

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**EX-A. No. 5 of 2016**  
**(Inre : T.A. No. 1409 of 2010)**

**Ram Sutan**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>Heard learned counsel for the parties on this Execution Application No. 05 of 2016.</p> <p>This Execution Application has been filed by the applicant having aggrieved against non-implementation of our judgment and order dated 3.8.2015, passed in T.A. No. 1409 of 2010. Copy of this Execution Application has been served on the respondents on 11.1.2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to obtain instruction and to file an affidavit of the competent authority as to why and under what circumstances the aforesaid judgment and order dated 3.8.2015 has not yet been complied with.</p> <p>List this case for orders on 23.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 50 of 2011**

**Nasiruddin**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri G.S. Sikarwar on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri G.S. Sikarwar, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list this case again for orders/admission on 18.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 21 of 2013**

**Pramod Kumar Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri Asheesh Agnihotri, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list this case again for orders/admission on 19.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 77 of 2015**

**Raj Kumar Yadav**  
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><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Amit Sharma on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>Heard learned counsel for the parties on this O.A. which relates to the prayer having been made in the O.A. for grant of 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> MACP schemes to the applicant with effect from 20.4.1998, 20.4.2006 and 20.4.2014 after completing 8 years, 16 years and 24 years of service respectively along with interest.</p> <p>Learned counsel for the respondents, on the basis of instruction, submits that the 1<sup>st</sup> and 2<sup>nd</sup> MACP Schemes have been sanctioned to the applicant. So far as grant of 3<sup>rd</sup> MACP Scheme is concerned, the applicant has not been found eligible for it.</p> <p>Let an affidavit be filed by the respondents within ten days to the aforesaid effect to enable learned counsel for the applicant to rebut the same, if the applicant so chooses.</p> <p>List this case for orders on 17.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 1009 of 2010 with M.A. No. 1922 of 2015**

**Gopi Thakur**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Avadesh Narain Tripathi on behalf of the respondents is taken on record.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Shri Avadesh Narain Tripathi, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 1922 of 2015.</u></b></p> <p>This is an application for taking supplementary counter affidavit on the amended T.A. on record. It is taken on record. This application stands disposed of.</p> <p>Heard learned counsel for the parties on admission of this T.A.</p> <p>Originally the petitioner filed Civil Misc. Writ Petition No. 8836 of 2002 before the Hon'ble Allahabad High Court with the prayer that a direction, in the nature of mandamus, be issued commanding the respondents to permit the petitioner to join his duty as constable in his battalion and to direct them to pay the petitioner his salary since 5.3.1999 upto the filing of the writ petition, i.e. 22.2.2002.</p> <p>It comes out from the record that after creation of this Tribunal the aforesaid writ petition has been transferred before this Tribunal in pursuance of the order dated 23.3.2010 and as such this writ petition has been registered before this Tribunal as Transferred Application No. 1009 of 2010.</p> <p>During argument, learned counsel for the applicant tried to persuade this Court that admittedly the petitioner had gone on sanctioned leave from</p>

23.2.1999 to 4.3.1999 and while proceeding on leave the Identity Card of the petitioner was got deposited, as such, after completion of the aforementioned leave period when the petitioner came back to join his duties he was not allowed to do so on the pretext that the Identity Card of the petitioner was not in his possession.

Counter and rejoinder affidavits have been exchanged in this case.

It comes out from the argument of the respondents that after expiry of the leave period when the petitioner failed to join his duties he was firstly declared deserter and thereafter his services has been dismissed under the provisions of Section 20(3) of the Army Act read with Rule 17 of the Army Rules.

Repeated argument has been raised by learned counsel for the petitioner that the petitioner was summarily tried without any information to the petitioner and without affording him any opportunity to participate in the said proceedings.

From the counter affidavit, filed by the respondents, and as argued by learned counsel for the respondents it comes out that on earlier three occasions too the applicant overstayed the leave period and the petitioner was tried summarily and punished.

So far as the present scenario of the case, the petitioner has been dismissed from the Army under Section 20(3) of the Army Act read with Rule 17 of the Army Rules after being declared deserter. Even in the application dated 3.4.2001, given by the petitioner to the authorities, he stated that since his Identity Card was got deposited by the authorities, as such he was unable to place the same before the authority concerned at the time of his joining and in absence of the Identity Card the petitioner was not allowed to join his duties, but no where from the record it comes out that the applicant tried to join after expiry of the leave period and he was not permitted to do so on the ground of not having been in possession of the Identity Card. It also does not come out that the petitioner tried to identify himself by some other documents. Merely saying that since his Identity Card was got deposited he could not submit the same at the time of joining is not sufficient.

Further argument of learned counsel for the petitioner is that the petitioner cannot be declared deserter nor his services can be dismissed under Section 20(3) of the Army Act read with Rule 17 of the Army Rules for the reason that he went to join his duties but he was not permitted to do so. In the counter affidavit there is specific denial by the respondents to the

effect that the petitioner never came to join his duties after expiry of his leave period and he deserted himself. Further even after service of notice to his house the petitioner failed to report for duty. Finding no other alternative, the petitioner has been dismissed from service under the power vested on the respondents under Section 20(3) of the Army Act read with Rule 17 of the Army Rules, vide order dated 20.10.2002 (Annexure 'SCA-1' to the supplementary counter affidavit).

While going through the record of the case and after hearing learned counsel for the petitioner, we are not satisfied with the argument that the petitioner went to join his duties and in absence of his Identity Card he was not allowed to do so. He never approached to the authorities concerned to the aforesaid effect and lame attempt has been made to substantiate his case by means of filing the application dated 30.4.2001 showing therein that he went to join his duties but he was not permitted to do so.

In any case, we do not find any merit in this petition so as to quash the dismissal order. Accordingly, this T.A. stands dismissed at the admission stage itself.

(Lt. Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

PG/

Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1852 of 2015 With M.A. No. 1853 of 2015  
(Inre O.A. No. 209 of 2013)**

**Daroga Rai**

By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army staff & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>The case was taken up in the revised list.</p> <p>Shri R.K.S.Chauhan, Advocate files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>As prayed by Shri Rohit Kumar, list/put up this matter for orders on 18.1.2016.</p> <p>When the case is next listed, name of Shri R.K.S.Chauhan be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 17 of 2015**

**Trilok Dixit**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Capt Soma John, Departmental Representative for the respondents.</p> <p>Dr. Shesh Narain Pandey, Advocate files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>This case was earlier pending before the Armed Forces Tribunal (RB), Kolkata. Vide order of the Hon'ble Chairperson of the Armed Forces Tribunal dated 24.9.2015 passed in OA No. 71 of 2013, this case has been transferred to this Court and on receipt of the record, it has been renumbered as T.A.No.17 of 2015.</p> <p>Notices were issued to the applicant as well as the respondents. While notices issued to the respondents appear to have been served on the respondents, the notice issued to the applicant has been returned with the remark "Gone away". Let fresh notice be issued on the address of the applicant by the Registry directing him to appear in person or through counsel on the next date.</p> <p>List this case for orders on 28.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Dr. Shesh Narain Pandey be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 1419 of 2015 With M.A. No 2073 & 2376 of 2015**  
**(Inre O.A. No. Nil of 2015)**

**Sub Rajender Singh Bhist**  
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><b><u>13.01.2016</u></b></p> <p><b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri K.K.S.Bisht, learned counsel for the applicant, and Shri Kaushik Chatterjee, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p><b><u>M.A.No. 2073 of 2015</u></b></p> <p>This is application filed by the respondents for taking the objection to the application for condonation of delay on record.</p> <p>The objection is taken on record. The application stands finally disposed of.</p> <p><b><u>M.A.No. 2376 of 2015</u></b></p> <p>This is an application filed by the applicant for taking on record his reply to the objections filed by the respondents against the delay condonation application.</p> <p>The reply is taken on record. The application stands finally disposed of.</p> <p><b><u>M.A.No. 1419 of 2015</u></b></p> <p>This is an application for condonation of delay in filing the O.A which has been preferred by the applicant for the relief of fixation of his basic pay with effect from the date of promotion to the rank of Naib Subedar i.e. 10.4.2006 and to pay him arrears thereof from the said date.</p> <p>The reasons shown in the affidavit filed in support of the application seem to be genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the</p>

O.A is condoned.

The objection filed by the respondents to the delay condonation application is hereby rejected.

Copy of O.A has been served upon Shri Kaushik Chatterjee, learned Standing Counsel appearing for the respondents. He prays for and is allowed six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List this case for admission on 15.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

LN/

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 233 of 2011**

**Mithilesh Kumar Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>On call of the case, Shri Amit Sharma, learned Standing Counsel appearing for the respondents prays for and is granted as a matter of last opportunity three weeks and no more time to file counter affidavit.</p> <p>List this case for orders on 11.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 57 of 2012**

**Dalip 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><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>Dr. Chet Narain Singh, Advocate files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>Heard Shri Shailendra Kumar Singh, learned counsel for the applicant.</p> <p>The controversy that erupts, as it comes out from the arguments of learned counsel for the applicant, is that there being no valid or legal order dispensing with the services of the applicant, he has been thrown away from the job. This Court vide order dated 17.11.2015 had directed the respondents to produce the original record including dismissal order, if any, of the applicant on the next date. Learned Standing Counsel appearing for the respondents states that the original record alongwith the dismissal order of the applicant is available with him. The respondents are directed to file an affidavit annexing therewith the dismissal order of the applicant and explaining as to how and under what circumstances the services of the applicant have been dispensed with.</p> <p>List this case for orders on 22.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Dr. Chet Narain Singh be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 239 of 2012**

**Ram Roop Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>As prayed, list this case again for hearing on 10.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Asheesh Agnihotri be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 974 of 2010**

**Bishambhar Pandey**  
By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri K.K.Mishra, learned counsel for the applicant, and Shri V.P.S.Vats, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>Heard Shri K.K.Mishra, learned counsel for the applicant at some length.</p> <p>List/put up this case on 19.1.2016 for further hearing.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 17 of 2014**

**Rajesh Kumar Upadhyay**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Anand Prakash Pandey, learned counsel for the applicant, and Capt Soma John, Departmental Representative for the respondents.</p> <p>Shri Amit Sharma, Advocate files memo of appearance on behalf of the respondents. The same is taken on record.</p> <p>Heard Shri Anand Prakash Pandey, learned counsel for the applicant and Shri Amit Sharma, learned Standing Counsel appearing for the respondents, duly assisted by Capt Soma John, Departmental Representative at some length.</p> <p>List this case again on 23.2.2016 for further hearing.</p> <p>When the case is next listed, name of Shri Amit Sharma be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 934 of 2010**

**Dharmendra Singh Baghel**  
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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Dismissed.</p> <p>For orders, see our judgment and order of date passed on separate sheets.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A.(A). No. 251 of 2014**

**Vipin Pratap 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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Dismissed.</p> <p>For Judgment and Order, see our judgment and order of date passed on separate sheets.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 48 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**Rajendra 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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 48 of 2016.</u></b></p> <p>This is an application, filed by the applicant, for condoning the delay in filing the O.A.(A).</p> <p>As per office report there is a delay of 2 years and 6 days in filing the O.A.</p> <p>Notice of this application has been accepted by the learned Standing Counsel on 24.3.2015.</p> <p>Learned Standing Counsel prays for and is granted six weeks' time to file objection to the delay condonation application.</p> <p>List this application for orders on 15.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma)                      (Justice Abdul Mateen) Member (A)                                      Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 49 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**Surender Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Shri Asheesh Agnihotri, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 49 of 2016.</u></b></p> <p>This is an application, filed by the applicant, for condoning the delay in filing the O.A.(A).</p> <p>As per office report there is a delay of 23 years, 9 months and 11 days in filing the O.A.</p> <p>Notice of this application has been accepted by the learned Standing Counsel on 8.1.2016.</p> <p>Learned Standing Counsel prays for and is granted six weeks' time to file objection to the delay condonation application.</p> <p>List this application for orders on 17.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 51 of 2016 with M.A. No. 52 of 2016**  
**(Inre: O.A. No. 143 of 2015)**

**Hakim 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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri R.K.S. Chauhan on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant, and Shri R.K.S. Chauhan, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 51 of 2016.</u></b></p> <p>This is an application for condoning the delay in filing M.A. No. 52 of 2016 for recall of our order dated 3.11.2015 dismissing O.A. No. 143 of 2014 and M.A. No. 1148 of 2015 for non-prosecution.</p> <p>Heard learned counsel for the applicant and have gone through the affidavit, filed in support of the delay condonation application. The reason shown therein for the delay in filing M.A. No. 52 of 2016 seems to be genuine. Accordingly, M.A. No. 51 of 2016 stands allowed and the delay in filing M.A. No. 52 of 2016 stands condoned.</p> <p><b><u>Misc. Application No. 52 of 2016.</u></b></p> <p>Heard learned counsel for the applicant and have gone through the affidavit, filed in support of this application. The reason shown for non-appearance on 3.11.2015 seems to be genuine. Accordingly, this application is allowed and the order dated 3.11.2015 dismissing O.A. No. 143 of 2014 and M.A. No. 1148 of 2015 for non-prosecution is hereby recalled. Both O.A. No. 143 of 2014 and M.A. No. 1148 of 2015 are restored to their original numbers.</p>

List the case for orders on 23.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

PG/

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 53 of 2016**

**(Inre: O.A.(A). No. 248 of 2014)**

**Pradeep Kumar**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of the respondents is taken on record.</p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 53 of 2016.</u></b></p> <p>This is an application, filed by the applicant under Section 31(2) of the A.F.T. Act, 2007, for grant of leave to appeal before the Hon'ble Supreme Court against our judgment and order dated 16.12.2015, passed in O.A.(A) No. 248 of 2014, dismissing the O.A. at the admission stage itself realising the gravity of offence committed by the applicant and the evidence produced by prosecution to prove its case.</p> <p>We have also gone through our aforesaid judgment and order dated 16.12.2015 and we do not find any point of law of general public importance involved in our decision so as to grant leave to appeal. Accordingly, this M.A. No. 53 of 2016, seeking grant of leave to appeal before the Hon'ble Supreme Court, stands rejected.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A No. 22 of 2013**

**Anil Kumar**

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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri G.S. Sikarwar on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri G.S. Sikarwar, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case Shri A.K. Pandey, Advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant, is out of station. Shri Pandey, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>However, while going through the record we find from the office report that the Amendment Application has already been allowed on 25.5.2015 but the amendments have not been incorporated by learned counsel for the applicant till date.</p> <p>On the next date learned counsel for the applicant will explain as to why cost be not imposed on him for not carrying out amendments, sought to be incorporated within a specified time.</p> <p>List this case for orders on 20.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>



Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**EX.-A. No. 42 of 2015**  
**(Inre: T.A No. 901 of 2010)**

**Sanjay Kumar**  
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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Avadesh Narain Tripathi on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant, and Shri Avadesh Narain Shukla, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case Capt. Soma John, Departmental Representative, on the basis of instruction, makes a statement that the applicant, in pursuance of the judgment and order dated 7.4.2015, passed in T.A. No. 901 of 2010, has already been notionally reinstated and so far as pensionery benefits are concerned, the matter is under consideration and there is likelihood that the matter relating to pensionery benefits to the applicant will be decided expeditiously at an early date.</p> <p>In view of the statement made by the Departmental Representative, we hereby adjourn the case for a month with the expectation that in the meantime the aforesaid judgment and order dated 7.4.2015 will be implemented in toto. If the aforesaid judgment and order is implemented in the meantime the respondents shall file an affidavit in this regard by the next date of listing.</p> <p>List this case for orders on 12.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1992 of 2015 with M.A. No. 1993 of 2015  
(Inre: O.A No. 201 of 2010 & R.A. No. 3 of 2014)**

**Union of India & Others**  
By Legal Practitioner for Applicants

Applicants

Versus

**Lal Mohar Mishra**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of the applicants (Union of India &amp; others) is taken on record. When the case is next listed, his name be shown as counsel for the applicants (Union of India &amp; others).</p> <p>Present: Dr. Shailendra Sharma Atal, learned counsel for the applicants (Union of India &amp; others) along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 1992 of 2015.</u></b></p> <p>Heard learned counsel for the applicants on this application for condoning the delay in filing M.A. No. 1993 of 2015 for recall of the judgment and order dated 17.7.2013, passed by the Bench consisting of then Hon. B.N. Shukla, Member (J) (since deceased) and Hon. Lt. Gen. R.K. Chhabra, Member (A) (since retired) in O.A. No. 201 of 2010 and recall of the order dated 20.3.2014, passed by the Bench consisting of one of us (Hon. Abdul Mateen, Member (J)) and Hon. Lt. Gen. R.K. Chhabra (since retired) in Review Application No. 03 of 2014, dismissing the Review Application, filed by the applicants, in O.A. No. 201 of 2010.</p> <p>As per office report there is a delay of 2 years and 2 days in filing M.A. No. 1993 of 2015.</p> <p>Heard learned counsel for the applicants on this application.</p>

The reason shown in the affidavit, filed along with this application, seems to be genuine. Accordingly, M.A. No. 1992 of 2015 stands allowed and the delay in filing M.A. No. 1993 of 2015 is hereby condoned.

**Misc. Application No. 1993 of 2016.**

This is an application, filed by the applicants, for recall of the judgment and order dated 17.7.2013, passed by the Bench consisting of then Hon. B.N. Shukla, Member (J) (since deceased) and Hon. Lt. Gen. R.K. Chhabra, Member (A) (since retired) in O.A. No. 201 of 2010 and recall of the order dated 20.3.2014, passed by the Bench consisting of one of us (Hon. Abdul Mateen, Member (J)) and Hon. Lt. Gen. R.K. Chhabra (since retired) in Review Application No. 03 of 2014, dismissing the Review Application, filed by the applicants, in O.A. No. 201 of 2010.

Heard learned counsel for the applicants on this application.

After hearing learned counsel for the applicant and going through the affidavit, filed in support of this application, we feel it justified and reasonable to recall the order dated 20.3.2014, passed by us in Review Application No. 03 of 2014. Accordingly, the aforesaid order dated 20.3.2014 is hereby recalled.

**Review Application No. 03 of 2014.**

Heard learned counsel for the applicants on this review application.

After hearing learned counsel for the applicants and going through the records it comes out that the respondent, Lal Mohar Mishra, is a convict under Sections 147/148/149/307/302 IPC read with Sections 3, 25 and 27 of the Arms Act and in Sessions Trial No. 244 of 2006 (State v. Lallan Mishra & others) learned Special/Additional Sessions Judge, Ballia, awarded punishment to undergo imprisonment for life and fine.

Having aggrieved against his conviction and fine the respondent, Lal Mohar Mishra, preferred Criminal Appeal No. 7098 of 2008 (Lal Mohar Mishra & others v. State of U.P.) before the Hon'ble Allahabad High Court. On 23.10.2009 a Division Bench of

the Hon'ble High Court has passed the following order :

*“Heard learned counsel for the appellants and learned A.G.A. appearing for the State.*

*This is application for suspension of the sentence so provided to the appellants Lal Manohar Mishra and Mukesh Mishra.*

*Submission is that the appellants are in service and they were enlarged on bail on the merits by this Court. In support of the submission for suspension of the sentence reliance has been placed on the decision of the Apex Court.*

*On consideration of the facts and the ground on which the appellants have been enlarged on bail and keeping in mind the fact that the appellants were in service and appeal is to take long time in its disposal this court directs that sentence so awarded against the appellants Lal Mohar Mishra and Mukesh Mishra, shall remain suspended.*

*This application stands disposed off accordingly.*

*Order Date :- 23.10.2009      Sd/- Sheo Kumar Singh, J  
Sd/- Arvind Kumar  
Tripathi, J.”*

After going through the aforesaid order of the Hon'ble High Court it comes out that the Hon'ble High Court had granted bail on the ground that since Lal Mohar Mishra and Mukesh Mishra were in service and decision of the appeal to take long time only the award of sentence in S.T. No. 244 of 2006 was suspended.

Subsequently, the convict, Lal Mohar Mishra, was dismissed from service on the ground of his conviction by the learned Special/Additional Sessions Judge, Ballia, in S.T. No. 244 of 2006 under the garb and power vested in the Army under Section 20 of the Army Act, vide order No. 0/320 Fd/0439/001/2008, communicated vide letter dated 14.3.2010, contained in Annexure 'A-1' to the O.A. It also comes out that under the provisions of Section 20 of the Army Act read with Rule 13(3)(iii) & (v) in conjunction with para 423 of the Regulations for the Army, 1987 (revised) the individual, if convicted by criminal court has to be dismissed from service, which was done as

per procedure established by law.

Consequent upon passing of the above order, passed by the authorities, i.e. Army, Lal Mohar Mishra preferred Original Application No. 201 of 2010 before this Tribunal praying therein to set aside the impugned dismissal order, communicated by order dated 14.3.2010, and to reinstate him in service on the post of Lance Nayak treating him to be continuously in service with all consequential benefits.

The aforementioned Division Bench of this Tribunal, vide its judgment and order dated 17.7.2013, allowed the O.A. and quashed the impugned dismissal order and directed the respondents to reinstate the applicant in service with the liberty to the authorities to pass fresh order against the applicant, in accordance with law.

It has been argued by Dr. Shailendra Sharma Atal, learned counsel for the applicants, that the respondent, Lal Mohar Mishra, is a life convict as per judgment and order passed by the learned Special/Additional Session Judge, Ballia, in S.T. No. 244 of 2006 and the Hon'ble High Court, vide its order dated 23.10.2009, passed in Criminal Appeal No. 7098 of 2008, only suspended the sentence of the applicant and not the conviction. As such the judgment and order under recall is based upon the notion that *“Even the High Court was kind enough to suspend the conviction considering the fact that the applicant was in service,.....”*.

We are, therefore, of the view that the aforementioned judgment and order of this Tribunal dated 17.7.2013, passed in O.A. No. 201 of 2010, per se, on the face of it, is incorrect. It is also noteworthy to mention here that against the aforesaid judgment and order passed by the Hon'ble High Court dated 23.10.2009 Union of India & others had approached the Hon'ble Supreme Court by means of Civil Appeal Diary No. 19678 of 2015 (Union of India & others v. Lal Mohar Mishra) and the Hon'ble Supreme Court, vide order dated 23.11.2015, copy of which has been placed before this Court and taken on record, has passed the following order :-

*“Learned senior counsel for the applicants has invited this Court's attention to the order passed on 23.10.2009 in Criminal Appeal No. 7098 of 2008, wherein the High Court of*

*Judicature at Allahabad had suspended the sentence of the respondent. Relying on ground (I) of the civil appeal, it is contended, that the conviction of the respondent has not been suspended, and as such, the conviction of the respondent, inter alia, under Section 302 of the Indian Penal Code subsists even today.*

*Issue notice.*

*The operation of the impugned order shall remain stayed, in the meantime.”*

Thus, since the Hon’ble Supreme Court has clarified specifically that since conviction of the respondent, Lal Mohar Mishra, has not been suspended and only sentence has been suspended and has stayed the impugned order dated 23.10.2009, as such the conviction and sentence of the respondent, Lal MoharMishra, still subsists even today and as such notice has been issued by the Hon’ble Supreme Court.

In view of above, the judgment and order dated 17.7.2013, passed by this Tribunal in O.A. No. 201 of 2010, as well as the order dated 20.3.2014, passed in Review Application No. 03 of 2014, are hereby recalled.

The office is directed to list the Original Application No. 201 of 2010 (Lal Mohar Mishra v. Union of India & others) for hearing afresh on 24.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

PG/

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A.(A). No. 210 of 2010**

**Rashmi Shukla**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Anurag Mishra on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri S.K. Banerjee, learned counsel for the applicant, and Shri Anurag Mishra, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that he could not prepare the brief. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list this case for hearing on 22.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 2372 of 2015**  
**(Inre O.A. (A) No. 279 of 2013)**

**Manoj Kumar Sharma**  
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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri K.K.S.Bisht, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p><b><u>M.A.No. 2372 of 2015</u></b></p> <p>Heard.</p> <p>This is an application for recall of the order dated 24.11.2015 by means of which O.A (A) No. 279 of 2013 was dismissed for non-prosecution. The reason shown in the affidavit filed in support of the application seems to be genuine.</p> <p>Accordingly, the application is allowed. The order dated 24.11.2015 is hereby recalled subject to applicant's depositing costs of Rs.500/- with AFT Bar Association within a period of 10 days.</p> <p>On deposit of the costs as directed above, the O.A be restored to its original number and be listed for orders on 16.3.3016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 13 of 2010**

**Mohan Singh**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri D.N.Pandey, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>Dr. Shesh Narain Pandey, Advocate files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>Learned counsel for respective parties state that in pursuance of the order of this Court, copy of the order, by means of which the services of the applicant had been dispensed with, could not be procured. As prayed, they are granted three weeks' time for the purpose.</p> <p>List this case for orders on 12.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Dr. Shesh Narain Pandey be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 167 of 2014 With Dy No. 1211 of 2014**

**Hav Govind Singh Bhist**

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><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Capt Soma John, Departmental Representative, for the respondents.</p> <p>On call of the case Shri Arvind Kumar Pandey, Advocate, holding brief of Shri P.N.Chaturvedi, learned counsel for the applicant appeared. He states that Sri Chaturvedi has not come to the Court today, as such the matter may be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for orders on 15.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 876 of 2010**

**R.B. Mishra**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Amit Sharma, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>On call of the case Shri Arvind Kumar Pandey holding brief of Shri P.N.Chaturvedi, learned counsel for the applicant appeared. He states that Shri P.N.Chaturvedi has not come to the Court today, as such he prays that the case be adjourned.</p> <p>The office report dated 8.1.2016 indicates that only one copy of Court Martial Proceedings has been filed by Shri P.N.Chaturvedi. He was required to file a Bench copy but the same has not been filed. Shri Chaturvedi is directed to file Bench Copy also by 15.1.2016.</p> <p>List this case alongwith office report for orders on 15.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 1257 of 2010 & Dy No. 2390 of 2015**

**R.D. Tripathi**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>Shri Bhanu Pratap Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record.</p> <p>On call of the case, Shri Rohit Kumar, learned counsel for the applicant states that he would be filing affidavit as required during the course of the day. Let him do so.</p> <p>List this case for orders on 26.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Bhanu Pratap Singh be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No 395 of 2010**

**Jitendra Kumar Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri R.N.Singh and Shri Rakesh Johri, learned counsel for the applicant, and Shri Yogesh Kesarwani, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>Heard Shri R.N.Singh and Shri Rakesh Johri, learned counsel for the applicant and Shri Yogesh Kesarwani, learned Standing Counsel appearing for the respondents, duly assisted by Capt Soma John, Departmental Representative at length.</p> <p>Arguments concluded. Judgment reserved.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 34 of 2010**

**Vinay Kumar**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Capt Soma John, Departmental Representative, for the respondents.</p> <p>Shri Asheesh Agnihotri files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>On call of the case, a person in civil dress claiming himself to be the applicant appeared. He states that his counsel Shri S.P.Singh is unwell, as such he has not come to the Court. He prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for hearing on 9.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Asheesh Agnihotri be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 189 of 2010 With M.A. No. 107 of 2012**

**Shiv Kumar Joshi**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Capt Soma John, Departmental Representative, for the respondents.</p> <p>Memo of appearance on behalf of the respondents has been filed by Shri Anand Vikram, Advocate. Let it be taken on record.</p> <p>On call of the case, Shri Arvind Kumar Pandey, Advocate holding brief of Shri P.N.Chaturvedi, learned counsel for the applicant appeared. He states that Shri P.N.Chaturvedi has not come to the Court today, as such he prays that the matter may be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for hearing on 19.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Anand Vikram be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 300 of 2013**

**Pawar Deepak Mansaram**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>On call of the case, Shri Amit Sharma, learned Standing Counsel, who has filed power on behalf of the respondents only yesterday, states that he is not prepared with the brief, as such he prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case for hearing 24.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Amit Sharma be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 2283 of 2015 with M.A. No. 2284 of 2015**  
**(Inre : O.A. No. 236 of 2012)**

**Deepak Kumar**  
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><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Shri Asheesh Agnihotri, learned counsel for the respondents, along with W.O. Deshraj Singh, Departmental Representative.</p> <p><b><u>Misc. Application No. 2283 of 2015.</u></b></p> <p>This is an application, filed by the applicant, for condoning the delay in filing M.A. No. 2284 of 2015 for recall of our order dated 30.9.2015 dismissing O.A. No. 236 of 2012 for non-prosecution.</p> <p>As per office report there is a delay of 1 month and 7 days in filing the recall application.</p> <p>Heard.</p> <p>The reason shown in the affidavit filed in support of M.A. No. 2283 of 2015 for the delay in filing the recall application seems to be genuine. Accordingly, M.A. No. 2283 of 2015 stands allowed and the delay in filing the recall application is hereby condoned.</p> <p><b><u>Misc. Application No. 2284 of 2015.</u></b></p> <p>This is an application, filed by the applicant, for recall of our order dated 30.9.2015 dismissing O.A. No. 236 of 2012.</p> <p>Heard.</p>

The reason shown in the affidavit filed in support of M.A. No. 2284 of 2015 for recall of our order dated 30.9.2015 seems to be genuine. Accordingly, M.A. No. 2284 of 2015 stands allowed and the order dated 30.9.2015, dismissing O.A. No. 236 of 2012 is hereby recalled. The O.A. is restored to its original number.

List the O.A. for orders on 26.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

PG/

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1357 of 2015 with M.A. No. 2014 of 2015 & M.A. No. 2275 of 2015  
(Inre : O.A. No. Nil of 2015)

**Sub Mohan Bahadur Thapa**  
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><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri V.P. Pandey holding brief of Shri K.K. Singh Bisht, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p><b><u>Misc. Application No. 1357 of 2015.</u></b></p> <p>This is an application, filed by the applicant, for condoning the delay in filing the O.A.</p> <p>As per office report there is a delay of 6 years, 3 months and 7 days in filing the O.A.</p> <p>The respondents have filed their objection, being M.A. No. 2014 of 2015, to the delay condonation application and in rebuttal the applicant has filed his rejoinder affidavit, being M.A. No. 2275 of 2015.</p> <p>Heard learned counsel for the parties and have gone through the respective affidavits filed by the parties in support of the aforesaid three applications.</p> <p>The reason shown by the applicant for the delay in filing the O.A. seems to be genuine. Accordingly, M.A. No. 1357 of 2015 stands allowed and delay of 6 years 3 months and 7 days in filing the O.A. is hereby condoned. The office is directed to register the O.A.</p> <p>Since the delay condonation application stands allowed, M.A. No.</p>

2014 of 2015, filed by the respondents, stands rejected.

So far as M.A. No. 2275 of 2015 is concerned, since delay condonation application stands allowed, this application stands disposed of.

List the O.A. for admission on 19.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)  
Member (A)

(Justice Abdul Mateen)  
Member (J)

PG/

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 108 of 2010**

**Barde 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><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri R.K.S. Chauhan on behalf of respondents no. 1 and 2 is taken on record. When the case is next listed his name be shown as counsel for the said respondents.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Shri R.K.S. Chauhan, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that the delay condonation application is ready and will be filed before the Registry during the course of the day. He has also served a copy of the same on learned counsel for the respondents in Court.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection to the delay condonation application.</p> <p>List this case for orders on 3.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma)                      (Justice Abdul Mateen) Member (A)                                      Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**T.A. No. 1019 of 2010 with T.A. No. 1081 of 2010**

**Sanjio Kumar Prajapati**  
By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri G.S. Sikarwar on behalf the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri G.S. Sikarwar, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case learned counsel for the respondents prays for and is granted three weeks' further time to file supplementary counter affidavit to the amended T.A.</p> <p>List this case for orders on 15.2.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>So far as T.A. No. 1081 of 2010, which has been clubbed with this T.A. No. 1019 of 2010, is concerned, the office is directed to consign the record of T.A. No. 1081 of 2010 since it has already been dismissed as infructuous vide order dated 25.2.2011.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**T.A. No. 185 of 2009**

**Vijay Kumar Yadav**  
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><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh on behalf of the respondents is taken on record. When the case is next listed his name be shown as counsel for the respondents.</p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri Bhanu Pratap Singh, learned counsel for the respondents, along with Capt. Soma John, Departmental Representative.</p> <p>On call of the case Shri P.N. Chaturvedi, learned counsel for the applicant, prays for adjournment on the ground that his file is missing. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list the case for hearing on 15.1.2016.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG/</p>

Form No. 4  
[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 94 of 2014**

**Gyanendra Kumar Mishra**  
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><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Capt Soma John, Departmental Representative, for the respondents.</p> <p>Shri Anurag Mishra files memo of appearance on behalf of the respondents. The same is taken on record.</p> <p>On call of the case in the revised list, a person in civil dress claiming himself to be the applicant Gyanendra Kumar Mishra appeared. He states that his counsel has not come to the Court today, as such he prays that the case be adjourned. Although three names of the counsel, namely, S/Shri L.M.Singh, S.K.Mishra and R.K.Pandey, have been shown have been shown as counsel appearing for the applicant, but none has appeared. However, on the request made by the applicant, who has appeared in person, as a matter of last opportunity the case is adjourned.</p> <p>List this case for orders on 20.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Anurag Mishra be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 300 of 2013**

**Pawar Deepak Mansaram**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>Shri Amit Sharma files memo of appearance on behalf of the respondents. Let it be taken on record.</p> <p>Shri Yashpal Singh, learned counsel for the applicant states that he is not prepared with the brief, as such he prays that the case be adjourned.</p> <p>As prayed, list this case for hearing on 12.1.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, name of Shri Amit Sharma be shown as counsel for the respondents.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 395 of 2010**

**Jitendra Kumar Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Chief of Army Staff & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri R.N.Singh and Shri Rakesh Johri, learned counsel for the applicant, and Capt Soma John, Departmental Representative, for the respondents.</p> <p>On call of the case in the revised list, Shri Asheesh Agnihotri, learned Standing Counsel is present. He states that this case is being conducted by Shri Yogesh Kesarwani, who has gone to the hospital due to some personal problem. He prays that the case be adjourned for the day.</p> <p>As prayed by learned counsel for the parties, list this case tomorrow for hearing.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 933 of 2010**

**Nabi Ahmed**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2016</u></b> <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b> <b><u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></b></p> <p>Present: Shri V.K.Pandey, learned counsel for the applicant, and Shri Mohd. Zafar Khan, learned counsel for the respondents, along with Capt Soma John, Departmental Representative.</p> <p>Heard Shri V.K.Pandey, learned counsel for the applicant and Shri Mohd. Zafar Khan, learned Standing Counsel appearing for the respondents, duly assisted by Capt Soma John, Departmental Representative at length.</p> <p>Arguments concluded. Judgment reserved.</p> <p>(Lt Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>