

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

O.A. No. 417 of 2023 with M.A. No. 513 of 2023

Ex ACP Nk Ram Pal Singh Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Adesh Kumar Gupta, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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;">Memo of Appearance filed by Shri Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: justify;">Heard Shri KP Datta, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p style="text-align: justify;">The Original Application has been filed with delay of seven months and eight days. Ld. Counsel for the applicant submitted that applicant has explained the delay in affidavit filed in support of application and in view of this, delay is liable to be condoned.</p> <p style="text-align: justify;">Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p style="text-align: justify;">Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p style="text-align: justify;">In the result, delay condonation application is allowed.</p> <p style="text-align: justify;">Delay condoned.</p> <p><u>O.A. No. 417 of 2023</u></p> <p style="text-align: justify;">Heard.</p> <p style="text-align: justify;">Matter pertains to MACP and needs adjudication.</p> <p style="text-align: justify;">Admit.</p> <p style="text-align: justify;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: justify;">List on 13.07.2023.</p> <p style="text-align: justify;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: justify;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 424 of 2023 with M.A. No. 518 of 2023

Ex Nk / CIkPeriyanna Arunachalam Applicant
By Legal Practitioner for the Applicant : Shri Tatsat Shukla, Advocate
Shri Dhiraj Kumar, 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>20.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Matter taken up in the revised list.</p> <p>Memo of Appearance filed by Shri Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Dhiraj Kumar, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Objection to the maintainability of the O.A be filed by the respondents within four weeks.</p> <p>List on 18.05.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 444 of 2023 with M.A. No. 537 of 2023

Ex HFO (MWO) Yogendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Sandeep Tripathi, Advocate
Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Adesh Kumar Gupta, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Adesh Kumar Gupta, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents.</p> <p>Matter pertains to notional increment. The Original Application has been filed with delay of three years nine months and three days. Regarding delay, the submission of the Ld. Counsel for the applicant is that the applicant has explained the delay in affidavit filed in support of application and in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p> <p><u>O.A. No. 444 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 13.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 448 of 2023 with M.A. 541 of 2023

MWO Rajkumar Mishra (Retd) Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Mrs. Purna Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Mrs. Purna Singh, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Mrs. Purna Singh, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 03 years 09 months and 03 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being delay of more than six months in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p> <p><u>O.A. No. 448 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time</p>

to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

List on **13.07.2023**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

O.A. No. 449 of 2023

Smt. Pratibha Singh W/o
Nk Sandeep Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Virat Anand 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>20.04.2023</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;">Memo of Appearance filed by Shri Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Heard Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Objection to the maintainability of the O.A be filed by the respondents within two weeks.</p> <p style="text-align: center;">List on 11.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 450 of 2023 with M.A. No. 542 of 2023

Ex Sgt Brijesh Pratap Singh Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, 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>20.04.2023</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 Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Matter pertains to notional increment. The Original Application has been filed with delay of three months and fourteen days. Regarding delay, the submission of the Ld. Counsel for the applicant is that the applicant has explained the delay in affidavit filed in support of application and in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p> <p><u>O.A. No. 450 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 13.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 451 of 2023 with M.A. No. 543 of 2023

Ex Sgt Mohd Altamash Quarishy Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Ram Saran Awasthi, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Keshav Sharma, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. Counsel for the respondents.</p> <p>Matter pertains to notional increment. The Original Application has been filed with delay of three years 03 months and 14 days. Regarding delay, the submission of the Ld. Counsel for the applicant is that the applicant has explained the delay in affidavit filed in support of application and in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being inordinate delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed.</p> <p>Delay condoned.</p> <p><u>O.A. No. 451 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 13.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2(SI. No. 8)

O.A. No. 452 of 2023 with M.A. No. 544 of 2023

Ex CHEAR Aftab Alam Applicant
By Legal Practitioner for the Applicant : Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 GS Sikarwar, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 04 years 09 months and 14 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being delay of more than six months in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p> <p><u>O.A. No. 452 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p>

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

List on **18.07.2023**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

O.A. No. 455 of 2023 with M.A. No. 547 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
	<p><u>20.04.2023</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 Arun Kumar Sahu, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri R Chandra, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>The Original Application has been filed with delay of 11 months and 26 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application for condonation of delay and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer saying there being delay of more than six months in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a pensionary matter in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay is condoned.</p> <p><u>O.A. No. 455 of 2023</u></p> <p>Heard. It is a fit case for adjudication.</p> <p>Admit.</p>

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

List on **18.07.2023**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

EX- A. No. 2 of 2020 Inre: O.A. No. 269 of 2015

Ex Nb Sub Radhey Shyam Sharma Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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;">Sri Rohit Kumar, Advocate holding brief for Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Reply to objection on compliance has been filed by the respondents and is taken on record.</p> <p style="text-align: center;">List on 22.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

EX- A. No. 111 of 2021 Inre: O.A. No. 480 of 2017

Ex Sep Devender Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri SS Rajawat, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>Sri Rohit Kumar, Advocate holding brief for Shri SS Rajawat, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>List on 22.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2(SI. No.12)

EX- A. No. 245 of 2022 Inre: O.A. No. 317 of 2020

NC (E) Naresh Kumar Safaiwala Applicant
By Legal Practitioner for the Applicant : Mrs. Mamta Pandey, Advocate
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Mrs. Mamta Pandey, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal holding brief for Shri Amit Jaiswal, Ld. Counsel for the respondents.</p> <p>Ld. Counsel for the respondents prays for further four weeks time to file compliance report. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance report. As a last opportunity four weeks time is granted to the respondents to file the compliance report on the condition that if compliance report is not filed by the next date fixed, respondents shall have to pay cost of Rs. 10,000/- which shall be remitted to the applicant.</p> <p>List on 25.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

EX- A. No. 275 of 2022 Inre: O.A. No. 686 of 2021

Ex HFO Man Bahadur Singh Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, 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>20.04.2023</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 R Chandra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for further two weeks time to file compliance report. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance report. As a last opportunity four weeks time is granted to the respondents to file the compliance report on the condition that if compliance report is not filed by the next date fixed, respondents shall have to pay cost of Rs. 10,000/- which shall be remitted to the applicant.</p> <p style="text-align: center;">List on 18.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

EX-A. No. 305 of 2022 Inre: O.A. No. 9 of 2017

Smt. Radha Devi, W/o Late Applicant
Sep Gyan Singh
By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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>20.04.2023</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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for further four weeks time to file compliance report. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance report. As a last opportunity four weeks time is granted to the respondents to file the compliance report on the condition that if compliance report is not filed by the next date fixed, respondents shall have to pay cost of Rs. 10,000/- which shall be remitted to the applicant.</p> <p style="text-align: center;">List on 13.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 954 of 2022

Ex HonyNk Lal Singh

Applicant

By Legal Practitioner for the Applicant : Shri Vinay Pandey, Advocate
Shri Devendra Kumar, Advocate
Shri Ved Prakash, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Vinay Pandey, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant filed an impleadment application for impleading a new incumbent in the array of the parties. Ld. Counsel for the respondents has no objection. Impleadment application is allowed. Applicant is directed to incorporate the same during the course of the day.</p> <p style="text-align: center;">Registry is directed to issue notice to the newly incumbent arrayed as a party.</p> <p style="text-align: center;">List on 18.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</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. 1090 of 2022 with M.A. No. 1300 of 2022

Ex Nk Nand Kumar Applicant
By Legal Practitioner for the Applicant : Shri Ravi Kumar 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>20.04.2023</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, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>The Original Application has been filed with delay of 18 years 11 months and 24 days. Regarding delay the submission of the Ld. Counsel for the applicant is that applicant has explained the delay in affidavit filed in support of application for condonation of delay. The applicant was only son and his father became seriously ill during 1994. Applicant was communicated about sickness of this father. He requested for leave which was granted but due to illness of his father he could not join duty in time. Further, during the year 1998 his mother was diagnosed a patient of cancer and due to sickness of applicant's mother and mental disorder of the applicant himself and financial constraints he could not join duty. In support of his contention he has filed various medical documents. He also applied for premature retirement in June 1998 for treatment of his mother which was denied. He relied upon the judgement of Hon'ble High Court of Delhi passed in the case of Ex L/Nk Mahabir Prasad Vs Uoi & Ors in W.P (C) No. 2556 of 2010 wherein the Hon'ble High Court condoned the delay while hearing with similar matter of compassionate allowance after dismissal from service.</p> <p>Ld. counsel for the applicant further urged that through this O.A the applicant has prayed for grant of pension under exceptional cases in terms of Rule 113(a) of Pension Regulations for the Army, 1961 (Corresponding Regulation 41(a) of pension regulation for the Army 2008 (Part-I)) and delay in filing this petition is neither deliberate nor intentional. Hence, delay is liable to be condoned.</p>

Ld. Counsel for the respondents vehemently opposed the prayer saying there being delay of more than 18 years in filing the Original Application and explanation for day to day delay offered by the applicant is not sufficient. Hence, delay condonation application should be dismissed.

Upon hearing the submissions of Id. Counsel for both the parties and considering the penurious condition of the applicant who has completed more than 15 years of service and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned. Objections raised by the respondents are set aside.

In the result, delay condonation application is allowed and delay is condoned.

O.A. No. 1090 of 2022

Heard. It is a fit case for adjudication.

Admit.

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

List on **04.07.2023**.

(Maj Gen Sanjay Singh)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

RK/-

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

T.A. No. 33 of 2022

Smt. Siva Rani, W/o Late Sep
Shri Ram

Applicant

By Legal Practitioner for the Applicant : Ms. Hemlata, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Mrs. Anju Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Ms. Hemlata, Ld. Counsel for the applicant and Mrs. Anju Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the applicant is directed to file a Bench copy of the petition within a week.</p> <p style="text-align: center;">List on 18.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</p>

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

O.A. No. 469 of 2019

Ex Rect Chandrabhan Singh Applicant
By Legal Practitioner for the Applicant : Shri Yashpal 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>20.04.2023</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;">On the case being taken up for hearing Sri Rohit Kumar holding brief for Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">At the request of Ld. Counsel for the applicant, matter is adjourned.</p> <p style="text-align: center;">List on 17.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

O.A. No. 460 of 2020

Ex Sgt Rahul Prakash Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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;">On the case being taken up for hearing Sri Rohit Kumar holding brief for Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">At the request of Ld. Counsel for the applicant, matter is adjourned.</p> <p style="text-align: center;">List on 06.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</p>

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

O.A. No. 582 of 2020

Ex Rfn Chandra Bahadur Applicant
By Legal Practitioner for the Applicant : Wg Cdr SN Dwivedi (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Sri Rohit Kumar holding brief for Wg Cdr SN Dwivedi (Retd), Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>At the request of Ld. Counsel for the applicant, matter is adjourned.</p> <p>List on 06.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</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. 608 of 2020

Yogendra Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Veer Raghav Chaubey, 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>20.04.2023</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;">On the case being taken up for hearing applicant present in person and Shri Shailendra Sharma Atal, Advocate is present for the respondents.</p> <p style="text-align: center;">At the request of applicant present in person, matter is adjourned as a last opportunity.</p> <p style="text-align: center;">List on 27.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</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. 675 of 2020

Ex Hav Surendra Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri SS Rajawat, Advocate
Shri Mukesh Kumar, 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>20.04.2023</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 Sri Rohit Kumar holding brief for Shri SS Rajawat, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>List on 06.07.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</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. 711 of 2020

Ex NkHarish Chandra Singh Rautela Applicant
By Legal Practitioner for the Applicant : Shri KKS Bisht, 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>20.04.2023</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 Sri V.P Pandey holding brief for Shri KKS Bisht, Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>It is made clear that in case applicant is not present on the next date fixed, the matter shall be decided according to law on the basis of the records available.</p> <p>List on 11.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/-</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. 661 of 2021

Smt. Mithlesh Devi Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Sunil Sharma, Advocate
Shri Vinod Kumar Singh, Advocate
Shri Ashutosh Kumar Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</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 Sri Rahul Pal holding brief for Shri Virat Anand Singh, Id. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondent Nos. 1 to 3 are present. Sri Ashutosh Kumar Srivastava, Advocate representing AGI is not present.</p> <p>At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>List on 18.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-</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. 797 of 2021

Ex Hony Nb Sub Ramesh Singh Chauhan Applicant
By Legal Practitioner for the Applicant : Shri Pankaj Kumar Shukla, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>20.04.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>None present for the applicant. Shri Ashish Kumar Singh, Ld. Counsel for the respondent No. 1 to 4 and Sri Avdhesh Shukla representing respondent Nos. 5 & 6 are present.</p> <p>Last opportunity is granted to the applicant to file objections against compliance report filed by the respondents.</p> <p>List on 11.05.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Ravindra Nath Kakkar) Member (A) Member (J)</p> <p>RK/-/</p>