: O.A. No. 89 of 2020**

**Ex MCPO AOF II Phool Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Shaliendra Kumar Singh, holding brief of Shri Parijaat Belaura, learned counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents No 1 to 4 and Mohd Zafar Khan, learned counsel for the respondents No 5 and 6.</p> <p>Learned counsel for the applicant submits that he has not received copy of compliance report. Learned counsel for the respondents is directed to supply copy of compliance report to learned counsel for the applicant who will file his reply within a week.</p> <p>List on <b>06.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: right;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**Ex-A. No. 169 of 2022 Inre: Ex-A. No. 107 of 2019**  
**Inre: O.A. No. 226 of 2014**

**Ex Sub Radhey Shyam Upadhya**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that in spite of granting repeated opportunity, compliance report has not been filed.</p> <p>As a last chance, two weeks further time is granted to respondents to file compliance report.</p> <p>List on <b>09.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.5)**

**Ex-A. No. 281 of 2022 Inre: Ex-A. No. 67 of 2019**  
**Inre: T.A. No. 1278 of 2010**

**Sep / NA VV Khedkar Rao (Retd)**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted one weeks' time to file objection on compliance report.</p> <p>List on <b>14.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.6)**

**O.A. No 456 of 2020**

**Ex Sep Anil Kumar Sharma & Another**  
By Legal Practitioner for the Applicants

**Applicants**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Advocate, holding brief of Shri SG Singh, Ld. Counsel for the applicants and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Shri Mahendra Kumar Singh, Advocate submits that Shri SG Singh, learned counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List on <b>22.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.7)**

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

**Ex Rect Prashant Kumar Prikshit**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Advocate, holding brief of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Shri Mahendra Kumar Singh, Advocate submits that Shri Pankaj Kumar Shukla, learned counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List on <b>20.02.2023</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: right;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.8)**

**O.A. No 39 of 2022**

**Spr Basav Raj Lamani**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Col RC Dixit (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List on <b>22.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.9)**

**O.A. No 283 of 2022**

**Hav Sanjay Samanta**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Puru Mudgil, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd) Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List on <b>16.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.10)**

**O.A. No 342 of 2022**

**Hav Dinesh Chand Tyagi (Retd)**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>No counter affidavit has been filed by respondent No 6.</p> <p>Pleadings are complete.</p> <p>List on <b>17.02.2023</b> for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

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

**O.A. No 544 of 2022 with M.A. No 660 of 2022**

**Ex Rect Makvana Takha Bhai Rana Bhai**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: justify;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents on application for condonation of delay as well as maintainability of the case.</p> <p style="text-align: justify;">The applicant has filed this application under Section 14 of the Armed Forces Tribunal Act, 2007 to quash proceedings of Summary Court Martial dated 05.03.2001 and grant consequential benefits to the applicant.</p> <p style="text-align: justify;">There is delay of about 21 years in filing Original Application.</p> <p style="text-align: justify;">Submission of learned counsel for the applicant is that delay in filing Original Application is not intentional. His further submission is that applicant had submitted an application under the Right to Information Act 2005 dated 31 Mar 2019. After receiving reply applicant filed Statutory Complaint dated 31.05.2020 which was rejected by the respondents vide order dated 26.12.2021 which was received by the applicant in the month of May 2022. He was in financial hardship and members of his family were suffering from various ailments, hence he could not file the case in time. Thus, his submission is that delay is not deliberate, but for the reasons stated above. Further, the applicant is a recruit, hence he is not subject to Army Act.</p>

Learned counsel for the respondents has vehemently opposed the prayer and has submitted that long delay of more than 21 years has not been properly and satisfactorily explained. Applicant has not explained the delay of 18 long years and entire correspondence done by the applicant is merely an eyewash and have no relevancy after a lapse of 18 years. Hon'ble Courts have time and again held that the courts are not for the people who are not vigilant and sleep over their rights, and court should be strict while dealing with the cases of such litigants who sleep over their right and approach the Hon'ble Court merely for chance or fun. The applicant has not approached the Tribunal within stipulated time hence the prayer of the applicant does not deserve to be entertained being unjust and unsustainable in the eyes of law.

Having heard the submissions of learned counsel of both sides. Section 22 of the Armed Forces Tribunal Act 2007 deals with the limitation, which reads as under:-

**22 Limitation.** —

*(1) The Tribunal shall not admit an application—*

*(a) in a case where a final order such as is mentioned in clause (a) of sub-section (2) of section 21 has been made unless the application is made within six months from the date on which such final order has been made;*

*(b) in a case where a petition or a representation such as is mentioned in clause (b) of sub-section (2) of section 21 has been made and the period of six months has expired thereafter without such final order having been made;*

*(c) in a case where the grievance in respect of which an application is made had arisen by reason of any order made at any time during the period of three years immediately preceding the date on which jurisdiction, powers and authority of the Tribunal became exercisable under this Act, in respect of the matter to which such order relates and no proceedings for the redressal of such grievance had been commenced before the said date before the High Court.*

*(2) Notwithstanding anything contained in sub-section (1), the Tribunal may admit an application after the period of six months referred to in clause (a) or clause (b) of sub-section (1), as the case may be, or prior to the period of three years specified in clause (c), if the Tribunal is*

*satisfied that the applicant had sufficient cause for not making the application within such period.*

Thus, a plain reading of the aforesaid Section shows that the court before condoning the delay, must be satisfied that the applicant has sufficient cause for not making the application within such period. Admittedly, in this case applicant was dismissed from service vide Summary Court Martial dated 05.03.2001 and thereafter the applicant remained silent and for the first time in the year 2019 applicant sought some information through RTI. This delay of 21 years in moving RTI could not be explained by the applicant and an attempt has been made during the course of arguments that family of the applicant was ill and applicant was in financially poor condition. Such a long period cannot be treated to be a reasonable period. If the period of limitation is taken from the date of RTI, then it would simply make Section 22 of the AFT Act, 2007 meaningless because in that circumstances, any administrative Act of the Armed Forces shall not attain finality, because at any time, the applicant may prefer RTI, may be after lapse of 18 years or more and some order has to be passed by the competent authority on such RTI, then the provision of Section 22 of the AFT Act, 2007 would become meaningless. The purpose of provision of limitation is to give finality to the orders passed by the authority. Until and unless the applicant satisfies the Tribunal that he was not in a position to come before the Tribunal within time due to certain unavoidable circumstances, such huge delay cannot be condoned. In the instant case, the applicant has utterly failed to satisfy us on this point.

After carefully examining the entire record and considering the facts and circumstances of the case, we find that explanation offered by the applicant for delay in filing Original Application is not sufficient. It is settled in law that if time limit is given for filing of any application and the same is not filed within that time limit, delay should be explained on day to day basis which applicant has utterly failed in the present case.

In the result, we find that delay is not condonable.

Accordingly, delay condonation application is **rejected**.

Original Application being time barred is also **rejected**.

**(Maj Gen Sanjay Singh)**  
Member (A)

**(Justice Ravindra Nath Kakkar)**  
Member (J)

UKT/-

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No.2 (Sl. No.12)

O.A. No 624 of 2022

Ex HFO, Chandra Prakash Srivastava  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Advocate, holding brief of Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Mrs. Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit has not been filed by the respondents. Learned counsel for the respondents prays for further time to file counter affidavit. As a matter of last chance, one weeks' time is granted to file counter affidavit.</p> <p>List on <b>09.02.2023</b> for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case including medical board proceedings pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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 684 of 2022**

**Wg Cdr DR Beniwal**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that in spite of availing several opportunities, counter affidavit has not been filed by the respondents. Learned counsel for the respondents submits that he has not received instructions from the concerned authority and prays for further time to file counter affidavit.</p> <p>As a last chance, two weeks' further time is granted to respondents to file counter affidavit.</p> <p>List on <b>13.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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 816 of 2022 with M.A. No. 1010 of 2022**

**Ex Hav Jagmohan Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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, Ld. Counsel for the applicant and Maj Tarun Pillai, Departmental Representative for the respondents are present.</p> <p>Departmental Representative for the respondents submits that Shri Sunil Sharma, learned counsel for the respondents is not present today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List on <b>16.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.15)**

**O.A. (A) No 106 of 2021**

**Ex Sep Ranvir Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>Vakalatnama filed by Shri Bhanu Pratap Singh on behalf of the applicant is taken on record. Registry is directed to show his name as learned counsel for the applicant on the next date of listing.</p> <p>On the case being taken up for hearing Shri Bhanu Pratap Singh, Ld. Counsel for the applicant and Shri Gyan Singh, 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>15.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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 441 of 2022**

**Rect Vivek Kumar**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Puru Mudgil, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, 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 counter affidavit.</p> <p>List on <b>23.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.17)**

**O.A. (A) No 975 of 2022**

**Nb Sub Birender Singh Rawat (Through  
Pairokar Vinita Devi, Wife)**

By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Puru Mudgil, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that applicant was confined in jail and even after bail order issued by this Tribunal, applicant has not been released from jail.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to seek instructions from the authority concerned and inform the Tribunal as to why the applicant has not been released from jail.</p> <p>List on <b>17.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**O.A. (A) No 1094 of 2022**

**Lt Col Awadhesh Kumar Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>Objection on maintainability filed by the respondents is taken on record.</p> <p>This application has been filed by the applicant with the prayer to quash Charge Sheet dated 02.01.2022 and tentative charge sheet served upon the applicant on 12.07.2019 and declare the disciplinary proceedings as well as GCM proceedings against the applicant as impracticable.</p> <p>Learned counsel for the applicant submitted that re-assembly of GCM of the applicant will take place on 18.01.2023 and the applicant has already been served with movement order to appear before GCM. In similar matter, Hon'ble Tribunal has already granted stay on GCM vide order dated 10.01.2023 to Hav Beggu Mahesh. He further submitted that the applicant was granted relief of stay on GCM proceedings vide order dated 26.05.2022 but the order became vacated only because the earlier O.A. was dismissed on technical grounds. Learned counsel for the applicant pleaded that re-convening of the GCM of the applicant be stayed till the finalization of issue of limitation by Hon'ble Supreme Court.</p> <p>On the other hand, learned counsel for the respondents submitted that applicant has filed this application for quashing and setting aside the order dated 08.04.2022, charge sheet dated 02.01.2022 and tentative charge sheet dated 12.07.2019.</p>

Learned counsel for the respondents submitted that Applicant has approached the Hon'ble Apex Court for settling the issue of limitation which is pending. Further on perusal of order dated 01.12.2022 passed by this Tribunal, it reveals that the applicant was given liberty to approach this Tribunal after availing the remedy available to him under Section 164 (2) of the Indian Army Act, 1950. For ready reference the operative portion of the order is reproduced as under:-

*“Against this, remedy is provided to the applicant to file post confirmation petition under Section 164 (2) of the Indian Army Act, 1950. So, if applicant decides to file application under Section 15 of the Armed Forces Tribunal Act, 2007, challenging charge sheet dated 02.01.2022 and order dated 08.04.2022 he can do this after availing remedy available to him under Section 164 (2) of the Indian Army Act, 1950 as provided under Section 21 (1) of the Armed Forces Tribunal Act 2007.*

Hence, in view of the aforesaid observations made by the Tribunal, the instant application is not admissible in the light of the settled statutory provisions of the Armed Forces Tribunal Act, 2007. Section 21 of the Armed Forces Tribunal Act, 2007 stipulates that **“Application not to be admitted unless other remedies exhausted”**.

Section 21 of the Armed Forces Tribunal Act, 2007, therefore, restricts the applicant to approach the Armed Forces Tribunal unless he exhausts the statutory remedy provided to him under the Army Act. Learned counsel for the respondents pleaded that instant Original Application filed by the applicant is liable to be dismissed at admission stage being premature.

We have heard Shri Puru Mudgil, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents on maintainability of the case.

In the instant case, applicant has prayed to set aside, charge sheet dated 02.01.2022 and tentative charge sheet served upon the applicant on 12.07.2019 and to stay GCM proceedings. Section 21 of the Armed Forces Tribunal Act, 2007 reads as under :-

**21. Application not be admitted unless other remedies exhausted.**

(1) *The Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant had availed of the remedies available to him under*

*the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950) as the case may be and respective rules and regulations made there under;*

*(2) For the purpose of Sub Section (1) a person shall be deemed to have availed of all the remedies available to him under the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957) or the Air Force Act, 1950 (45 of 1950) as the case may be and respective rules and regulations:-*

*(i) If a final order has been made by the Central Government or other authority or officer or other person competent to pass such order under the said Act, rules and Regulations, rejecting any petition preferred or representation made by such person.*

*(ii) Where no final order has been made by the Central Government or other authority or officer or other person competent to pass such order with regard to the petition preferred or representation made by such person, if a period of six months from the date on which such petition was preferred or representation was made has expired.*

Section 21 of the Armed Forces Tribunal Act, 2007 therefore, restricts the applicant to approach the Tribunal unless he exhausts the statutory remedy provided to him under the Army Act. Thus, Original Application filed by the applicant is premature at this stage, since, the applicant presently has no cause of action.

Further, Hon'ble AFT, Principal Bench, New Delhi in O.A. NO 176 of 2015 Hav Sham Das D Vs UOI and Others decided on 07 Apr 2015 has dismissed the O.A. on maintainability wherein the applicant had challenged the order passed by GCM rejecting Special Plea to jurisdiction as also the order rejecting prayer not to permit the prosecution to use the Court of Inquiry proceedings for contradicting their witnesses while the GCM was still under progress. Hon'ble Tribunal held that only a final order by the Court Martial would be appealable under sub Section (1) of Section 15 of the AFT Act, 2007. It was further observed that any contrary interpretation of the aforesaid issue would not only frustrate the purpose of the Act but also make the entire system of administration of justice in the Armed Forces unworkable. Hon'ble Apex Court in the case of Crl A. No 16040 of 2015 Hav Sham Das D Vs UOI and Other s decided on 04.07.2015 dismissed the appeal filed by Hav Sham Das D, challenging the aforesaid order dated 07.04.2015 passed by Hon'ble

AFT(PB), New Delhi. Hon'ble AFT, Principal Bench in M.A. No 2087 of 2020 in O.A. No 1135 of 2019 Brig SK Gupta Vs UOI and Others decided on 16.12.2020 passed the order and directed the applicant to attend recording of additional Summary of Evidence. The said applicant who was a co-accused in the same case was the Commandant, Base Hospital Lucknow at the time of the offence and he had taken pre-mature retirement on 15 Oct 2018. Subsequently, Brig SK Gupta (Retd) filed a Writ Petition in Hon'ble Delhi High Court vide WP (c) 11049/2020 against the order of Hon'ble AFT PB, New Delhi. The Hon'ble Delhi High Court vide its order dated 23.12.2020 refused to interfere with directions of Aft (PB), New Delhi and re-iterated that Brig SK Gupta (Retd) shall face consequence if he failed to appear for recording of additional Summary of Evidence at AMC Centre and College Lucknow. Facts of the case referred by the applicant are based on different ground and of no help to applicant.

In view of aforesaid discussions, O.A. (A) No 1094 of 2022 filed by the applicant is not maintainable before this Tribunal being premature.

Accordingly, O.A. is **dismissed** being not maintainable.

**(Maj Gen Sanjay Singh)**  
Member (A)

**(Justice Ravindra Nath Kakkar)**  
Member (J)

Ukt/-



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

**T.A. No 3 of 2021**

**Ex Nk Clk Netrapal Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>Vakalatname filed by Shri KK Misra, on behalf of the applicant is taken on record. Registry is directed to show his name as learned counsel for the applicant on the next</p> <p>On the case being taken up for hearing the applicant Ex Nk Netrapal Singh and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Applicant Ex Nk Netrapal Singh submits that he has engaged Shri KK Misra as his new counsel and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>List on <b>28.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: right;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**T.A. No 27 of 2022 with M.A. No. 1027 of 2022**

**Ex Sep Dharm Pal**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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>No one is present on behalf of the applicant.</p> <p>Notice issued to applicant has not been received back served/unserved.</p> <p>Registry is directed to issue a fresh notice to applicant by Registered Post returnable by the date fixed.</p> <p>List on <b>13.03.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 240 of 2017**

**Sinhasan Singh**

By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Puru Mudgil, Advocate, holding brief of Shri Manoj Kumar Awasthi, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Shri Puru Mudgil, submits that learned counsel for the applicant is not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List on <b>20.02.2023</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 470 of 2018**

**Uday Shankar Thakur**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 applicant Shri Uday Shankar Thakur and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>Applicant submits that he has not received copy of counter affidavit. Learned counsel for the respondents has provided copy of counter affidavit to applicant today in the Court. Applicant prays for and is granted one week time to file rejoinder affidavit.</p> <p>Subject matter of the case pertains to roster of Court No 1, hence case is transferred in Court No 1.</p> <p>List before Court No 1 as per roster on <b>20.01.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 500 of 2019**

**Ex Sep Baljinder Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>Heard Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p>Arguments of Shri Lalit Kumar, learned counsel for the applicant concluded.</p> <p>List on <b>17.01.2023</b> for hearing arguments of Shri Chet Narayan Singh, learned counsel for the respondents.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 121 of 2020**

**Ex Rect Sukhwant Singh**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Kumar Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Pleadings have been exchanged and the case is ripe for hearing.</p> <p>List on <b>23.02.2023</b> for final hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: right;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 268 of 2021**

**Ram Kumar Yadav**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Vinay Pandey, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List on <b>21.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 450 of 2021**

**Rect Md Nurulhoda Ansari**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Amarnath Tiwari, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Two weeks further time is granted to applicant to file rejoinder affidavit. List on <b>27.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</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. 658 of 2022**

**Sub Umakant Tiwari (Retd)**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Argument of Shri Shiv Kant Pandey, learned counsel for the applicant concluded.</p> <p style="text-align: center;">List on <b>17.01.2023</b> for hearing arguments of Shri Chet Narayan Singh, learned counsel for the respondents.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2 (Sl. No.28)**

**O.A.(A) No. 391 of 2018**

**Ravinder Singh (Through Smt. Surekha, Legally Wedded Wife)**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Rohit Kumar, Ld. Counsel for the applicant and Maj Tarun Pillai, Departmental Representative for the the respondents are present.</p> <p>It has been informed by Bar that father of Shri Kaushik Chatterjee, learned counsel for the respondents has been expired, hence Shri Kaushik Chatterjee is not available. Accordingly, the case is adjourned.</p> <p>List on <b>22.02.2023</b>.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>

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

**O.A.(A) No. 1052 of 2022**

**Ex Cfn Deepak Chanra Pandey**  
**(Through Parokar Smt. Renu Pandey**  
By Legal Practitioner for the Applicant

**Applicant**

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.01.2023</u></b> <b><u>Hon'ble Mr. Justice Ravindra Nath Kakkar, 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 Puru Mudgil, Advocate, holding brief of Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Mrs. Appoli Srivastava, 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 condonation of delay as well as on maintainability of the case.</p> <p>List on <b>23.02.2023</b>.</p> <p style="text-align: center;"><b>(Maj Gen Sanjay Singh)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Ravindra Nath Kakkar)</b> Member (J)</p> <p>Ukt/-</p>