

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

Court No. 2

O.A. No. 208 of 2014

Pravind Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p style="text-align: center;">On call of the case Shri Rohit Kumar, Advocate, appeared and stated that Shri Shailendra Kumar Singh, learned counsel for the applicant, could not come to this Court today due to some personal problem. Shri Rohit Kumar, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p style="text-align: center;">List this case for orders on 19.2.2016 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

O.A. No. 195 of 2015 with M.A. No. 2049 of 2015 & M.A. No. 1901 of 2015

Narendra Kumar Rai
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></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 Rohit Kumar, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p><u>Misc. Application No. 2049 of 2015.</u></p> <p>This is an application, filed by the respondents, for taking the affidavit of compliance for filing relevant document on record. The affidavit is taken on record. The application stands disposed of.</p> <p><u>Misc. Application No. 1901 of 2015.</u></p> <p>This is an application, filed by the respondents, for taking objection to the O.A. on record. The objection is taken on record. The application stands disposed of.</p> <p>Aggrieved against the order of dismissal from service the applicant has preferred the present O.A. before this Tribunal.</p> <p>Since the argument raised by learned counsel for the applicant was that the order of dismissal of the applicant was passed in absentia and Rule 17 of the Army Rules was not followed to the effect that the order of dismissal was never communicated to the applicant, therefore, on 24.9.2015 the respondents were directed to file an affidavit disclosing therein the date on which the dismissal order was communicated to the applicant, but still nothing has come on record.</p> <p>Learned counsel for the respondents prays for and is granted further</p>

two weeks and no more time to inform the Court, by means of an affidavit, the date of communication of the dismissal order to the applicant.

List this case for orders on 16.2.2016 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

T.A. No. 38 of 2013

Smt. Veena Pani Tiwari
By Legal Practitioner for Applicant

Applicant

Versus

Dir of Personal(Civil), Air HQ, New Delhi
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Mrs. Anju Singh, learned counsel for the respondents, along with Wg. Cdr. Sardul Singh, Departmental Representative.</p> <p style="text-align: center;">On call of the case Shri Rohit Kumar, Advocate, appeared and stated that Shri Shailendra Kumar Singh, learned counsel for the applicant, could not come to this Court today due to some personal problem. Shri Rohit Kumar, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p style="text-align: center;">List this case for orders on 1.2.2016 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. 89 of 2009

Rajendra Prasad Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri G.S.Sikarwar, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case in the revised list, a person in civil dress claiming himself to be the applicant Rajendra Prasad Singh appeared. He states that his counsel Shri P.N.Chaturvedi has not come to the Court today due to some accident, as such he prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for admission on 5.4.2016 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

O.A. No. 265 of 2014 With M.A. No. 2169 of 2015

Abhishek Pandey

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Shri Amit Sharma, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Shri Amit Sharma be shown as counsel for the respondents.</p> <p>Present: Shri T.N.Tiwari, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents along with Wing Commander Sardul Singh, Departmental Representative.</p> <p>The case was taken up in the revised list.</p> <p><u>M.A.No. 2169 of 2015</u></p> <p>This is an application for taking the rejoinder affidavit on record, which is taken on record.</p> <p>The application stands finally disposed of.</p> <p>Shri T.N.Tiwari, learned counsel for the applicant has pressed for grant of interim prayer made to the effect that the laptop and mobile of the applicant, which were taken into possession by the respondents during the course of GCM proceedings, be released.</p> <p>We find that both the aforesaid items are connected with the charge No. 6, which relates to an offence under Section 71 of the Air Force Act, 1950; as such the interim prayer made by the applicant cannot be granted at this stage and the same is hereby rejected.</p> <p>List this case 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>LN/</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 43 of 2015 With M.A. No. 2333 of 2015

Jag Mohan 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><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Dharmesh Sinha, learned counsel for the applicant, and Ms. Deepti P. Bajpai and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Capt Ridhishri Sharma, Departmental Representative.</p> <p>The case was taken up in the revised list.</p> <p><u>M.A.No.2333 of 2015</u></p> <p>This is an application for taking the rejoinder affidavit on record, which is taken on record.</p> <p>The application stands finally disposed of.</p> <p>List this case on 9.5.2016 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. 339 of 2010

Krishan Pal

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><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri D.K.Pandey, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>Heard Shri Rohit Kumar, learned counsel for the applicant, and Shri D.K.Pandey, learned counsel for the respondents, duly assisted by Capt Ridhishri Sharma, Departmental Representative.</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. 802 of 2010

Smt Asma Sultana

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>This petition was initially filed by one Mirza Salim Beg against the punishment awarded in Summary Court Martial of being a deserter. Later on, after the death of Mirza Salim Beg, his wife Smt. Asma Sultana moved an application for substitution, which was allowed on 14.7.2011 and abatement order was recalled. As it comes out, in the petition itself the name of Smt. Asma Sultana has not been substituted nor even the prayer clause in the petition has been appropriately amended/deleted/added. Shri Rohit Kumar, learned counsel for the applicant says that he will move an application to that effect within a period of three weeks. Let him do so.</p> <p>List this case for hearing on 29.2.2016 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. 960 of 2010 With M.A. No. 1679 of 2015

Surendra Prasad Singh
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><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>There is some discrepancy with respect to original file and the Bench copy of the Court. Even the prayer clause in the Bench copy does not tally with the prayer clause of the original file of the Court. Shri Rohit Kumar, learned counsel for the applicant states that he will look into the matter and file correct copy of this T.A within a period of three weeks. Let him do so.</p> <p>Shri Rohit Kumar, learned counsel for the applicant also states that he does not intend to amend the prayer clause of the petition, as such M.A.No.1679 of 2015, by means of which the aforesaid prayer for amending the prayer clause was made, be dismissed as withdrawn. Accordingly, M.A.No. 1679 of 2015 is dismissed as withdrawn.</p> <p>List this case for admission on 26.2.2016 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. 1451 of 2010

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><u>29.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Dr. Shesh Narain Pandey, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Dr. Shesh Narain Pandey be shown as counsel for the respondents.</p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Dr. Shesh Narain Pandey, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case, Shri Rohit Kumar, learned counsel for the applicant states that the applicant alongwith one Devendra was charged for the offence under Section 354 IPC committed with the same victim. He further states that Court Martial proceedings were initiated against the applicant as well as said Devendra separately. Devendra had filed an O.A before the Chandigarh Bench of this Tribunal against the punishment, which has reached to its finality, but, learned counsel for the applicant says, he could not lay his hands upon the said judgment in the case of Devendra, as such he prays that the case be adjourned for three weeks to enable him to procure a copy of the said judgment passed by the Chandigarh Bench of this Tribunal in the case of Devendra. Accordingly, the case is adjourned.</p> <p>As prayed, list this case for hearing on 1.3.2016 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>

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2010 of 2015 With M.A. No. 2011 of 2015
(Inre M.A. No. 1512 of 2014)**

SS Sandhu

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Dr. Shailendra Sharma Atal, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Dr. Shailendra Sharma Atal be shown as counsel for the respondents.</p> <p>Present: Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case in the revised list, no one appears for the applicant nor is there any request to pass over or adjourn the case.</p> <p>Accordingly, M.A. No. 2010 of 2015 and M.A. No. 2011 of 2015 as well as M.A. No. 1512 of 2014 are dismissed for non-prosecution.</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. 2315 of 2015
(Inre T.A. No. 27 of 2010)

Nilendra 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><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case in the revised list, Shri Ajeet Verma, Advocate holding brief of Shri Dipak Seth appeared. He states that this case will be argued by Shri Dipak Seth, who has not come to the Court today, as such he prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for admission on 26.4.2016 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. 16 of 2015

Kamal Singh Bhadoria
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Shri Bhanu Pratap Singh, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Shri Bhanu Pratap Singh be shown as counsel for the respondents.</p> <p>Present: Shri K.K.S.Bisht, learned counsel for the applicant, and Shri Bhanu Pratap Singh, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case in the revised list, Shri K.K.S.Bisht, learned counsel for the applicant prays for and is granted ten days' time to file a Bench Copy of the petition for assistance of the Court.</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) LN/</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 34 of 2015

Ram Singh 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><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Present: Shri R.K.S.Chauhan, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case in the revised list, Shri Ram Singh, Advocate holding brief of Shri Daya Shanker Yadav, learned counsel for the applicant appeared. He states that Shri Daya Shanker Yadav has not come to the Court today, as such he prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for orders on 5.4.2016 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. 1288 of 2010

Chandra Bhushan 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><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Shri Mohd. Zafar Khan, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Shri Mohd. Zafar Khan be shown as counsel for the respondents.</p> <p>Present: Shri Mohd. Zafar Khan. learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case, Shri K.K.S.Bisht, holding brief of Shri M.S.Yadav, learned counsel for the applicant appeared. He states that Shri Yadav has not come to the Court today due to his ailment, as such he prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for hearing on 29.4.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A) LN/</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

Court No. 2

T.A. No. 89 of 2012

Pirtu Lakra
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.01.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen A.M. Verma, Member (A)</u></p> <p>Dr. Chet Narayan Singh, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Dr. Chet Narayan Singh be shown as counsel for the respondents.</p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Dr. Chet Narayan Singh, learned counsel for the respondents along with Capt Ridhishri Sharma, Departmental Representative.</p> <p>On 6.4.2015, the Court was informed by the learned Standing Counsel appearing for the respondents that the applicant had filed a writ petition before the Hon'ble Patna High Court but he deliberately concealed this fact while filing the present petition. Time was granted to Shri Rohit Kumar, learned counsel for the applicant to obtain instructions and satisfy the Court on the point raised by the learned Standing Counsel. Shri Rohit Kumar, learned counsel for the applicant states that he has not received instructions as yet; as such he prays that as a matter of last opportunity, he be granted one month's time more for the purpose. Time prayed for is granted.</p> <p>List this case for hearing on 18.4.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt Gen A.M. Verma) Member (A) LN/</p> <p>(Justice Abdul Mateen) Member (J)</p>