

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

Dy. No. 3188 of 2016

Pramesh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri Namit Sharma as counsel for the respondents is taken on record. Let his name be shown as counsel for the respondents in the list when the case is next listed.</p> <p>Present: Shri S.C. Yadav, Learned Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the respondents raised a preliminary objection submitting that the present O.A is premature inasmuch as instead of filing Execution Application vis a vis the order dated 28.10.2015 of the Tribunal, the Applicant has rushed to file the present O.A.</p> <p>Learned counsel for the Applicant in the facts and circumstances, opted for dismissing the present O.A as withdrawn with liberty to approach the Court again.</p> <p>In view of the above, the present O.A is dismissed as withdrawn with liberty to approach the Court again if so advised.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

EX-A. No. 240 of 2016 Inre O.A. No. 184 of 2010

Ramesh Chandra Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri R.C.Shukla, as counsel for the respondents is taken on record. Let his name be shown as counsel for the respondents in the list when the case is next listed.</p> <p>Present : Shri R.Chandra holding brief of Shri K.C. Ghildiyal, Ld. Counsel for the applicant and Shri R.C.Shukla, Learned Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>We have heard Shri R.Chandra holding brief of learned counsel for the Applicant on Execution A. No 240 of 2016 which has been filed with the grievance that the order of the Tribunal dated 12.01.2016 whereby the respondents were directed to reconsider the Applicant's case in due compliance of the order dated 17.02.1997 of the Chief of the Army staff ignoring six punishments awarded to him within four months, has not been observed in compliance despite efflux of more than 10 months.</p> <p>On being asked, learned counsel for the respondents prayed for time to seek instructions on this count why the order of the Tribunal has not been complied as yet.</p> <p>In view of the above, as prayed, four weeks' time is granted to obtain instructions and to indicate reasons why the</p>

judgment of the Tribunal as aforesaid has not yet been observed in compliance.

List this case on 13.01.2017 for orders.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice Abdul Mateen)
Member (J)

MH

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Cases of Court No. 2 Taken in Court No. 1

EX-A. No. 242 of 2016 Inre O.A. No. 126 of 2013

Satendra Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri R. Chandra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>Learned counsel for the Applicant submits that the order of the Tribunal dated 29.10.2015 whereby the order was directed to be complied with within four months, has not yet been observed in compliance.</p> <p>On behalf of the respondents, Col Kamal Singh OIC Legal Cell importuned with the Court to grant one week and no more time to seek clarification why the order of the Tribunal has not been observed in compliance.</p> <p>In view of insistent request, the case is ordered to be listed on 16.12.2016 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

M.A. No. 2658 of 2016 Inre M.A. No. 500 of 2016, M.A. No. 501 of 2016
& O.A. No. 76 of 2012

Krishna Dev Singh (Deceased) Applicant
(Through wife Smt. Anupama Kumari)
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Subhash Chandra Yadav, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">M.A. No 2658 of 2016 which is for restoration of the case, is to be placed before appropriate Bench.</p> <p style="text-align: center;">List this case on 08.02.2017 for orders before the appropriate Bench.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

M.A. No. 2136 of 2016 Inre O.A. No. Nil of 2016

Rajendra Prasad Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">The case has already been restored to its original number and the cost imposed has also been deposited as per office report.</p> <p style="text-align: center;">In view of the above, the case is ordered to be listed for orders before the Bench concerned on 18.01.2017.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

O.A. No. 234 of 2016

Chandra Prakash

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Veer Raghav Chaubey, Ld. Counsel for the Applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">Learned counsel for the Applicant prays for and is granted 10 days' time to file supplementary affidavit.</p> <p style="text-align: center;">List this case on 19.12.2016 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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T.A. No. 89 of 2013

Mahesh Chand

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri P.K.Shukla, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>As per office report, the cost has been deposited on 01.12.2016.</p> <p>In view of the above, list this case for admission before the appropriate Court having jurisdiction as per roster on 20.01.2017.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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T.A. No. 57 of 2016

Santosh Kumar Tripathi Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri S.K. Shukla, Ld. Counsel for the Petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the Respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>Shri Sanjay Kumar Shukla Advocate appears for the petitioner in T.A aforesaid which has been received in this Tribunal by transfer from Allahabad High Court and states that he intends to file amendment Application. He further states that he shall file the Amendment Application during the course of the day before the Registrar of the Tribunal. A copy of the Amendment Application has been served to Learned Standing counsel.</p> <p>Since copy of Amendment Application has been served to Learned Standing Counsel, objection if any may be filed by him within three weeks. Replication if any, may be filed within two weeks next thereafter.</p> <p>List this case on 10.01.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

O.A. No. 174 of 2015

Jageshwar Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">List this case for hearing on 30.01.2017 before the appropriate Bench having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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Cases of Court No. 2 Taken in Court No. 1

O.A. No. 164 of 2016

Rajveer Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri R. Chandra, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p style="text-align: center;">List this case for hearing on 31.01.2017 before the appropriate Bench having jurisdiction as per roster of that date.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>MH</p>

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M.A. No. 339 of 2016 with M.A. No. 1222 of 2016
Inre O.A. No. Nil of 2016

Rati Bhan Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Learned Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant prays for and is granted further two weeks time to file reply to the objection on application for condonation of delay filed by Ld. Counsel for the respondents.</p> <p>List the case on 02.01.2017 for orders.</p> <p style="text-align: center;">.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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M.A. No. 339 of 2016 with M.A. No. 1222 of 2016
Inre O.A. No. Nil of 2016

Rati Bhan Yadav Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri V.P. Pandey, Learned Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant prays for and is granted further two weeks time to file reply to the objection on application for condonation of delay filed by Ld. Counsel for the respondents.</p> <p>List the case on 02.01.2017 for orders.</p> <p style="text-align: center;">.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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Cases of Court No. 2 taken in Court No 1

O.A. No. 303 of 2012

Raj Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant. Shri D.K. Pandey, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On call of the case Ld. Counsel Shri Anil Kumar Mishra, holding brief for Shri Diwakar Singh, Ld. Counsel for the applicant appeared and stated that Shri Diwakar Singh is out of station and prayed for adjournment of the case.</p> <p>The case shall stand out for the day.</p> <p>The case has been listed for further hearing.</p> <p>Accordingly list the case before the appropriate Bench on 19.01.2017 for further hearing.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p><small>anb</small></p>

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T.A. No. 88 of 2013

Birender Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">On call of the case Shri Rohit Kumar, Ld. Counsel for the petitioner appeared and prayed that since the matter is part heard case of another Bench, it may be directed to be listed before the appropriate Bench.</p> <p style="text-align: center;">Accordingly, list the case before the appropriate Bench on 23.01.2017 for further hearing.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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Cases of Court No. 2 taken in Court No 1

T.A. No. 181 of 2010 with M.A. No. 2454 of 2016

Manoj Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri S.S.L. Srivastava, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the petitioner submitted that amended copy of the petition has been filed to which Ld. Counsel for the respondents stated that he has filed counter affidavit.</p> <p>It is submitted by Ld. Counsel for the petitioner Shri S.S.L. Srivastava that copy of the counter affidavit has not been given to him.</p> <p>We direct Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents to supply copy of the counter affidavit to Ld. Counsel for the petitioner within ten days.</p> <p>List the case on 24.01.2017 for hearing before the appropriate Bench.</p> <p>Meanwhile Ld. Counsel for the petitioner may file rejoinder affidavit.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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T.A. No. 84 of 2016

Devendra Singh Kushwaha

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Anand Sharan, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On call of the case Shri Anand Sharan, Ld. Counsel for the petitioner appeared and stated that the petition has been admitted and affidavits have been exchanged. The case is ripe for hearing.</p> <p>Accordingly list the case on 20.01.2017 for hearing before the appropriate Bench.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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O.A. No. 303 of 2012

Raj Kumar Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : None for the applicant. Shri D.K. Pandey, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On call of the case Ld. Counsel Shri Anil Kumar Mishra, holding brief for Shri Diwakar Singh, Ld. Counsel for the applicant appeared and stated that Shri Diwakar Singh is out of station and prayed for adjournment of the case.</p> <p>The case shall stand out for the day.</p> <p>The case has been listed for further hearing.</p> <p>Accordingly list the case before the appropriate Bench on 19.01.2017 for further hearing.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p><small>anb</small></p>

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T.A. No. 88 of 2013

Birender Kumar Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">On call of the case Shri Rohit Kumar, Ld. Counsel for the petitioner appeared and prayed that since the matter is part heard case of another Bench, it may be directed to be listed before the appropriate Bench.</p> <p style="text-align: center;">Accordingly, list the case before the appropriate Bench on 23.01.2017 for further hearing.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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T.A. No. 181 of 2010 with M.A. No. 2454 of 2016

Manoj Kumar

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri S.S.L. Srivastava, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the petitioner submitted that amended copy of the petition has been filed to which Ld. Counsel for the respondents stated that he has filed counter affidavit.</p> <p>It is submitted by Ld. Counsel for the petitioner Shri S.S.L. Srivastava that copy of the counter affidavit has not been given to him.</p> <p>We direct Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents to supply copy of the counter affidavit to Ld. Counsel for the petitioner within ten days.</p> <p>List the case on 24.01.2017 for hearing before the appropriate Bench.</p> <p>Meanwhile Ld. Counsel for the petitioner may file rejoinder affidavit.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

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T.A. No. 84 of 2016

Devendra Singh Kushwaha

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.12.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present : Shri Anand Sharan, Ld. Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On call of the case Shri Anand Sharan, Ld. Counsel for the petitioner appeared and stated that the petition has been admitted and affidavits have been exchanged. The case is ripe for hearing.</p> <p>Accordingly list the case on 20.01.2017 for hearing before the appropriate Bench.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>anb</p>

Form No. 4
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Court No. 2

M.A. No. 2636 of 2016 Inre O.A. (A). No. Nil of 2016

Dinesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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 style="text-align: justify;">Memo of appearance filed today in court by Dr. Shesh Narain Pandey as counsel for the respondents is taken on record.</p> <p style="text-align: justify;">Present : Ms Navita Sharma, Ld Counsel for the applicant and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: justify;">As prayed by Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, six weeks' time is granted for filing objection on application for condonation of delay.</p> <p style="text-align: justify;">Ld. Counsel for the applicant may file replication within next two weeks.</p> <p style="text-align: justify;">List the case on 14.02.2017 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>anb</p>

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

O.A. No. 310 of 2016

Surendra Kumar Kushwaha
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 Rajat Pratap Singh, Ld. Counsel for the applicant, and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Memo of appearance filed by Ld. Counsel Shri Amit Jaiswal, on behalf of respondents is taken on record.</p> <p>Grievance of the applicant is that he has been denied promotion to the next rank of Sub Maj on unfounded grounds and was superseded by his juniors.</p> <p>Feeling aggrieved on the part of the respondents, the applicant had submitted statutory complaint dated 13.10.2016 which seems to be pending.</p> <p>Keeping in view the fact that statutory complaint of the applicant is pending, there appears no reason to proceed further in the matter since still it is open to the competent authority to adjudicate the controversy.</p> <p>Accordingly the O. A. is disposed of at the admission stage with directions to the competent authority to decide the statutory complaint of the applicant in accordance with law by passing a speaking and reasoned order, expeditiously, say within two months from the date of presentation of a certified copy of this order.</p> <p>O.A. is disposed of accordingly.</p> <p>No order as to costs.</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>

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

O.A. No. 311 of 2016 with M.A. No. 2640 of 2016

Dinesh Chandra Singh
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri K.K.S. Bisht, Ld. Counsel for the applicant, and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Memo of appearance filed by Ld. Counsel Shri Bhanu Pratap Singh on behalf of the respondents is taken on record.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Let counter affidavit be filed by respondents within four weeks.</p> <p style="text-align: center;">Applicant may file rejoinder affidavit within next two weeks. List the case on 24.01.2017 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>

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

M.A. No. 2633 of 2016 with M.A. No. 2634 of 2016
Inre T.A. No. 37 of 2013

Triloki Nath

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.P. Pandey, Ld. Counsel for the petitioner, and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Memo of appearance filed by Ld. Counsel Shri G. S. Sikarwar on behalf of respondents is taken on record.</p> <p style="text-align: center;"><u>M.A. No. 2633 of 2016</u></p> <p style="text-align: center;">This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. Shri G. S Sikarwar, Ld. Counsel for the respondents vehemently opposed the application on the ground of delay.</p> <p style="text-align: center;">Admittedly, the application has been preferred after lapse of statutory period. The Tribunal lacks jurisdiction to condone the delay. In view of above, application for condonation of delay in filing application for leave to appeal is rejected.</p> <p style="text-align: center;"><u>M.A. No. 2634 of 2016</u></p> <p style="text-align: center;">Since application for condonation of delay has been rejected, in consequence thereof, application for leave to appeal is also rejected.</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>anb</p>

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

Dy. No. 2091 of 2015 with M.A. No. 1851 of 2016

Diwan Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 Anand Sharan, Ld. Counsel for the applicant, and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Shri Anand Sharan, Ld. Counsel for the applicant submits that he has not received instructions from the applicant to prosecute the present case; hence he does not intend to further prosecute the matter.</p> <p>Registry shall issue notice to applicant to engage other counsel or make alternative arrangement in case he intends to pursue the matter.</p> <p>List the case on 14.02.2017 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>anb</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 with M.A. No. 1214 of 2016 & M.A. No. 1677 of 2016
Inre O.A. No. Nil of 2016

Rajendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri V.K. Pandey, Ld. Counsel for the applicant, and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the applicant is not prepared with the case. As prayed, list the case again on 12.01.2017 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
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2

M.A. No. 131 of 2016 with M.A. No. 2390 of 2016

Raj Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri O.P. Kushwaha, Ld. Counsel for the applicant, and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Rejoinder affidavit filed today by learned counsel for the Applicant is taken on record.</p> <p style="text-align: center;">List this case for hearing on 07.02.2017.</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>MH</p>

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

O.A. No. 248 of 2011

Mohd Arif

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p style="text-align: center;">List the case again on 21.12.2016 for orders in terms of order dated 30.11.2016.</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>anb</p>

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

O.A No. 21 of 2015

Maj Saurabh Dutt

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 Dr. Shailendra Sharma Atal, learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell and Col J.G..Manhas and Shri R.P.Verma learned counsel for the respondent no 6.</p> <p>Present Application has been filed by the Applicant in person assailing the orders dated 12.05.2014 and 26.11.2014 passed by respondent no 4.</p> <p>We have heard the Applicant in person as also learned counsel for the respondent no 6. Respondent no. 6 is also present in person assisted by her counsel.</p> <p>In the instant case, both the parties who entered into wedlock on 03.12.2009 are now horn-locked and are living separately. They have a daughter namely Km Dhairya born out of their wedlock..</p> <p>We called both the sparring parties in chambers in the presence of counsel and tried to elucidate their viewpoints whether they would be willing to be reconciled to lead an amicable married life or not, putting aside their past marital discord. We gave patient hearing to both the parties and heard their viewpoints. Initially, both the parties ventilated their mutual grievances and released their pent up feelings.</p> <p>Having heard both the parties, we got inkling that there is a chance for the parties to reconcile their grievances and mutual</p>

marital discord. This inkling gave us encouragement to try mediation to resolve the mutual discord and to exercise power conferred under section 89 C.P.C for settlement of marital discord through mediation in the fond hope that it would be better for the future of the four year child if both the parties start a new lease of life for the sake of their child.

We have also heard the father of the girl/respondent no 6 and tried to elucidate his point of view before trying for settlement between the feuding parties. The father of the girl did not object to settlement between the feuding parties.

With the consent of both the parties, we are passing the following order.

(1) To begin with, Applicant shall take the initiative and would visit his in-laws House where the respondent no 6 is residing alongwith her 4 years old daughter and live with his wife at her residence for about a week between 12th December 2016 to 24th December 2016. This is intended to encourage the parties to put aside the past bitter disputes and start a new lease of life for the future of their daughter. Both the parties have undertaken to be respectful to each other and take care of sensibilities of each other. We are told that under section 32 of the Army Act, the Army would be ready and willing to grant leave to the Applicant looking to the broken relationships between the parties. Col Manhas who is present in the chamber assured the Court he would speak to the authority that be to grant requisite leave to the Applicant as desired by the Court.

(2) Immediately after 24th December 2016, the respondent no 6 shall accompany the Applicant to the place of his posting at Secundrabad where she would live with the Applicant for two weeks alongwith daughter.

(3) During the course of stay of respondent no 6 with her husband at Secundrabad, the Army authorities are directed to ensure that both the parties live together in complete harmony and maintain marital cordiality without any ruckus from any side attended with ensuring that no untoward incident happens to the respondent no 6. To be precise, a close watch shall be kept to ensure that both the parties live together in complete harmony

and maintain martial cordiality for which an officer shall be deployed to watch the behaviour and conduct of the Applicant with respondent no 6 and vice versa who shall prepare a report which shall be verified and submitted to this tribunal on the next date fixed for perusal of the Bench. The report shall also contain the view of the superior officer indicating whether both the parties are willing to live together maintaining martial cordiality.

The purpose of the aforesaid order is to make it convenient for the Applicant and the respondent no 6 to repair their broken relationship so that both may start a new lease of life forgetting their past discord.

So far as maintenance is concerned, it is directed that till further orders by this Court, the respondent no 6 shall open an account at Secundrabad in which the entire maintenance shall be transferred from the salary of the Applicant.

List this case on 25.01.2017 on which both the parties shall appear again in person. It is desirable that parents of both the parties may also appear on the next date fixed.

Let a copy of this order be supplied to OIC Legal Cell today.

Mrs Appolli Srivastava who is a trained Mediator is appointed to assist both the parties in resolving their marital discord.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

O.A. No. 254 of 2016

Rashid Ali

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.12. 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 : Dr. Sanjay Kumar Singh, Ld Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' further time is granted for filing counter affidavit. Rejoinder affidavit may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>Ld. Counsel for the applicant clarifies the position that officiating period of BSO was from March 2011 to Sep 2012 only, hence no inquiry could have been held.</p> <p>List the case on 25.01.2017 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
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2

T.A. No. 6 of 2014 with M.A. No. 2163 of 2015

Sepoy Ramesh Prasad Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 Yash Pal Singh, Ld. Counsel for the petitioner and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, a week's further time is granted to file amended of the T.A. with due service on Ld. Counsel for the respondents.</p> <p>Thereafter, the respondents shall file counter affidavit to the amended T.A. within four weeks.</p> <p>Petitioner shall have two weeks thereafter to file rejoinder affidavit.</p> <p>List the case on 14.02.2017 for peremptory hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>anb</p>

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

O.A. No. 200 of 2013

Dinesh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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 style="text-align: center;">Present : Shri Yash Pal Singh, Ld Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List the case on 23.01.2017 for hearing to enable Ld. Counsel for the respondents to receive instruction with regard to averments contained in para 4.29 of the O.A.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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>anb</p>

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

O.A. No. 272 of 2013

Pravat Kumar Behuria

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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.S. Rajawat, Ld Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>In terms of earlier order, learned counsel for the respondents was directed to supply photo copies of court of inquiry proceedings and summary of evidence. Today, learned counsel for the respondents has supplied copies aforesaid of the documents to learned counsel for the Applicant in the course of hearing.</p> <p>Learned counsel has prayed for time in order to enable him to study the documents supplied today.</p> <p>As prayed, list this case on 23.12.2016 for further hearing.</p> <p>.</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>MH</p>

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

T.A. No. 31 of 2012 with M.A. No. 2007 of 2015
& M.A. No. 2486 of 2016

Shatrughan Singh Chauhan Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present : Col (Retd) R.N. Singh & Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the petitioner and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Though argument had already been concluded on the last date and today's date was fixed for filing of written note/case-laws etc but learned counsel for the respondents has filed affidavit enclosing therewith certain documents. The same is taken on record.</p> <p>In pursuance of request, Learned counsel for the Applicant has also brought on record copies of certain documents. Learned counsel for the respondents has demanded copies of those documents filed by learned counsel for the Applicant. As a matter of fact, those documents are already on record in different affidavits. For convenience sake, let copies of the documents be supplied to Shri Ashit Chaturvedi, Senior counsel appearing for the respondents. Learned counsel for the Applicant has agreed to supply copies of documents to him.</p> <p>Since arguments have already been concluded, the judgment/order is reserved.</p> <p>Learned counsel for the respondents may submit entire original record in sealed covered which may be delivered to the</p>

Registrar of this Tribunal by 12.12.2016.

If any of parties may like, they may file their written submissions by 12.12.2016.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

O.A. No. 492 of 2012

Bans Raj Pal

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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 Kant Mishra, Ld Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List the case on 20.01.2017 for hearing to enable Ld. Counsel for the respondents to produce original record in terms of order dated 18.10.2016.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</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>anb</p>

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

O.A. No. 86 of 2016 Alongwith O.A. No. 145 of 2016
& O.A. No. 148 of 2016

Abhay Patel, Ashish Tiwari & Deepak Khetwan Applicants
By Legal Practitioner for the Applicants

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 Yogendra Mishra, Ld Counsel for the applicants and Shri Yogesh Kesarwani, Shyam Singh, V.P.S. Vats, .Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Learned counsel for the Applicants submits that the Applicants have been discharged in pursuance of the provisions contained in Rule 15 (2) (e) of the Air Forces Rules 1969 whereas the learned counsel for the respondents submits that he has been discharged under Rule 15 (2) (j) of the Air Forces Rules which relates to recruits/trainees. However, learned counsel for the respondents has not brought on record any policy under which the trainees/recruits are sent for training.</p> <p>Let respondents file supplementary affidavit and bring on record the policy pertaining to trainees/recruits of Air Force and other related factual matrix within two weeks. Reply if any, may be filed within two weeks next thereafter.</p> <p>List this case on 04.01.2017 for hearing.</p> <p>This order will govern all the three Applications.</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>MH</p>

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

O.A. No. 109 of 2016

Amarnath Singh Kharwar

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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 Diwakar Singh, Ld Counsel for the applicant and Shri Siddharth Dhaon, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Counter affidavit filed today in court is taken on record.</p> <p>Rejoinder affidavit if any may be filed within one week.</p> <p>List this petition on 22.12.2016 for final hearing.</p> <p style="text-align: center;">.</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>MH</p>

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

O.A. No. 182 of 2016

Lt Col Manish Mishra

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12. 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 : Col (Retd) Y.R. Sharma, Ld Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by learned counsel for the respondents, four weeks' time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 18.01.2017 for hearing.</p> <p>.</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>MH</p>

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

T.A. No. 27 of 2010

Maj Gen Nilendra Kumar

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 petitioner and Shri Mukund Tiwari, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>A mention has been made on behalf of learned counsel for the Applicant that Shri Dipak Seth learned counsel for the Applicant who has to argue the case is not well today.</p> <p>On the other hand, respondent no 3 who holds the rank of Colonel and has come from Pune has objected to adjournment submitting that it is the third time that the adjournment has been sought and further that he has to travel all the way from Pune to Lucknow incurring his own expenses.</p> <p>We proposed to the counsel that the case would be adjourned subject to payment of cost on which he requested the case to be passed over in order to enable him to seek instructions from his senior. When the case was taken up in the revised list, he agreed to pay the cost.</p> <p>In view of the above, the case is adjourned subject to payment of cost which we quantify at Rs 5000/- which shall</p>

be released in favour of Respondent no 3 by the next date.

The case is directed to be listed for hearing on
20.02.2017.

(Air Marshal Anil Chopra)
Member (A)

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

MH

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

T.A No. 1036 of 2010

Jaswant Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.12.2016</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 petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Learned counsel for the Applicant submits that Shri Amarnath Tiwari learned Senior Advocate who has to argue the case has not been able to come over to Lucknow from Allahabad on account of some personal difficulties and prayed for adjournment of the case.</p> <p>In view of the above, the case is adjourned and is directed to be listed for hearing on 20.01.2017.</p> <p>Needless to say that the learned Senior Advocate be intimated to be present positively to argue the case on the next 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>MH</p>