

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

EX-A. No. 38 of 2019 Inre T.A. No. 513 of 2010

Ex Swr Satendra Singh Applicant
By Legal Practitioner for the Applicant: None for the applicant.

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>Cost of Rs 10,000/- has been deposited by the respondents.</p> <p>Learned counsel for the applicant is stated to be ill.</p> <p>In the interest of justice, the case is passed over for the day.</p> <p>List on 14.03.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</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. 233 of 2022 Inre O.A. No. 263 of 2014

Ex Hav Ishwar Prasad Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Mohd. Zafar Khan, Advocate
Mrs Deepti P Bajpai, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Mohd Zafar Khan and Mrs Deepti P Bajpai, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Learned counsel for the respondents seeks and is allowed four weeks time as a last opportunity to file affidavit of compliance.</p> <p>List on 20.03.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</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. 254 of 2022 Inre O.A. No. 103 of 2020

Ex Nk Ranjeet Singh Thakur Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, 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
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that in compliance of order dated 03.12.2021 Govt sanction is under process.</p> <p>Learned counsel for the respondents seeks and is allowed four weeks time to file affidavit of compliance, else cost of Rs 10,000/- shall be imposed.</p> <p>List on 23.03.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</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. 255 of 2021

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Opportunity to file reply to amended O.A. is closed.</p> <p>List on 10.04.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</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. 658 of 2021

Rect Sonveer Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate
Shri Sachindra Pratap Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh and Shri Sachindra Pratap Singh, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>On request of learned counsel for the applicant adjournment is allowed.</p> <p>List on 11.04.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</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. 863 of 2021

Ex Sub Narendra Pal Singh Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p style="text-align: center;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order is reserved.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</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. 13 of 2022

L/Nk Viresh Kumar Applicant
By Legal Practitioner for the Applicant: Shri Yashpal Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p style="text-align: center;">Heard Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Rejoinder affidavit filed by the applicant is taken on record.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order is reserved.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</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. 283 of 2022

Hav Sanjoy Samanta Applicant
By Legal Practitioner for the Applicant: Wg Cdr Ajit Kakkar (Retd), 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
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Puru Mudgal, Advocate holding brief for Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed, four weeks further time is allowed to file rejoinder affidavit.</p> <p>List on 17.04.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 9)

O.A. No. 694 of 2022

Ex L/Nk (SHGD) Krishna Bihari Mishra Applicant
By Legal Practitioner for the Applicant: Col RA Pandey (Retd), Advocate
Shri Arun Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p style="text-align: center;">Heard Shri Arun Kumar, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Pleadings are complete and the case is ripe for hearing.</p> <p style="text-align: center;">List on 27.03.2023 for final hearing.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 10)

O.A. No. 735 of 2022 with M.A. No. 908 of 2022

Ex Sep/ASH Munna Rai

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Puru Mudgal, Advocate holding brief for Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Reply to objection is taken on record.</p> <p>Order in chamber.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 11)

O.A. No. 816 of 2022 with M.A. No. 1010 of 2022

Ex Hav Jagmohan Singh Applicant
By Legal Practitioner for the Applicant: Shri Raj Kumar Mishra, Advocate
Lt Col Nidhikant Dhyani (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Heard Shri Raj Kumar Mishra and Lt Col Nidhikant Dhyani (Retd), Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents.</p> <p>Instant Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 challenging the order by which applicant was discharged from service with effect from 30.06.1994 on the ground of certain red ink entries.</p> <p>There is a delay of 25 years, 08 months and 25 days in filing Original Application.</p> <p>Submission of Ld. Counsel for the applicant is that delay in filing Original Application is not deliberate. His further submission is that he had submitted a legal notice dated 30.03.2022 which was replied by the respondents vide letter dated 04.05.2022. His further submission is that earlier due to ignorance and paucity of funds the applicant could not approach the Tribunal.. Thus, his submission is that delay in filing Original Application is not deliberate, but for the reasons stated above.</p> <p>Ld. Counsel for the respondents vehemently opposed the prayer and submitted that long delay of more than 25 years has not been properly and satisfactorily explained. His further submission is that the applicant was discharged from service on account of five red ink entries in terms of policy letter dated 28.12.1988. Further, since he has not put in 15 years of service, he is not entitled to pensionary benefits. He orally submitted that in view of the judgment passed by the Hon'ble Apex Court in the case of <i>Balwant Singh (dead) Vs. Jagdish Singh and Others</i>, reported in (2010) 8 SCC 685 delay is not condonable. He pleaded for dismissal of delay condonation application as</p>

well as Original Application being time barred.

Having heard the submissions of Ld. Counsel of both sides 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 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)

rathore

(Justice Ravindra Nath Kakkar)
Member (J)

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

O.A. No. 1077 of 2022 with M.A. No. 1280 of 2022

Lt Col Aakash Arora Applicant
By Legal Practitioner for the Applicant: Shri Satya Saharawat, Advocate
Mrs Aditi Laxman, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u> Heard Shri Satya Saharawat and Mrs Aditi Laxman, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 1280 of 2022</u> This is an application for condonation of delay in filing Original Application. As per office report, there is a delay of 08 years, 02 months and 08 days in filing original application. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents opposing the prayer submits that explanation of delay offered by the applicant is not sufficient and he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No 1077 of 2022</u> Matter needs adjudication. Admit. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks. List on 18.04.2023.</p>

	(Maj Gen Sanjay Singh) Member (A) <i>rathore</i>	(Justice Ravindra Nath Kakkar) Member (J)
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 13)

O.A. No. 11 of 2023 with M.A. No. 12 of 2023

Smt Raj Kanwar W/o Late Sub Maj (Hony Capt) Hari Singh Applicant
 By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Advocate
 Shri Sandeep Tripathi, Advocate

Versus

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

Notes of the Registry	<p style="text-align: center;">Orders of the Tribunal</p>			
	<p> <u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u> </p> <p style="text-align: justify;"> On the case being taken up for hearing Shri Vijay Kumar Pandey and Shri Sandeep Tripathi, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present. </p> <p style="text-align: justify;"> An oral prayer has been made by learned counsel for the applicant that he intends to amend the prayer clause of O.A. which is allowed. </p> <p style="text-align: justify;"> Learned counsel for the respondents seeks and is allowed a week's time to file objection on delay condonation application. </p> <p style="text-align: center;">List on 16.03.2023.</p>			
	<table style="width: 100%;"> <tr> <td style="width: 45%; text-align: center;"> (Maj Gen Sanjay Singh) Member (A) <i>rathore</i> </td> <td style="width: 10%;"></td> <td style="width: 45%; text-align: center;"> (Justice Ravindra Nath Kakkar) Member (J) </td> </tr> </table>	(Maj Gen Sanjay Singh) Member (A) <i>rathore</i>		(Justice Ravindra Nath Kakkar) Member (J)
(Maj Gen Sanjay Singh) Member (A) <i>rathore</i>		(Justice Ravindra Nath Kakkar) Member (J)		

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

O.A. No. 58 of 2023 with M.A. No. 53 of 2023

Smt Kalawati, W/o Late Ex Nk Triloki Nath Applicant
By Legal Practitioner for the Applicant: Shri Jai Prakash Singh, Advocate
Shri MVS Chauhan, 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
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u> Heard Shri Jai Prakash Singh and Shri MVS Chauhan, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents. Objection filed by learned counsel for the respondents is taken on record. <u>M.A. No. 53 of 2023</u> This is an application for condonation of delay in filing Original Application. As per office report, there is a delay of 17 years, 1 months and 25 days in filing original application. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application. Per contra, learned counsel for the respondents opposing the prayer submits that explanation of delay offered by the applicant is not sufficient and he has failed to offer day to day explanation of delay. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p>

	<p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No 58 of 2023</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks.</p> <p>List on 24.04.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 15)

R.A. No. 2 of 2023 Inre O.A. No. 236 of 2022

Sanjay Singh, Grandson of Late Nk Nathu Lal Applicant
 By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

Versus

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

Notes of the Registry	<p>Orders of the Tribunal</p>
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Puru Mudgal, Advocate holding brief for Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms Apooli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Let copy of review application be provided to learned counsel for the respondents within a week.</p> <p>Learned counsel for the respondents may file objection, if any, within two weeks.</p> <p>List on 14.03.2023</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Ravindra Nath Kakkar) 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. No. 9 of 2019

Maj Anshuman Singh Chandel Applicant
By Legal Practitioner for the Applicant: None for the applicant.

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Ms Apooli Srivastava, Ld. Counsel for the respondents is present.</p> <p>Perusal of order sheets shows that neither rejoinder affidavit has been filed by learned counsel for the applicant despite granting several opportunities nor he is attending the court.</p> <p>Keeping all the facts as stated above, we are of the view that one more opportunity be provided to learned counsel for the applicant to file rejoinder affidavit.</p> <p>List on 17.04.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p>

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

O.A. No. 845 of 2021

Smt Bebi Devi & Others

Applicants

By Legal Practitioner for the Applicants: Shri Ravi Kumar Yadav, Advocate
Shri Ajeet Yadav, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav and Shri Ajeet Yadav, Ld. Counsel for the applicants and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant has failed to file rejoinder affidavit even after providing several opportunities. Hence opportunity to file rejoinder affidavit is closed.</p> <p>List on 12.04.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p>

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

O.A. No. 181 of 2023

Nb Sub Laxmi Kant Shukla Applicant
By Legal Practitioner for the Applicant: Shri Rohit Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Memo of appearance filed by Shri Sunil Sharma, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>As prayed, learned counsel for the respondents is granted four weeks time to file objection.</p> <p>Meanwhile, applicant is allowed to report to his Regimental Centre forthwith. On reporting he may be allowed to appear before the Commandant, AMC Regimental Centre at Lucknow.</p> <p>List on 16.03.2023.</p> <p>Let copy of this order be supplied to the parties.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 25)
O.A. No. 182 of 2023 with M.A. No. 185 of 2023

Ex Sgt Bramha Lal Sharma Applicant
By Legal Practitioner for the Applicant: Shri Sudhir Kumar Singh, Advocate
Shri Abhishek Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Memo of appearance filed by Shri Alok Kumar Mishra, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>Heard Shri Sudhir Kumar Singh and Shri Abhishek Singh, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 185 of 2023</u></p> <p>This is an application for condonation of delay in filing Original Application.</p> <p>As per office report, there is a delay of 05 years, 01 month and 26 days in filing original application.</p> <p>Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>Per contra, learned counsel for the respondents opposing the prayer submits that explanation of delay offered by the applicant is not sufficient and he has failed to offer day to day explanation of delay.</p> <p>Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No 182 of 2023</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks.</p> <p>List on 21.03.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p>

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

O.A. No. 183 of 2023

Mrs Archana Singh W/o Late Col Samarendra Pratap, VSM Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks.</p> <p>List on 06.04.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p>

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

EX-A. No. 34 of 2023 with M.A. No. 182 of 2023 Inre T.A. No. 24 of 2012

Ex Gnr Yogendra Singh Applicant
By Legal Practitioner for the Applicant: Shri Pushpendra Kumar Dhaka, Advocate
Shri Ramakant Gupta, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Memo of appearance filed by Shri Namit Sharma, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>On the case being taken up for hearing Shri Pushpendra Kumar Dhaka and Shri Ramakant Gupta, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents seeks and is allowed two weeks time to seek instructions.</p> <p>List on 06.03.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p>

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

M.A. No. 183 of 2023 with M.A. No. 184 of 2023 Inre O.A. No. 320 of 2017

Union of India & Others Applicant-respondents
By Legal Practitioner for the Applicant: Shri Namit Sharma, Advocate

Versus

Smt Saroj Tiwari, W/o Late Ex Hav Ghanshyam Ram Tiwari Respondent-Applicant
By Legal Practitioner for Respondents: Shri Shailendra Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>16.02.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>On the case being taken up for hearing Shri Namit Sharma , Ld. Counsel for the applicant-respondents and Shri Shailendra Kumar Singh, Ld. Counsel for the respondent-applicant are present.</p> <p><u>M.A. No 183 of 2023</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. The Tribunal lacks jurisdiction to condone the delay. In view of above, application for condonation of delay in filing application for leave to appeal is rejected.</p> <p><u>M.A. No. 184 of 2023</u></p> <p>Since application for condonation of delay has been rejected, in consequence thereof, application for leave to appeal is also rejected.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Ravindra Nath Kakkar) Member (J)</p>