

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

O.A. No. 1341 of 2023

Hav (PTA) Brajesh Kumar Pandey Applicant
By Legal Practitioner for the Applicant: Shri NM Tiwari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Memo of appearance filed by Shri Rajiv Pandey, 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.2. On the case being taken up for hearing, Shri NM Tiwari, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents are present.3. This O.A. has been filed for premature retirement.4. Matter needs adjudication.5. Admit.6. Learned counsel for the respondents prays for and is allowed 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.7. List on 10.01.2024. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

Ex-A/91 of 2021 with M.A. No. 328 of 2023
Inre O.A. No. 628 of 2020

**Smt Asha Devi (M/O late Ex Sigm
Kapil Kumar) & another**

Applicants

By Legal Practitioner for the Applicant: Shri Pushpendra Kumar Dhaka, Advocate
Shri Rama Kant, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Pushpendra Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Pushpendra Kumar Dhaka, learned counsel for the applicants and Shri Pushpendra Mishra, learned counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed. Learned counsel for the respondents submits that cost imposed against the respondents shall be deposited today. He prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs 5,000/- which shall be remitted to the applicant.</p> <p>3. It is also directed that on next date of listing, representative of PAO (OR) Signals shall be present before the bench through virtual mode to explain the reasons for delay in implementation of order passed by this Tribunal.</p> <p>4. List on 10.01.2024.</p> <p>5. Copy of this order be provided to learned counsel for the respondents and OIC Legal Cell in usual way.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member Member (A) Member (J) <i>rathore</i></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 5)

Ex-A/208 of 2022 with M.A. No. 1711 of 2023
Inre O.A. No. 464 of 2021

Ex Nk Desh Raj Singh Applicant
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, learned counsel for the applicant and Shri Pushendra Mishra, learned counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Shri DC Lohumi, Advocate appeared for the respondent No 5 and 6. He prays for and is allowed two weeks time to file Vakalatnama and affidavit of compliance.</p> <p>4. List on 10.01.2024.</p> <p>(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J) <i>rathore</i></p>

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

Ex-A/224 of 2022 Inre O.A. No. 281 of 2020

Ex Hav Ram Yatan Ram Applicant
By Legal Practitioner for the Applicant: Shri Parijaat Belaura, Advocate

Versus

Union of India & Ors Respondents
By Legal Practitioner for Respondents: Shri Rajesh Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, learned counsel for the applicant is present. Shri Rajesh Shukla, learned counsel for the respondents is present through virtual mode.</p> <p>2. Heard learned counsel for the parties.</p> <p>3. Order dated 08.09.2021 passed by this Tribunal has not been complied with. Learned counsel for the respondents submits that matter is pending before PCDA (P), Prayagraj. He prays for and is allowed four weeks further time to file affidavit of compliance, else officer responsible for delay in implementation of order shall be present before this Tribunal through virtual mode to explain reasons for delay.</p> <p>4. Copy of this order be provided to learned counsel for the respondents and OIC Legal Cell in usual way.</p> <p>5. List on 10.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Kumar Member Member (A) Member (J) rathore</p>

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

Ex-A/7 of 2023 Inre O.A. No. 405 of 2021

Ex Hav (Hony Nb Sub) Radhey Krishna Applicant
By Legal Practitioner for the Applicant: Applicant in person

Versus

Ex Nk(MACP) Avinash Pandey Respondents
By Legal Practitioner for Respondent: Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri GS Sikarwar, learned counsel for the respondents is present. Applicant is not present.</p> <p>2. Affidavit of compliance has not been filed. Cost has also not been deposited.</p> <p>3. Learned counsel for the respondents prays for and is allowed four weeks further time to file affidavit of compliance on payment of cost of Rs 5,000/- payable to the applicant.</p> <p>4. List on 15.01.2024.</p> <p>(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J) rathore</p>

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

Ex-A/34 of 2023 with M.A. No. 1673 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 & Ors Respondents
By Legal Practitioner for Respondents: Shri Namit Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Pushpendra Kumar Dhaka, learned counsel for the applicant is present. Shri Namit Sharma, learned counsel for the respondents is present through virtual mode.</p> <p>2. Applicant was directed to implead Smt Gita in compliance of order dated 12.10.2023 but order has not been incorporated.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks further time to incorporate name of Smt Gita Devi.</p> <p>4. Affidavit of compliance has not been filed. Learned counsel for the respondents prays for and is allowed four weeks further time to file affidavit of compliance on payment of cost of Rs 10,000/-.</p> <p>5. List on 10.01.2024.</p> <p>6. Copy of this order be provided to learned counsel for the respondents and OIC Legal Cell in usual way.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Kumar Member Member (A) Member (J) <i>rathore</i></p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 9)

Ex-A/88 of 2023 Inre O.A. No. 133 of 2010

Ex Nk Yogendra Singh Tomar

Applicant

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

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents: Shri Namit Sharma,

Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, learned counsel for the applicant is present. Shri Namit Sharma, learned counsel for the respondents is present through virtual mode.</p> <p>2. Respondents were granted time to file objection on execution application. Objection has not been filed. Learned counsel for the respondents prays for and is allowed three weeks further time to file objection.</p> <p>3. List on 18.01.2024.</p> <p>(Maj Gen Sanjay Singh) Kumar) Member (A) (J) <i>rathore</i></p> <p>(Justice Anil) Member</p>

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

Ex-A/99 of 2023 Inre O.A. No. 84 of 2021

Smt Sonali @ Soni
Wife of late Gnr Rathod Yogesh Prahlad Applicant
By Legal Practitioner for the Applicant: Shri Vinod Kumar, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shyam Sundar Pal, Advocate holding brief for Shri Vinod Kumar, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed. Learned counsel for the respondents prays for and is allowed four weeks further time to file affidavit of compliance on payment of cost of Rs 5,000/- which shall be remitted to the applicant.</p> <p>3. List on 15.01.2024.</p> <p>4. Copy of this order be provided to learned counsel for the respondents and OIC Legal Cell in usual way.</p> <p>(Maj Gen Sanjay Singh) (Justice Anil Kumar) Kumar) Member Member (A) Member (J) rathore</p>

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Court No.2 (Sl. No. 11)

EX-A/408 of 2023 Inre O.A. No. 433 of 2019
With M.A. No. 770 of 2019

Gp Capt BKE Jacob Applicant
By Legal Practitioner for the Applicant: Col AK Srivastava (Retd), Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Col AK Srivastava (retd), learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the respondents submits that order of this Tribunal has been challenged by filing writ petition in the Hon'ble High Court, Lucknow Bench. He further submits that there is no stay order from the Hon'ble High Court.</p> <p>4. On request of learned counsel for the respondents four weeks further time is granted to file affidavit of compliance failing which respondent shall pay cost of Rs 5,000/-.</p> <p>5. List on 16.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J) <i>rathore</i></p>

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

M.A. No. 1907 of 2023 Inre O.A. No. 1134 of 2022

Ex Nk/Clk (DSC) Raj Kumar Applicant
By Legal Practitioner for the Applicant: Shri Vinay Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri Vinay Pandey, learned counsel for the applicant who is present in the Tribunal and Shri Asheesh Agnihotri, learned counsel for the respondents who is present through virtual mode.</p> <p><u>M.A. No. 1907 of 2023</u></p> <p>2. This application has been moved under Section 152 of CPC for correction of judgment and order passed by this Tribunal on 02.06.2023 in O.A. No. 1134 of 2022.</p> <p>3. In aforesaid correction application, applicant has stated that there are two typographical errors which he has sought to be corrected. The first correction is of 21 days in place of 20 days in para 3 line 11th, in para 4 line 5th, in para 5 line 8th, in para 6 line 2nd and in para 8 line 1st. The second correction which he has sought that word 'Ex JC' be removed from the order dated 02.06.2023.</p> <p>4. Learned counsel for the respondents has stated that he has no objection on the first part but second correction as mentioned above cannot be corrected without correction in O.A.</p> <p>5. During the course of hearing, learned counsel for the applicant has restricted his prayer only to the extent of first prayer i.e. correction of typographical error by which 20 days has been mentioned in place of 21 days in para 3 line 11th, para 4 line 5th, para 5 line 8th, para 6 line 2nd and para 8 line 1st.</p> <p>6. On perusal of order dated 02.06.2023, we find that there is error apparent at the face of record which needs to be corrected. Order dated 02.06.2023 to be corrected as under:-</p> <p style="text-align: center;">"Insert 21 days in place of 20 days in para 3 line 11th, in para 4 line 5th, in para 5 line 8th, in para 6 line 2nd and in para 8 line 1st.</p> <p>7. Correction application (M.A. No. 1907 of 2023) is partly allowed.</p> <p><u>O.A. No. 1134 of 2022</u></p> <p>8. List on 18.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 946 of 2022

Ex Sep Ram Autar Singh Applicant
By Legal Practitioner for the Applicant: Shri Jitendra Bahadur Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Jitendra Bahadur Singh, learned counsel for the applicant is present. Shri Sunil Sharma, learned counsel for the respondents is present through virtual mode.</p> <p>2. Heard learned counsel for the parties and perused the record.</p> <p>3. Respondent No 1, 2 and 6 were granted time to file counter affidavit but counter affidavit has not been filed. Learned counsel for the respondent No 1, 2 and 6 states that in this case Record Office, Rajput Regiment is also a proper party but applicant has not impleaded Record Office, Rajput Regiment.</p> <p>4. Respondent No 3, 4 and 5 were directed to file counter affidavit but case has proceeded ex-parte against them.</p> <p>5. Learned counsel for the applicant submits that he intends to implead Record Office, Rajput Regiment as respondents in this case. He prays for and is allowed four weeks time to take steps for impleadment of Record Office, Rajput Regiment.</p> <p>6. List on 05.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

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

O.A. No. 14 of 2023

Smt Kamla Devi W/o Late Ex Nk Shri Krishan Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>2. Counter affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks.</p> <p>4. List on 20.12.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

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

O.A. No. 156 of 2023

Ex Nk Tek Bahadur Gurung

Applicant

By Legal Practitioner for the Applicant: Shri VP Pandey, Shri Rajesh Kumar Singh and
Maj SM Mustafa, Advocates

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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Counter affidavit filed on behalf of the respondents is taken on record.2. Heard Shri VP Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.3. Arguments completed.4. Judgment reserved. <p>(Maj Gen Sanjay Singh) Member(A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 327 of 2023 with M.A. No. 370 of 2023

Lt Col Anurag Bahl Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri JN Mishra, learned counsel for the respondents are present.</p> <p><u>M.A. No. 370 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application. There is a delay of 03 years, 02 months and 29 days in filing application.</p> <p>3. Submission of learned counsel for the applicant is that delay in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>4. Per contra, learned counsel for the respondents submits that cause shown for the delay is not sufficient.</p> <p>5. Considering the facts and circumstances of the case, we find that cause shown is sufficient.</p> <p>6. Accordingly, delay is condoned.</p> <p>7. Delay condonation application is disposed off.</p> <p><u>O.A. No. 327 of 2023</u></p> <p>8. It is a fit case for adjudication.</p> <p>9. Admit.</p> <p>10. 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 next.</p> <p>11. List on 15.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 828 of 2023

Ex Hav Kumar Vikram Gurung Applicant
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate
Shri RK Singh

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri VP Pandey, learned counsel for the applicant is present. Dr. Shailendra Sharma Atal, learned counsel for the respondents is present through virtual mode.</p> <p>2. Applicant was granted time to file reply on objection. Reply has not been filed. Learned counsel for the applicant prays for and is allowed four weeks further time to file reply, if any, on objection filed by the respondents on maintainability of this O.A.</p> <p>3. List on 18.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 875 of 2023 with M.A. No. 1118 of 2023

Ex Hav Arun Kumar Tripathi Applicant

By Legal Practitioner for the Applicant: Shri KKS Bisht, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri VP Pandey, Advocate holding brief for Shri KKS Bisht, learned counsel for the applicant is present. Shri DK Pandey, learned counsel for the respondents is present through virtual mode.</p> <p>2. Objection on delay condonation application filed by learned counsel for the respondents is taken on record.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks time to file replication.</p> <p>4. List on 12.12.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 19)

O.A. No. 890 of 2023

Ex L/Nk Ranvir Singh Applicant
By Legal Practitioner for the Applicant: Shri Ravi Kumar Yadav, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ravi Kumar Yadav, learned counsel for the applicant and Shri Pushpendra Mishra, learned counsel for the respondents are present.</p> <p>2. Counter affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks time to file rejoinder affidavit.</p> <p>4. List on 20.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 1003 of 2023 with M.A. No. 1334 of 2023

Ex Hav Rohit Kumar Applicant
By Legal Practitioner for the Applicant: Shri Dhiraj Kumar, Shri Rahul Pal and Shri
Tatsat Shukla, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Reply filed by learned counsel for the applicant is taken on record.</p> <p>2. Heard Shri Dhiraj Kumar, learned counsel for the applicant and Ms Kavita Mishra, learned counsel for the respondents on delay condonation application.</p> <p><u>M.A. No. 1334 of 2023</u></p> <p>3. The Original Application has been filed with delay of 10 years and 06 months.</p> <p>4. 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 on account of reasons stated in affidavit filed in support of application.</p> <p>5. Per contra, learned counsel for the respondents submits that cause shown by the applicant is not sufficient.</p> <p>6. 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>7. Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p><u>O.A. No. 1003 of 2023</u></p> <p>8. It is a fit case for adjudication.</p> <p>9. Admit.</p> <p>10. 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 next.</p> <p>11. List this case on 10.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 (Sl. No. 21)

O.A. No. 1034 of 2023

Hav (DMT) Pujan Kumar Dixit

Applicant

By Legal Practitioner for the Applicant: Shri Raj Kumar Mishra, Ms Upasna Mishra and Shri Satya Narayan Mishra, Advocates

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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Raj Kumar Mishra, learned counsel for the applicant is present. Shri Namit Sharma, learned counsel for the respondents is present through virtual mode.2. Objection has not been filed by learned counsel for the respondents.3. On prayer of learned counsel for the respondents time was granted to file objection, if any, on maintainability of this O.A. but no objection has been filed.4. Heard learned counsel for the applicant on admission of this case. This O.A. has been filed for grant of promotion.5. Matter needs adjudication.6. Admit.7. 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.8. List on 20.12.2023. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 22)

O.A. No. 1045 of 2023 with M.A. No. 1405 of 2023

Smt Vidya Devi

W/o Ex Sep Late Kaptan Singh

By Legal Practitioner for the Applicant: Shri R Chandra and Ms Supriya Srivastava,
Advocates

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents: Shri Namit Sharma, Advocate
Shri Awadhesh Shukla, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, learned counsel for the applicant is present. Shri Namit Sharma, learned counsel for the respondents is present through virtual mode.</p> <p>2. Shri Awadhesh Shukla, Advocate present on behalf of respondent No 5 and 6 filed Vakalatnama which is taken on record. He prays for and is granted four weeks time to seek instructions and file objection, if any.</p> <p>3. List on 20.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 23)

O.A. No. 1106 of 2023 with M.A. No. 1505 of 2023

Nb Sub (PA) Jitendra Kumar Singh Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate
Shri Anshuman Srivastava, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>2. Objection on maintainability filed on behalf of the respondents is taken on record.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks time to file reply on objection filed by the respondents.</p> <p>4. List on 18.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 1110 of 2023

Ex WO Dayanand Prasad Applicant
By Legal Practitioner for the Applicant: Shri Markandey Tiwari, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Markandey Tiwari, learned counsel for the applicant and Shri Pushpendra Mishra, learned counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents submits that parawise comments have not been received. He prays for and is allowed four weeks further time to file counter affidavit.</p> <p>4. List on 17.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 25)

O.A. No. 1293 of 2023

Nk/Dvr Kamlesh Kumar

Applicant

By Legal Practitioner for the Applicant: Shri Vinay Pandey, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vinay Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>2. Respondents were granted time to seek instructions and file objection, if any, but objection has not been filed. Learned counsel for the respondents prays for and is allowed a week's further time, as last opportunity, to seek instructions and file objection, if any, on interim relief.</p> <p>3. List on 08.12.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

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

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, learned counsel for the appellant and Shri Amit Jaiswal, learned counsel for the respondents are present.</p> <p>2. Time was granted to learned counsel for the applicant to incorporate amendment but the same has not been incorporated.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks further time to incorporate the amendment as directed vide order dated 03.10.2023.</p> <p>4. Learned counsel for the respondents prays for and is allowed four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks next.</p> <p>5. List on 16.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. (A) No 1252 of 2023

Ex Hav Lal Singh Through Pairokar Bheekam Applicant
By Legal Practitioner for the Applicant: Shri T Parshad and Shri Bhanu Pratap Singh
Chauhan, Advocates

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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri T Prasad and Shri Bhanu Pratap Singh Chauhan, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>2. List on 23.11.2023 for further hearing.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

RA No 63 of 2023 with M.A. No. 1580 of 2023
Inre T.A. No. 64 of 2016

Union of India & Ors

Applicants-respondents

By Legal Practitioner for the Review Applicants: Shri Yogesh Kesarwani, Advocate

Versus

Ex L Hav Surendra Vavu

Respondent-petitioner

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

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri Yogesh Kesarwani, learned counsel for the applicant-respondents (Union of India & Ors).</p> <p>2. The applicant-respondents has filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which review applicant has prayed for review of the order dated 17.03.2023 passed by this Tribunal in Transferred Application No. 64 of 2016 <i>inter alia</i> on the ground that this Transferred Application is barred by law in terms of Section 3 (o) of the Armed Forces Tribunal Act, 2009 read with Section 15 (1).</p> <p>3. We have gone through the aforesaid judgment and order dated 17.03.2023 and we find that the T.A. has been partly allowed on the ground of disproportionate punishment.</p> <p>4. An application for condonation of delay has also been moved by the applicant for condonation of delay of 158 days in filing review application.</p> <p>5. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the day under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving review application beyond statutory period. Accordingly, application for condonation of delay in moving review application is not maintainable and is rejected.</p> <p>5. We have gone through the grounds and reasons indicated in the review application and have also gone through the judgment and order sought to be reviewed. The judgment and order sought to be reviewed was passed in proper prospective after considering all facts and circumstances and also in view of the several pronouncement of the Hon'ble Apex Court. No error apparent on the face of record has been shown to us so as to review the aforesaid judgment of this Court. The respondent-applicant was granted two</p>

punishments i.e. to be reduced from Lance Havildar to Sepoy and to suffer rigorous imprisonment for one month and 15 days in military custody. The Tribunal set aside punishment of reduction of rank from Lance Havildar to Sepoy keeping in view of levity of office on the part of respondent-applicant. For convenience sake, Para 13 of judgment dated 17.03.2023 is reproduced as under:-

“13. Keeping in view, gravity of offence due to vehicle accident and having analysed the gravity of fault of the applicant being driver of the vehicle and late Shri Major Singh who was under influence of liquor and died after being hit with right side of bonnet of vehicle, we are of the opinion that second punishment of Rigorous Imprisonment of 1 month and 15 days awarded to the applicant by the Commanding Officer on 21.10.1997 should remain intact but the first punishment, ‘to be reduced from Lance Havildar to Sepoy’ being harsh should be set aside. Thus, applicant having served for a period of 17 years and 11 months in the Army should be and is held entitled to receive service pension for his pensionable service.”

6. Further, it is settled proposition of law that the scope of review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed vide Order 47, Rule 1 Sub rule (1) of the Code of Civil Procedure. Review is not an appeal in disguise. It is nowhere within the scope of review to recall any order passed earlier and to decide the case afresh. For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-

“1. Application for review of judgment.- (1) any person considering himself aggrieved-
(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,
(b) by a decree or order from which no appeal is allowed, or
(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record , or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.”

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

“9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and

corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

8. We have gone through the order sought to be reviewed and no mistake or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

9. In the result, Review Application is **rejected** on delay as well as on merit.

(Maj Gen Sanjay Singh)
Member (A)

rathore

(Justice Anil Kumar)
Member (J)

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 29)

T.A. No. 39 of 2023 with M.A. No. 889 of 2023

Ex Sgt Anurag Shukla

Petitioner

By Legal Practitioner for the petitioner: Shri Rahul Pal, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri Rahul Pal, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents on delay condonation application.</p> <p><u>M.A. No. 889 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. There is a delay of 1293 days in filing Original Application.</p> <p>4. Submission of learned counsel for the applicant is that delay in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>5. Per contra, learned counsel for the respondents submits that cause shown for the delay is not sufficient.</p> <p>6. Considering the facts and circumstances of the case, we find that cause shown is sufficient.</p> <p>7. Accordingly, delay is condoned.</p> <p><u>T.A. No. 39 of 2023</u></p> <p>8. It is a fit case for adjudication.</p> <p>9. Admit.</p> <p>10. 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 next.</p> <p>11. List this case on 15.01.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 141 of 2012

Smt Rekha Applicant
By Legal Practitioner for the Applicant: Shri Nishant Verma, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Asheesh Agnihotri, learned counsel for the respondents is present through virtual mode. None is present for the applicant.2. Heard learned counsel for the respondents.3. Respondents were granted time to file supplementary counter affidavit which has not been filed. Learned counsel for the respondents submits that some more time be granted to file supplementary counter affidavit.4. Respondents are granted four weeks further time, as last opportunity, to file supplementary counter affidavit, if any.5. List on 11.01.2024.6. Copy of this order be provided to learned counsel for the respondents and OIC Legal Cell in usual way. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 31)

O.A. No. 626 of 2020 In Ref with M.A. No. 1369 of 2023

Hariom Singh S/o Late

Ex Sep Kedar Singh

By Legal Practitioner for the Applicant: Shri Veer Raghav Chaube, Advocate

Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Arvind Kumar Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Veer Raghav Chaubey, learned counsel for the applicant and Shri Arvind Kumar Pandey, learned counsel for the respondents are present.</p> <p>2. Vide order dated 05.10.2023 applicant was directed to incorporate amendment but the same has not been carried out.</p> <p>3. Learned counsel for the applicant prays for and is allowed a week's further time to incorporate amendment, else case shall be dismissed in non prosecution.</p> <p>4. List on 20.12.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 32)

O.A. No. 400 of 2021

Surendra Singh Applicant
By Legal Practitioner for the Applicant: Shri Om Prakash Kushwaha, Advocate
Shri Ashok Kumar, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri GS Sikarwar, learned counsel for the respondents is present through virtual mode. Learned counsel for the applicant is not present.</p> <p>2. On request of learned counsel for the respondents list on 18.01.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J) <i>rathore</i></p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 33)

O.A. (A) No. 500 of 2017

Vijai Misra

Appellant

By Legal Practitioner for the Appellant: Col AK Srivastava (Retd), 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Col AK Srivastava (Retd), learned counsel for the appellant and Shri Yogesh Kesarwani, learned counsel for the respondents are present.</p> <p>2. Written submission filed by learned counsel for the applicant is taken on record.</p> <p>3. Learned counsel for the respondents prays for and is allowed two weeks further time to file written submission.</p> <p>4. List on 11.01.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No.2 (Sl. No. 34)

O.A. (A) No. 377 of 2023

Ex L/Nk Pramod Kumar

Appellant

By Legal Practitioner for the Appellant: Shri Rohit Kumar, 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>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rohit Kumar, learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents are present.</p> <p>2. On request of learned counsel for the parties, list the case on 29.11.2023 for hearing on bail application.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 (Sl. No. 35)

T.A. No. 04 of 2021

Sub Maj (Hony Lt) Santosh Kumar Pandey (Retd) Petitioner
By Legal Practitioner for the Petitioner: Shri R Chandra, Advocate
Shri KC Ghildiyal, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Kaushik Chatterjee, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.11.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, learned counsel for the petitioner and Shri Kaushik Chatterjee, learned counsel for the respondents are present.</p> <p>2. Respondents were directed to seek instructions and file explanation if any for alleged recovery reducing the salary of the applicant failing which affidavit explaining recovery shall be filed by the respondent No 4 PAO (OR) Signals Records, Jabalpur but no explanation has been filed. In view of the above, adverse inference shall be drawn against the respondents at the time of hearing of the case.</p> <p>3. In this case, counter affidavit has already been filed by the respondents. Rejoinder affidavit, if any, may be filed within two weeks.</p> <p>4. List on 02.01.2024 for final hearing.</p> <p>5. Copy of order be provided to learned counsel for the respondents and OIC Legal Cell.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>