

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

Court No. 2

O.A. No. 134 of 2016

Brig HMS Chatwal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Indra Sen Singh & Shri S.S. Rajawat, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>This is an application under Section 14 of the Armed Forces Tribunal Act, 2007 being aggrieved with the ACR entry of the period 01.07.2001 to 30.06.2012.</p> <p>Preliminary objection has been raised by Ld. Counsel for the respondents assisted by OIC, Legal Cell that the O.A. is not maintainable for two reasons; firstly, relief has been claimed on different cause of actions. Applicant has impugned non empanelment for promotion to the rank of Maj Gen by order dated 15.07.2015. Submission is that the applicant has not impleaded all those persons as necessary parties who were empanelled vide order dated 15.07.2015 but prayer has been made for setting aside said order dated 15.07.2015.</p> <p>However, Ld. Counsel for the applicant submitted that the O.A. is not bad because of non-joinder of parties for the reason that the applicant has not claimed any relief against persons empanelled for promotion, but has claimed setting aside the result.</p> <p>It has not been disputed that the applicant has not been selected and empanelled by order dated 15.07.2015. Accordingly setting aside of the order shall mean to direct to induct the applicant in the panel of selected candidates for promotion to the post of Maj Gen. We feel that relief claimed by the applicant is misconceived. Setting aside the impugned order shall mean that all selections done shall go into wind and to follow up to initiate fresh decision making process subject to directions issued by the Tribunal.</p> <p>It is well settled law that the persons who are affected shall be necessary parties in O.A. No 255 of 2012 NK Mehta vs. Union of India & Others decided by this Tribunal on 13.05.2016 . Needless to say that all</p>

persons who are empanelled in order dated 15.07.2015 are necessary parties. Of course in case the applicant would have prayed for his empanelment without making prayer for setting aside order dated 15.07.2015 he would may have a case but in the present case setting aside the order dated 15.07.2015 shall affect the whole selection process done. We have held in the case of **Brig NK Mehta vs Union of India & Others** (supra) that selection process involves assessment of comparative performance of all officers and not one. Accordingly there appear no reason to hold that setting aside of the impugned order shall not affect the other persons.

Secondly, it is incorrect to say that the applicant has not preferred O.A. against multiple cause of action. Setting aside impugned order is different than setting aside ACR entry.

O.A. is **rejected** in limine at the admission stage itself with liberty to the applicant to prefer fresh O.A. in case advised to do so.

No order as to costs.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

anb

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 944 of 2013 with M.A. No. 698 of 2016

Mohd Akhtar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents two weeks' further time is granted for filing objection on maintainability of the O.A.</p> <p>List this case on 22.07.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1336 of 2015

Manmeet Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Applicant in person and Shri A.K. Shahu, Ld. Counsel for the respondents assisted by Lt Vikrant Singh, OIC Legal Cell.</p> <p>Applicant in persons prays for and is granted two weeks' further time to incorporate the amendments.</p> <p>List this case on 21.07.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET
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Court No. 2

M.A. No. 107 of 2016 with R.A. No. 4 of 2016
Inre T. A. No. 62 of 2012

Union of India & Others

By Legal Practitioner for Applicant-respondents
Versus

Applicant-Respondents

Capt V.P. Singh

By Legal Practitioner for Respondent-petitioner

Respondent-petitioner

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri D.K. Pandey, Ld. Counsel for the applicant-respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell and Smt Poonam Singh, Ld. Counsel for the respondent-petitioner.</p> <p>List on 30.05.2016 to enable Ld. Counsel for the applicant-respondents to comply with this Tribunal's order dated 07.10.2015 and submit status report. Applicant-respondents shall also show cause why they be not saddled with exemplary cost for not complying the order of this Tribunal within the stipulated period.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET
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Court No. 2

M.A. No. 150 of 2016

Chhedi Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>A week's further time is allowed to Ld. Counsel for the respondents to file objection in terms of order dated 25.01.2016.</p> <p>List this case on 01.07.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET
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Court No. 2

M.A. No. 1129 of 2016 Inre M.A. No. 77 of 2016

Aman Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Manish Mishra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p><u>M.A. No. 1129 of 2016</u></p> <p>Reply to objection on application for condonation of delay is taken on record.</p> <p>M.A. No. 1129 of 2016 is disposed of accordingly.</p> <p><u>M.A. No. 77 of 2016</u></p> <p>List this case on 25.07.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 592 of 2016 with M.A. No. 1126 of 2016

Smt Sanju Singh Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p><u>M.A. No. 1126 of 2016</u> Objection on application for condonation of delay is taken on record. M.A. No. 1126 of 2016 is disposed of accordingly.</p> <p><u>M.A. No. 592 of 2016</u> Ld. Counsel for the applicant may file reply to the objection on application for condonation of delay. List this case on 26.07.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 145 of 2013 with M.A. No. 732 of 2016,
M.A. No. 1120 of 2016 & M.A. No. 1121 of 2016

Satendra Singh Pal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri P.K. Shukla, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p><u>M.A. No. 732 of 2016</u> Short counter affidavit filed by respondents is taken on record. M.A. No. 732 of 2016 is disposed of accordingly.</p> <p><u>M.A. No. 1121 of 2016</u> Supplementary rejoinder affidavit filed by Ld. Counsel for the applicant is taken on record. M.A. No. 1121 is disposed of accordingly.</p> <p><u>M.A. No. 1120 of 2016</u> The applicant proposes amendment to the O.A. for the reason that statutory representation submitted by the applicant has been rejected by the competent authority. Ld. Counsel for the respondents do not intend to file any objection. It is a fit case. Amendment is allowed in accordance with Rule 17 of CPC. Let the amendment be carried out within a week. Respondents may file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p><u>O.A. No. 145 of 2013</u> List this case on 28.07.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 115 of 2016

Mayank Shukla

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri S.K. Mishra, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Warrant Officer Deshraj Singh, Warrant Officer OIC Legal Cell.</p> <p>JUDGMENT</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 131 of 2016

Yogveer Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, list this case on 25.05.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 623 of 2010

Shalini Mishra
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri R. Chandra, Ld. Counsel for the petitioner and Shri D.S. Tiwari & Shri V.K. pandey, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>Memo of appearance filed by Ld. Counsel Shri AN Tripathi is taken on record.</p> <p>List this case on 05.07.2016 for orders.</p> <p>On the date fixed Ld. Counsel for the parties shall submit case law and compilation report.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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Court No. 2

T.A. No. 1255 of 2010 with M.A. No. 1100 of 2016

Atul Kumar Yadav
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p><u>M.A. No. 1100 of 2016</u></p> <p>Amendment application filed by Ld. Counsel for the applicant is taken on record.</p> <p>M.A. No. 1100 of 2016 is disposed of accordingly.</p> <p><u>T.A. No. 1255 of 2010</u></p> <p>As prayed by Ld. Counsel for the respondents, 4 weeks time is granted to file objection on application for amendment.</p> <p>Rejoinder affidavit, if any, may be filed by Ld. Counsel for the petitioner within two weeks thereafter.</p> <p>List this case on 22.07.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 1320 of 2010 with M.A. No. 1782 of 2015
& M.A. No. 1002 of 2015

Brahm Dev Mandal
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : None for the applicant and Shri Rajeev Pandey, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>List has been revised.</p> <p>Case is called out in second round after pass over.</p> <p>No one is present to press this application.</p> <p>T.A. No. 1320 of 2010 is dismissed for non prosecution.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 50 of 2013

S.K. Parida

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri V.A. Singh & Shri S.K. Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant prays for and is granted time to prepare the case.</p> <p>As prayed, list this case on 25.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 215 of 2013

Smt Pooja Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant and Mrs Deepti Prasad Bajpai, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, list this case on 30.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

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

Court No. 2

T.A. No. 163 of 2009

RV Prasad

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri T.N. Tiwari, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Ridhishri Sharma, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents wants time to prepare the case.</p> <p>As prayed, list this case on 11.07.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p><small>anb</small></p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
O.A. No. 134 of 2015

Rajeev Moitra
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.05.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan (A)</u></p> <p>Present : Shri J.N. Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>On request made by Ld. Counsel for the parties, the case is adjourned.</p> <p>List the case on 11.07.2016 for orders.</p> <p>(Lt Gen Gyan Bhushan (A) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p><small>Anb</small></p>