

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Suppl. No. 1)
O.A. No. 679 of 2023 with M.A. No. 820 of 2023

Ex LME (Reservist) Harshawan Joshi

Applicant

By Legal Practitioner for the Applicant: Shri Sarvesh Kumar Verma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.06.2023</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1. Memo of appearance filed by Shri Amit Jiswal, 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.</div><div>2. On the case being taken up for hearing, Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</div><div>3. There is delay of 40 years, 07 months and 08 days in filing Original Application. Learned counsel for the applicant has filed application for condonation of delay.</div><div>4. Learned counsel for the respondents prays for and is allowed three weeks time to seek instructions and file objection on application for condonation of delay.</div><div>5. List on 24.07.2023.</div></div><div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div></div>

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

O. A. No. 680 of 2023 with M.A. No. 821 of 2023

Brijesh Kumari W/o Late Ex Hav/MT Rambir Singh Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi and Shri Anshuman
Srivastava, Advocates

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>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Ms. Appoli Srivastava, 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><u>M.A. No. 821 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 05 years, 05 months and 14 days in filing Original Application.</p> <p>4. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 680 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. List on 04.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Suppl. No. 3)
O. A. No. 681 of 2023

Smt Krishna Devi & Ors.
By Legal Practitioner for the Applicanst: Shri Shiv Nath Goswami, Advocate

Versus

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

Applicants
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being taken up for hearing, Shri Shiv Nath Goswami, Ld. Counsel for the applicants and Mrs Anju Singh, Ld. Counsel for the respondents are present.</div><div>3. This O.A. has been filed for grant of family pension.</div><div>4. Learned counsel for the respondents prays for and granted 03 weeks time to seek instruction.</div><div>5. List on 04.09.2023.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Suppl. No. 4)
O. A. No. 683 of 2023 with M.A. No. 823 of 2023

Ex Sgt Ajeet Pratap Singh
By Legal Practitioner for the Applicant: Shri VP Pandey and Shri RK Singh, Advocates

Versus

Applicant
Respondents
Union of India & Others
By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div><div>1. Memo of appearance filed by Shri Shyam Singh, 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.</div><div>M.A. No. 823 of 2023</div><div>2. This is an application for condonation of delay in filing Original Application.</div><div>3. As per office report, there is delay of 02 years, 05 months and 14 days in filing Original Application.</div><div>4. Heard Shri VP Pandey and Shri RK Singh, learned counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents on delay condonation application.</div><div>5. 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.</div><div>6. 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.</div><div>7. 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.</div><div>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</div><div>O.A. No. 683 of 2023</div><div>9. Matter needs adjudication.</div><div>10. Admit.</div><div>11. 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.</div><div>12. List on 05.09.2023.</div><div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Suppl. No. 5)
O. A. No. 684 of 2023 with M.A. No. 824 of 2023

Ex SUB Maj (Hony Capt) Ram Gopal Singh Applicant
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate
Shri RK Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri RKS Chauhan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri RKS Chauhan, 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>2. On the case being taken up for hearing, Shri VP Pandey and Shri RK Singh, Ld. Counsel for the applicant and Shri RKS Chauhan, Ld. Counsel for the respondents are present.</p> <p>3. There is delay of 03 years, 01 month and 14 days in filing Original Application. Learned counsel for the applicant has filed application for condonation of delay.</p> <p>4. Learned counsel for the respondents seeks and is allowed three weeks time to file objection on application for condonation of delay.</p> <p>5. List on 05.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 1)
O.A. No. 643 of 2023 with M.A. No. 779 of 2023

Ex Nk Sher Bahadur Gurung
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate, Shri RK Singh, Advocate
Maj SM Mustafa (Retd), Advocate

Applicant

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Dr. Shailendra Sharma Atal, 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.</div><div>2. On the case being listed for hearing, Shri VP pandey, Shri RK Singh and Maj SM Mustafa (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents are present.</div><div>3. There is delay of 03 years, 06 months and 08 days in filing Original Application. Learned counsel for the applicant has filed application for condonation of delay.</div><div>4. Learned counsel for the respondents prays for and is granted three weeks time to file objection on delay condonation application and maintainability of O.A.</div><div>5. List on 04.09.2023.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <div>rathore</div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 2)
O.A. No. 644 of 2023 with M.A. No. 780 of 2023

Ex Sgt CM Tiwari
By Legal Practitioner for the Applicant: Shri Mahendra Kumar Singh, Advocate
Shri Sardul Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Shri JN 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.</div><div>2. On the case being taken up for hearing, Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri JM Mishra, Ld. Counsel for the respondents are present.</div><div>3. There is delay of 13 years, 10 months and 15 days in filing Original Application. Learned counsel for the applicant has filed application for condonation of delay.</div><div>4. Learned counsel for the respondents prays for and is granted three weeks time to file objection on delay condonation application.</div><div>5. List on 31.08.2023.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 3)
O.A. No. 645 of 2023

Sub Dinesh Prasad Chaurasia (Retd) Applicant
By Legal Practitioner for the Applicant: Shri Ravi Kumar Yadav, 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>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Ashish Kumar Singh, 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>2. Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Ashish Kumar Singh Ld. Counsel for the respondents.</p> <p>3. Matter needs adjudication.</p> <p>4. Admit.</p> <p>5. Learned counsel for the respondents prays for and is allowed four weeks time to file counter affidavit to which learned counsel for the applicant may file rejoinder affidavit, if any, within next two weeks.</p> <p>6. List on 04.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 4)
O.A. No. 648 of 2023 in ref with M.A. No. 783 of 2023

NC (E) T Ram Sajiwan

Applicant

By Legal Practitioner for the Applicant: Shri Bhanu Pratap Singh Chauhan, Advocate

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>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Arvind Kumar 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.</p> <p><u>M.A. No. 783 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 08 months and 24 days in filing Original Application.</p> <p>4. Heard Shri Bhanu Pratap SinghVP Pandey and Shri RK Singh, learned counsel for the applicant and Arvind Kumar Pandey, Ld. Counsel for the respondents on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 648 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. List on 01.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 5)
O.A. No. 649 of 2020

Sub (Pharm) Pawan Kumar
By Legal Practitioner for the Applicant: Shri KKS Bisht, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. On the case being taken up for hearing, Shri KKS Bisht, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</div><div>2. Learned counsel for the respondents has raised a preliminary objection on maintainability of this O.A. stating that this O.A. is not maintainable as applicant is posted at Udampur which does not fall under territorial jurisdiction of this Tribunal.</div><div>3. Learned counsel for the applicant submits that this O.A. is maintainable as the impugned order has been passed by respondent No 5 which is located at Lucknow and within the territorial jurisdiction of this Tribunal.</div><div>4. Considering the fact that the impugned order has been passed by respondent No 5 which is located at Lucknow and cause of action has arisen within the territorial jurisdiction of this Tribunal, we find that the O.A. is maintainable.</div><div>5. Matter needs adjudication.</div><div>6. Admit.</div><div>7. Learned counsel for the respondents seeks and is allowed four weeks time to file counter affidavit to which learned counsel for the applicant may file rejoinder affidavit, if any, within next two weeks.</div><div>8. List on 05.09.2023.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div>

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

Court No.2 (Sl. No. 6)

O.A. No. 660 of 2023 with M.A. No. 794 of 2023

Ex SPO Sanjay Kumar Yadav
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents: Shri Arun Kumar Sahu, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Arun Kumar Sahu, 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><u>M.A. No. 794 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 01 year, 02 months and 28 days in filing Original Application.</p> <p>4. Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondent No 1 to 5 on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 660 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</p> <p>12. 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>13. List on 05.09.2023.</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. 7)

O.A. No. 661 of 2023 with M.A. No. 795 of 2023

Ex LRO TAC Piyush Kumr Pathak
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Amit Jaiswal, 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><u>M.A. No. 795 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 01 year, 02 months and 28 days in filing Original Application.</p> <p>4. Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondent No 1 to 5 on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 661 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</p> <p>12. 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>13. List on 05.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) rathore</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. 8)
O.A. No. 664 of 2023 with M.A. No. 799 of 2023

Ex POME Prabhash Kumar Jha
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Applicant

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Shri Rajiv Pandey, Advocate on behalf of respondent No 1 to 5 is taken on record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</div><div>3. This O.A. has been filed to quash PPO dated 19.05.2022 and order dated 20.11.2022 passed by respondent No 6 (CPPC, SBI, Patna). Learned counsel for the applicant has also filed application for interim relief against recovery of pension.</div><div>4. It is submitted that order of recovery for an amount of Rs 47,686/- from pensionary benefits has been passed by respondent No 6 vide order dated 20.11.2022 on amount of Rs 1,23,469/-.</div><div>5. It is submitted that applicant is a class III employee and he was discharged from service on 28.02.2015. It is contended that respondent No 6 is illegally recovering the amount from his pension. In support of his contention he has relied upon the Hon'ble Apex Court judgment in the case of State of Punjab Vs Rafiq Masih, Civil Appeal No. 11527 of 2014 decided on 18.12.2014.</div><div>6. In view of the fact and circumstances of the case and above submission of learned counsel for the applicant, further recovery from the pension of the applicant shall remain stayed till next date of listing.</div><div>7. List on 06.09.2023.</div><div>8. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</div><div>9. A copy of this order shall be given to respondents for implementation of this order.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 9)
O.A. No. 665 of 2023 with M.A. No. 800 of 2023

Ex POM R1 Bharat Sharma
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Mrs Anju Singh, Advocate on behalf of respondent No 1 to 5 is taken on record. Her name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Mrs. Anju Singh, Ld. Counsel for the respondent No 1 to 5 are present.</div><div>3. This O.A. has been filed to quash PPO dated 14.10.2021 by which applicant's last pay has been reduced from Rs 11,350/- to Rs 11,020/- thereby ordering recovery of Rs 39,594/- by respondent No 4.</div><div>4. It is submitted that order of recovery for an amount of Rs 39.594/- from pensionary benefits has been passed by respondent No 4 vide PPO dated 14.10.2021 showing recovery demand of Rs 39,594/-.</div><div>5. It is submitted that applicant is a class III employee and he was discharged from service on 31.07.2014. It is contended that respondent No 4 is illegally recovering the amount from his pension. In support of his contention he has relied upon the Hon'ble Apex Court judgment in the case of State of Punjab Vs Rafiq Masih, Civil Appeal No. 11527 of 2014 decided on 18.12.2014.</div><div>6. In view of the fact and circumstances of the case and above submission of learned counsel for the applicant, further recovery from the pension of the applicant shall remain stayed till next date of listing.</div><div>7. List on 05.09.2023.</div><div>8. A copy of this order shall be given to respondents for implementation of this order.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div>

Sep (Nur Asst) Ritesh Uikey Applicant
By Legal Practitioner for the Applicant: Shri Pankaj Kumar Shukla, 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>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. 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>2. On the case being taken up for hearing, Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>3. Matter needs adjudication.</p> <p>4. Admit.</p> <p>5. Learned counsel for the respondents prays for and is allowed three weeks' time to file counter affidavit to which learned counsel for the applicant may file rejoinder affidavit, if any, within next one week.</p> <p>6. List on 06.09.2023.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="350 1841 680 1916"> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> </div> <div data-bbox="1053 1841 1343 1916"> <p>(Justice Anil Kumar) Member (J)</p> </div> </div>

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

Court No.2 (Sl. No. 11)

O.A. No. 671 of 2023 with M.A. No. 813 of 2023

Ex Sgt Prateek Kumar Rai
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate
Shri RK Singh, Advocate

Versus

Applicant

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Mrs Anju Singh, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</p> <p><u>M.A. No. 813 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 02 years, 05 months and 14 days in filing Original Application.</p> <p>4. Heard Shri VP Pandey, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 671 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</p> <p>12. 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>13. List on 04.09.2023.</p>

	<div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div> <div>(Justice Anil Kumar) Member (J)</div>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 12)
O. A. No. 673 of 2023 with M.A. No. 816 of 2023

Ex Sep Siya Ram
By Legal Practitioner for the Applicant: Shri Bhupal Singh Rathore, Advocate
Shri Ashish Kumar Srivastava, Advocate

Applicant

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

Versus

Respondents

Order of the Registry	Orders of the Tribunal
	<div><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></div> <div>1. Memo of appearance filed by Shri RC Shukla, 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.</div> <div><u>M.A. No. 816 of 2023</u></div> <div>2. This is an application for condonation of delay in filing Original Application.</div> <div>3. As per office report, there is delay of 05 years, 02 months and 21 days in filing Original Application.</div> <div>4. Heard Shri Bhupal Singh Rathore, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents on delay condonation application.</div> <div>5. 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.</div> <div>6. 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.</div> <div>7. 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.</div> <div>8. Accordingly, delay in filing application is condoned. Delay condonation</div>

	<p>application stands decided accordingly.</p> <p><u>O.A. No. 673 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. List on 31.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) 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. 13)
O.A. No. 676 of 2023 with M.A. No. 818 of 2023

Ex Sgt Reshikesh Kumar

By Legal Practitioner for the Applicant: Shri VP Pandey, Advocat
Shri RK Singh, Advocate

Applicant

Union of India & Others

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

Respondents

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u></p> <p><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></p> <p><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Arvind Kumar 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.</p> <p><u>M.A. No. 818 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 02 years, 05 months and 14 days in filing Original Application.</p> <p>4. Heard Shri VP Pandey, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents on delay condonation application.</p> <p>5. 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>6. 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>7. 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>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 676 of 2023</u></p>

	<div>9. Matter needs adjudication.</div> <div>10. Admit.</div> <div>11. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</div> <div>12. 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.</div> <div>13. List on 01.09.2023.</div> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 14)
M.A. No. 804 of 2023 with M.A. No. 805 of 2023 Inre O.A. No. 810 of 2022

Union of India & Ors
By Legal Practitioner for the Applicants: Shri GS Sikarwar, Advocate

Applicants-Respondents

Versus

Ex Sub Shiv Pujan Mishra
By Legal Practitioner for Respondents: Shri Raj Kumar Mishra, Advocate

Respondent-Applicant

Notes of the Registry	Orders of the Tribunal
	<div><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></div> <div><div>1. On the case being taken up for hearing, Shri GS Sikarwar, Ld. Counsel for the applicants-respondents and Shri Raj Kumar Mishra, Advocate appeared on behalf the respondent-applicant are present.</div><div>2. Shri Raj Kumar Mishra, Advocate submits that he shall file Vakalatnama on behalf of the respondent-applicant within a week. He is allowed to do so</div><div>3. Learned counsel for the applicant-respondents shall provide copy of leave to appeal during course of the day to learned counsel for respondent-applicant to which objection may be filed by learned counsel for the respondent-applicant within four weeks.</div><div>4. List on 08.08.2023.</div><div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div></div>

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

M.A. No. 807 of 2023 with M.A. No. 808 of 2023 Inre O.A. No. 405 of 2021

Union of India & Ors

Applicants-Respondents

By Legal Practitioner for the Applicants: Shri GS Sikarwar, Advocate

Versus

Ex Hav (Hony Nb Sub) Radhey Krishna

Respondent-Applicant

By Legal Practitioner for Respondent: Shri, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1.</div><div>Heard Shri GS Sikarwar, Ld. Counsel for the applicants-respondents.</div></div><div><div>M.A. No. 807 of 2023</div><div>2.</div><div>This is an application for condonation of delay in filing application for leave to appeal.</div></div><div><div>3.</div><div>There is delay of 425 days in filing leave to appeal.</div></div><div><div>4.</div><div>Submission of learned counsel for the applicant-respondents is that delay in filing leave to appeal is not deliberate. His further submission is that the delay caused due to departmental correspondents. Thus, his submission is that delay is not deliberate, but for the reasons mentioned above and time taken by the department in processing the case for filing of the present application, delay of 425 days is condonable in filing application for leave to appeal.</div></div><div><div>5.</div><div>We have gone through the affidavit filed in support of delay condonation application and find that the grounds and reasons shown in the accompanying affidavit for condonation of delay seem sufficient and therefore, delay in filing application is condoned. Delay condonation application stands disposed off.</div></div><div><div>LTA No. 808 of 2023</div></div></div>

	<p>6. This application has been filed under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 21.01.2022 of this Tribunal passed in O.A. No. 405 of 2021.</p> <p>7. Having perused the order impugned, we find that no much or less point of law of general public importance is involved in this case for grant of leave to appeal.</p> <p>8. Accordingly, leave to appeal is dismissed.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) 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. 16)
M.A. No. 809 of 2023 Inre O.A. No. 317 of 2021

Ex Rect Prashant Kumar Prikshit Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, 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>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p><u>M.A. No. 809 of 2023</u></p> <p>1. This M.A. has been filed by the applicant for recalling the order dated 11.04.2023 passed in O.A. No. 317 of 2021 with M.A. No. 243 of 2022.</p> <p>2. This application has been filed through newly engaged learned counsel Shri Manoj Kumar Awasthi, Advocate whose duly signed Vakalatnama has also been filed.</p> <p>3. Memo of appearance of Shri Amit Jaiswal, Advocate has been filed for the respondents.</p> <p>4. Heard submission of learned counsel for the parties and perused the record of concerned O.A.</p> <p>5. On 11.04.2023 O.A. No. 317 of 2021 with M.A. No. 243 of 2022 was listed before this bench. None appeared on behalf of the applicant</p>

	<p>when this case was taken up in first turn and even in second turn after passing over. Learned counsel for the respondent Shri Amit Jaiswal, Advocate was remain present in the court. The case has been dismissed for want of prosecution.</p> <p>6. Learned counsel for the applicant submits that in original application counsel for the applicant was Shri Pankaj Kumar Shukla and due to non appearance of his counsel the O.A. with M.A. was dismissed. Above submission of learned counsel is supported with affidavit and also by perusal of the record of O.A. No 317 of 2021 which is available before the bench.</p> <p>7. In affidavit filed by the applicant, it is also submitted that he is not getting the where about of his earlier counsel Shri Pankaj Kumar Shukla and due to this reason he has engaged Shri Manoj Kumar Awasthi, Advocate to prepare recall application and to appear, plead and act for him in this case further.</p> <p>8. Learned counsel for the respondents submits that he has no objection if Shri Manoj Kumar Awasthi, Advocate is engaged in this case.</p> <p>9. In view of the above submission, facts and circumstances of the case we are of the view that there is sufficient ground to allow the recall application.</p> <p>10. Accordingly, this recall application is allowed. The O.A. No. 317 of 2021 with M.A. No. 243 of 2022 is restored to its original number.</p> <p>11. Shri Manoj Kumar Awasthi, Advocate is permitted to appear as counsel for the applicant in this case in place of Shri Pankaj Kumar Shukla, Advocate (earlier counsel).</p> <p>12. List on 05.09.2023.</p> <div><div><p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p></div><div><p>(Justice Anil Kumar) Member (J)</p></div></div>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 17)
M.A. No. 810 of 2023 Inre O.A. No. 50 of 2023

Ex Sgt Ajay Kumar
By Legal Practitioner for the Applicants: Shri VP Pandey, Advocate
Shri Rakesh Kumar Singh, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Ram Sharan Awasthi, 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><u>M.A. No. 810 of 2023</u></p> <p>2. This is a correction application moved by learned counsel for the applicant for correction of order dated 22.03.2023.</p> <p>3. Heard Shri VP Pandey, learned counsel for the applicant and Shri Ram Sharan Awasthi, learned counsel for the respondents.</p> <p>4. On perusal of aforesaid order we find that there is error at the face of record which is required to be corrected as under:-</p> <p><u>Page 2, Para 7 (Line 3)</u></p> <p><u>For</u> -for the period from 01.07.2015 to 30.06, as he has completed one full year of</p>

	<p>Read -for the period from 01.07.2015 to 30.06.2016, as he has completed one full year of</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) 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. 18)
T.A. No. 24 of 2023

Sigmn Umesh Pal Petitioner
By Legal Practitioner for the Petitioner: Shri, Advocate

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>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being listed for hearing, Shri Arvind Kumar Pandey, learned counsel for the respondents is present.</p> <p>3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</p> <p>4. Registry is directed to issue notice to petitioner returnable within six weeks.</p> <p>5. On appearance of the petitioner, a bench copy shall be provided by him</p>

	<p>forthwith.</p> <p>6. List on 01.09.2023 with a bench copy.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) 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. 19)
T.A. No. 25 of 2023

Sijar Kumar Dhaka Petitioner
By Legal Practitioner for the Petitioner: Shri, Advocate

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

Notes of the Registry	Orders of the Tribunal
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02.06.2023

Hon’ble Mr. Justice Anil Kumar, Member (J)

Hon’ble Maj Gen Sanjay Singh, Member (A)

- 1. Memo of appearance filed by Shri Ram Sharan Awasthi, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.
- 2. On the case being listed for hearing, Shri Ram Sharan Awasthi, learned counsel for the respondents is present.
- 3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.
- 4. Registry is directed to issue notice to petitioner returnable within six weeks.
- 5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.
- 6. List on **01.09.2023** with a bench copy.

(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. 20)
T.A. No. 26 of 2023

Parmar Govind Bhai
By Legal Practitioner for the Petitioner: Shri, Advocate

Petitioner

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being listed for hearing, Shri Ashish Kumar Singh, learned counsel for the respondents is present.</div><div>3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</div><div>4. Registry to issue notice to petitioner returnable within six weeks.</div><div>5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.</div><div>6. List on 04.09.2023 with a bench copy.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 21)
T.A. No. 27 of 2023

Omveer Singh
By Legal Practitioner for the Petitioner: Shri, Advocate

Petitioner

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Dr. Chet Narayan Singh, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being listed for hearing, Dr. Chet Narayan Singh, learned counsel for the respondents is present.</div><div>3. This petition has been transferred from Hon'ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</div><div>4. Registry to issue notice to petitioner returnable within six weeks.</div><div>5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.</div><div>6. List on 05.09.2023 with a bench copy.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 22)
T.A. No. 29 of 2023

Vijay Kumar Verma
By Legal Practitioner for the Petitioner: Shri, Advocate

Petitioner

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being listed for hearing, Dr. Shailendra Sharma Atal, learned counsel for the respondents is present.</div><div>3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</div><div>4. Registry is directed to issue notice to petitioner returnable within six weeks.</div><div>5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.</div><div>6. List on 04.09.2023 with a bench copy.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 23)
T.A. No. 30 of 2023

Daulat Jamadar
By Legal Practitioner for the Petitioner: Shri, Advocate

Petitioner

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being listed for hearing, Shri Shyam Singh, learned counsel for the respondents is present.</div><div>3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</div><div>4. Registry to issue notice to petitioner returnable within six weeks.</div><div>5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.</div><div>6. List on 05.09.2023 with a bench copy.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 24)
T.A. No. 31 of 2023

Smt Sakina Khatoon
By Legal Practitioner for the Petitioner: Shri, Advocate

Petitioner

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. Memo of appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken record. His name shall be shown in the cause list when the case is listed next.</div><div>2. On the case being listed for hearing, Shri Rajiv Pandey, learned counsel for the respondents is present.</div><div>3. This petition has been transferred from Hon’ble High Court of Judicature at Allahabad. None is present on behalf of the petitioner.</div><div>4. Registry to issue notice to petitioner returnable within six weeks.</div><div>5. On appearance of the petitioner, a bench copy shall be provided by him forthwith.</div><div>6. List on 08.09.2023 with a bench copy.</div></div> <div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div><div>rathore</div></div> <div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 25)
O.A. No. 587 of 2021

Ex Rfn Jai Shankar Singh
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, Advocate

Versus

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

Applicant
Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>02.06.2023 Hon'ble Mr. Justice Anil Kumar, Member (J) Hon'ble Maj Gen Sanjay Singh, Member (A)</div><div><div>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</div><div>2. Supplementary affidavit filed by learned counsel for the respondents is taken on record.</div><div>3. List on 06.09.2023.</div><div>4. Meanwhile, rejoinder affidavit, if any, may be filed by learned counsel for the applicant.</div></div><div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 26)
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>02.06.2023</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, Ld. Counsel for the applicant is present. Learned counsel for the respondents is not present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Departmental Representative for the respondents submits that parawise comments have not been received. She prays for and is allowed further four weeks time to file counter affidavit.</p> <p>4. List on 01.09.2023.</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. 29)
O.A. No. 87 of 2023

Ex RHM Shiv Shakti Pandey
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

Applicant

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</div><div>2. Learned counsel for the respondents submits that parawise comments have been not been received. He prays for and is allowed four weeks further time to file counter affidavit.</div><div>3. List on 06.09.2023.</div></div><div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 30)
O.A. No. 106 of 2023

Ex Sep Rakesh Ranjan
By Legal Practitioner for the Applicant: Shri Bed Prakash Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.06.2023</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1. On the case being taken up for hearing, Shri Sandeep Kumar Srivastava, Advocate holding brief for Shri Bed Prakash Rai, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</div><div>2. Reply to objection has not been filed. On request of brief holdier four weeks time is granted to file replication.</div><div>3. List on 11.09.2023.</div></div><div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 31)
O.A. No. 256 of 2023

Ex Hav Shyam LalApplicant
By Legal Practitioner for the Applicant: Shri Ravi Kumar Yadav, Advocate

Versus

Union of India & OthersRespondents
By Legal Practitioner for Respondents: Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>02.06.2023</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1. On the case being taken up for hearing, Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.</div><div>2. Counter affidavit has not been filed. On request of learned counsel for the respondents three weeks further time is granted to file counter affidavit.</div><div>3. List on 14.09.2023.</div></div><div><div>(Maj Gen Sanjay Singh) Member (A) rathore</div><div>(Justice Anil Kumar) Member (J)</div></div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 32)
O.A. No. 257 of 2023

Ex Nk Kedar Nath Thakur
By Legal Practitioner for the Applicant: Shri Ravi Kumar Yadav, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</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, Ld. Counsel for the applicant and Mrs Anju Singh, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed. Learned counsel for the respondents prays for and is allowed four weeks further time to file counter affidavit.</p> <p>3. List on 11.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 33)
O.A. No. 326 of 2023 with M.A. No. 368 of 2023

Ratna Kumari M/o Ex Sep Aneesh M Applicant
By Legal Practitioner for the Applicant: Shri Shailesh Kumar Pathak, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</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, Advocate holding brief for Shri Shailesh Kumar Pathak, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Objection on maintainability 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 11.09.2023.</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. 34)
O.A. No. 327 of 2023 with M.A. No. 370 of 2023

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

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri JN Mishra, Ld. Counsel for the respondents is present. Learned counsel for the application has sent an application seeking adjournment of the case on the ground that he shall not be able to attend the court today.</p> <p>2. Objection filed by the respondents is taken on record. Learned counsel for the applicant may file reply to objection within two weeks.</p> <p>3. List on 14.09.2023.</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. 35)
O.A. No. 330 of 2023 with M.A. No. 373 of 2023

Smt Munni Devi
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Shri Girish Tiwari, Shri Dheerendra Kumar Agnihotri, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi, Advocates

Applicant

Union of India & Others
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate
Shri Jitendra Narain Mishra, Advocate
Shri Debashish Kumar Awasthi, Advocate

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Vakalatnamas filed by Shri Jitendra Narain Mishra, Advocate on behalf of respondent No 5 and Shri Debashish Kumar Awasthi, Advocate on behalf of respondent No 6 are taken on record. Their names shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Advocate holding brief for Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondent No 1 to 3, Shri Jitendra Narain Mishra, learned counsel for the respondent No 5 and Shri Debashish Kumar Awasthi, learned counsel for the respondent No 6 are present.</p> <p>3. Learned counsel for the respondent No 5 and 6 prays for and is allowed four weeks time to file counter affidavit to which learned counsel for the applicant may file rejoinder affidavit, if any, within two weeks.</p> <p>4. List on 14.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No. 36)
O.A. No. 331 of 2023

Smt Priti Widow D/o Ex late Sep Ram Chander Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Shri Girish Tiwari,
Shri Dheerendra Kumar Agnihotri, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi,
Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Mrs Deepti Prasad Bajpai, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</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, Advocate holding brief for Shri Vijay Kumar Pandey, Ld. Counsel for the applicant is present. Learned counsel for the respondents is not present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Departmental Representative for the respondents submits that parawise comments have not been received. She prays for and is allowed three weeks further time to file counter affidavit.</p> <p>4. List on 12.09.2023.</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. 37)
O.A. No. 332 of 2023

Ex Hav Pradhan Tiwari
By Legal Practitioner for the Applicant: Shri Virat Anand Singh, Shri Raj Kumar Tiwari and Shri Rahul Dev Tripathi, Advocates

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

Applicant

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><u>02.06.2023</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></div><div><div>1. On the case being taken up for hearing, Shri Virat Anand Singh, Ld. Counsel for the applicant is present. Learned counsel for the respondents is not present.</div><div>2. Counter affidavit has not been filed.</div><div>3. Departmental Representative for the respondents submits that parawise comments have not been received. She prays for and is allowed further four weeks time to file counter affidavit.</div><div>4. List on 12.09.2023.</div></div><div><div>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></div><div>(Justice Anil Kumar) Member (J)</div></div></div>

O. A. No. 340 of 2023 with M.A. No. 388 of 2023

Nb Sub (NT) Sabyasachi Kundu through his Wife Smt Banti Kundu Applicant
By Legal Practitioner for the Applicant: Mrs Anjali Vikram Singh, Advocate
Shri Amar Kr Dubey, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p data-bbox="350 854 1349 973"><u>02.06.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p data-bbox="350 1016 1349 1298">1. This O.A. has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing directions to the respondents to allow applicant to appear in B.C.A. examinations in Kolkata which was scheduled from 21.03.2023 and direct Military Hospital to grant him reasonable opportunity to defend his case.</p> <p data-bbox="350 1317 1349 1419">2. Objection on maintainability of this O.A. filed on behalf of the respondents is taken on record.</p> <p data-bbox="350 1435 1349 1599">3. Heard Mrs Anjali Vikram Singh and Shri Amar Kr. Dubey, Ld. Counsel for the applicant and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents on maintainability of this O.A.</p> <p data-bbox="350 1615 1349 1897">4. Learned counsel for the respondents submits that the applicant had made a prayer for issue of directions to release the applicant to appear in B.C.A. examinations at Kolkata on 21.03.2023. It was further submitted that since the date on which he had to appear in examinations is already over, therefore, this prayer has become infructuous.</p> <p data-bbox="350 1916 1349 2438">5. Learned counsel for the respondents further submitted that as alleged the applicant has not been detained or put in solitary confinement by the respondents, rather he was ordered to be present on 13.02.2023 in the office of the Presiding Officer for recording his statement on the complaint made by ex Nk Rakshpal Singh. He further submitted that since the applicant has not been detained in Military Hospital, Agra, second prayer made by the applicant has no legs to stand. He pleaded for dismissal of O.A. stating that prayers made by the applicant are infructuous.</p>

6. On the other hand, learned counsel for the applicant submitted that prayer made for appearing in B.C.A. examinations on 21.03.2023 has become infructuous but since the respondents have detained the applicant in military custody w.e.f. 10.02.2023 in violation of his fundamental rights conferred under Indian Constitution, he filed habeas corpus writ petition No. 296 of 2023 before the Hon'ble High Court of Judicature at Allahabad which was dismissed vide order dated 18.04.2023 on the ground that applicant has already filed O.A. No. 340 of 2023 before AFT (RB) Lucknow seeking the same prayer.

7. Having heard submissions of both the parties and without entering into merits of the case we find that first prayer made by the applicant is infructuous which has also been admitted by learned counsel for the applicant during the course of hearing. As far as his second prayer is concerned, we are in agreement with the submission of learned counsel for the respondents that the applicant has not been put in solitary confinement but he is facing disciplinary proceedings for the alleged act of touting and illegal gratification from Agniveer aspirants.

8. In view of the above, O.A. No. 340 of 2023 with M.A. No. 388 of 2023 is dismissed being infructuous.

(Maj Gen Sanjay Singh)
Member (A)

rathore

(Justice Anil Kumar)
Member (J)

O. A. No. 405 of 2023 with M.A. No. 497 of 2023

Miss Vishnu Kumari D/o D/o Late Rfn Durga Bahadur Gurung Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Advocate
Shri TK Shukla, 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>02.06.2023</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, Advocate holding brief for Shri Vijay Kumar Pandey and Shri TK Shukla, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Objection on delay condonation application filed by learned counsel for the respondents is taken on record. Learned counsel for the applicant prays for and is allowed three weeks time to file replication.</p> <p>3. List on 11.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

Smt Lekh Maya Gurung W/o Maj PB Gurung	Applicant
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate	
Versus	
Union of India & Others	Respondents
By Legal Practitioner for Respondents: Shri RC Shukla, Advocate	
Shri Arvind Kumar Srivastava, Advocate	

Notes of the Registry	Orders of the Tribunal
	<p><u>02.06.2023</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, Ld. Counsel for the applicant and Shri RC Shukla and Shri Arvind Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Shri Arvind Kumar Srivastava, learned counsel for the respondents submits that since amount in question has been released, this O.A. has become infructuous and it may be dismissed as infructuous.</p> <p>3. Learned counsel for the applicant conceded that amount has been released and submitted that he has no objection.</p> <p>4. Accordingly, this O.A. is dismissed being infructuous.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p>