

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A.No. 125 of 2012**

**Pabitra Maity**  
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>03.03.2016</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>Partly allowed.</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. No. 7 of 2016**

**Srikant Chaubey**  
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>03.03.2016</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 style="text-align: center;">The case was taken up in the revised list.</p> <p>Present: Shri S.C.Yadav, learned counsel for the applicant, and Shri G.S.Sikarwar, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>Heard Shri S.C.Yadav, learned counsel for the applicant, and Shri G.S.Sikarwar, learned counsel for the respondents, duly assisted by Maj, Ridhishri Sharma, Departmental Representative on the question of admission of this O.A, which has been filed having aggrieved with the outcome of SCM proceedings, that resulted into dismissal of the applicant from service.</p> <p>We have gone through the charge-sheet, which contains four charges against the applicant, under Sections 38(1), 54(b), 39(b) and further 38(1) of the Army Act. To sum up, the main charge against the applicant is under Section 39(b) of the Army Act, wherein it is said that while on active service, he absented himself from duty. The reason given by the applicant is that he had gone home where he fell ill and his wife too was suffering from some ailment. In support of this plea, prescriptions relating to his treatment have been annexed with the O.A as also the prescriptions with respect to his wife's ailment, annexed as Annexure A-4 to the O.A. The submission is that on account of aforesaid circumstances, he overstayed the leave. Further argument of learned counsel for the applicant is that seeing the gravity of the charges, the punishment awarded to him is too harsh.</p> <p>There seems to be some substance in the submissions of learned counsel for the applicant, which need adjudication by this Court. Accordingly, we <b>admit</b> this O.A.</p> <p style="text-align: center;">Let counter affidavit be filed by the respondents within six weeks.</p>

Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List this case for hearing on 5.5.2016 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. No. 108 of 2010 With M.A. 127 & 356 of 2016**

**Barde Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>03.03.2016</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>The case was taken up in the revised list.</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 Maj, Ridhishri Sharma, Departmental Representative.</p> <p>Shri V.P.Pandey, learned counsel for the applicant states that he is not prepared with the brief, as such he prays that the case be adjourned. Accordingly, the case is adjourned.</p> <p>List this case for orders on 21.4.2016 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. 128 of 2013 With M.A. No 2145 of 2015 & M.A. No. 58 of 2016**

**Gyan Prakash Srivastava**  
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>03.03.2016</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>The case was taken up in the revised list.</p> <p>Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents, which is taken on record. When the case is next listed, name of Shri Asheesh Agnihotri be shown as counsel for the respondents.</p> <p>Present: Shri T.B.Srivastava, learned counsel for the applicant, and Shri Asheesh Agnihotri, learned counsel for the respondents, along with Maj, Ridhishri Sharma, Departmental Representative.</p> <p><b><u>M.A.No. 58 of 2016</u></b></p> <p>This application has been moved by the learned counsel for the applicant with a prayer to take rejoinder affidavit and important service records book of the applicant on record. Copy of this application has been served upon Shri Asheesh Agnihotri, learned Standing Counsel in the Court today.</p> <p>Learned Standing Counsel prays for and is granted three weeks' time to file reply.</p> <p>List this case for orders on 12.4.2016 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. 294 of 2015**

**Yagendra 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>03.03.2016</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>The case was taken up in the revised list.</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 respondentsl</p> <p>Present: Shri S.C.Yadav, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>In spite of the time having been granted earlier, no counter affidavit has been filed by the respondents till date. Dr. Shailendra Sharma Atal, learned Standing Counsel states that today only he has filed his memo of appearance on behalf of the respondents, as such he prays that six weeks' further time be granted to file counter affidavit. Time prayed for is granted.</p> <p>List this case for orders on 30.3.2016 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>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 295 of 2015 With M.A. No 2320 of 2015**

**Praveen 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>03.03.2016</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>The case was taken up in the revised list.</p> <p>Shri Amit Sharma, Advocate files memo of appearance on behalf of the respondents. Let it be 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 S.C.Yadav, learned counsel for the applicant, and Shri Amit Sharma, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>There is a counter affidavit filed by the Union of India dated 21.9.2015 on record, but it seems that a copy thereof has not been served upon Sri S.C.Yadav, learned counsel for the applicant. Learned Standing Counsel appearing for the respondents is directed to serve a copy of aforesaid counter affidavit on Sri S.C.Yadav, learned counsel for the applicant within a week.</p> <p>As prayed, six weeks' time is granted to the applicant to file rejoinder affidavit.</p> <p>List this case for orders on 5.5.2016 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. 73 of 2011 With M.A. No. 2360 of 2015**

**Kamal Kishore Shukla**  
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>03.03.2016</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 Asheesh Agnihotri, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>Heard Shri Rohit Kumar, learned counsel for the applicant, and Shri Asheesh Agnihotri, learned counsel for the respondents, duly assisted by Maj Ridhishri Sharma, Departmental Representative at some length.</p> <p>While hearing the learned counsel for respective parties, it came out that a tentative charge-sheet dated 14.3.2005 and other relevant documents were served on the applicant on 25.4.2005. According to the applicant, the charge-sheet, upon which the entire SCM proceedings rested, has been annexed alongwith the T.A and the same is dated 29.4.2005. The whole argument of the learned counsel for the applicant revolves round Rule 34(1) of the Army Rules. Neither the learned counsel for the applicant is in possession of original documents which were served on him on 25.4.2005 nor the Standing Counsel is in possession of the original record of SCM proceedings.</p> <p>Learned Standing Counsel is directed to produce the original record of SCM proceedings. Learned counsel for the applicant is also directed to place before the Court the ink-signed copies of documents which were received by him on 25.4.2005.</p> <p>List this case for further hearing on 22.3.2016.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>



Form No. 4  
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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 427 of 2012**

**Sajan 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>03.03.2016</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.Mishra, learned counsel for the applicant, and Dr. Shesh Narain Pandey, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>Heard Shri K.K.Mishra, learned counsel for the applicant. The arguments of Shri K.K.Mishra concluded.</p> <p>Dr. Shesh Narain Pandey, learned Standing Counsel appearing for the respondents prays that the case be listed tomorrow to enable him to go through the evidence upon which the conviction of the applicant is based and also to see as to what is the evidence on record to connect the applicant with the commission of offence under Section 379 IPC vis-à-vis Section 69 of the Army Act.</p> <p>As prayed, list/put up tomorrow for further hearing.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>

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Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 33 of 2016**

**Raghvendra 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>02.03.2016</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: Dr. S.K.Singh, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>Heard Dr. S.K.Singh, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, duly assisted by Maj Ridhishri Sharma Departmental Representative, on the question of admission of this O.A.</p> <p>Though sufficient time was granted to the respondents to file counter affidavit, but no counter affidavit has been filed.</p> <p>Learned counsel for the respondents has raised an objection that this O.A is not maintainable as the father of the applicant, who is alleged to have died in harness, was not subject to the Army. Learned counsel for the applicant prays that the case be adjourned to some other date for his reply.</p> <p>List this case for admission on 14.4.2016 before the appropriate Court having jurisdiction, as per roster of that date. On the said date, learned counsel for the applicant shall satisfy the Court with respect to the maintainability of this O.A as also whether the father of the applicant was subject to the Army.</p> <p>The respondents, if they so desire, may file their counter affidavit in the meantime.</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. 284 of 2016**  
**(Inre M.A. No. 2383 of 2015 & O.A. No. 6 of 2015)**

**Satya Prakash Sahni**  
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>02.03.2016</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 T.N.Tiwari, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Wing Commander Sardul Singh, Departmental Representative.</p> <p><b><u>M.A.No. 284 of 2016</u></b></p> <p>This is an application for recall of our order dated 4.1.2016, by means of which M.A.No. 2383 of 2015 as well as O.A.No. 6 of 2015 were dismissed for non-prosecution.</p> <p>The reason shown in the affidavit filed in support of this application seems to be genuine. Accordingly, the application is hereby allowed and the order dated 4.1.2016 is recalled. M.A.No. 2383 of 2015 and O.A.No. 6 of 2015 are restored to their original numbers, provided the applicant deposits a sum of Rs.500/- as costs with AFT Bar Association within a period of ten days from today.</p> <p>On deposit of costs as directed above, let this case be listed for orders on 21.4.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(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. 14 of 2014**

**Ashok 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>02.03.2016</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 Rohit Kumar, learned counsel for the applicant, and Dr. Shesh Narain Pandey, learned counsel for the respondents, along with Maj. Ridhishri Sharma Departmental Representative.</p> <p>The original record pertaining to SCM proceedings has been placed before the Court by the respondents, but there seems to be some discrepancies in the format of the tentative charge-sheet as well as the charge-sheet available in original record. They do not match with photocopies of the tentative charge-sheet and the charge-sheet filed alongwith the T.A.</p> <p>Shri Rohit Kumar, learned counsel for the applicant is directed to produce on the next date the ink-copies of tentative charge-sheet and the charge-sheet supplied to the applicant by the authorities at the time of initiation of SCM proceedings. Learned counsel for the respondents is directed to keep the original record in safe custody and produce it again on the next date for perusal of the Court.</p> <p>List this case for orders on 22.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(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. 2391 of 2015**

**Hukum Chand**  
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>29.02.2016</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 P.K.Shukla, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p><b><u>M.A.No. 2391 of 2015</u></b></p> <p>This is an application for condonation of delay in filing the O.A which, as per office report is delayed by 8 years, 1 month and 29 days.</p> <p>Dr. Shailendra Shaqrma Atal, learned Standing Counsel appearing for the respondents files objection to this application in Court, after serving a copy thereof on Shri P.K.Shukla, learned counsel for the applicant, who states that he does not intend to file any reply to the said objection.</p> <p>Heard Shri P.K.Shukla, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned Standing Counsel for the respondents on this application for condonation of delay. We have also gone through the avernments made by the applicant in the affidavit filed in support of this application as well as the objections made thereto by the respondents.</p> <p>The reasons indicated in Paras 4 and 5 of the affidavit filed in support of the application for condonation of delay seem to be genuine. Accordingly, we allow the application and condone the delay in filing the Original Application.</p> <p>The office is directed to register this O.A and list it for admission on 28.3.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: right;">(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**

**EX-A No. 26 of 2011 With M.A. No. 372 of 2016  
(Inre T.A. No. 146 of 2010)**

**Ravindra Singh Kushwah**  
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>29.02.2016</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: Maj, Ridhishri Sharma, Departmental Representative, for the respondents.</p> <p>On call of the case, learned counsel for the applicant Shri P.N.Chaturvedi is not present.</p> <p>Maj Ridhishri Sharma, Departmental Representative, on the basis of instructions received, informs that in pursuance of the Court's order she had made a query from the Department as to whether the applicant has been paid interest from 15.7.1998 to the year 2013 in compliance of the Court's order or not, but no specific reply has been received. She prays for and is granted a week's and no more time to obtain specific reply with respect to the above matter.</p> <p>List this case for orders on 10.3.2016 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>

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

**Court No. 2**

**EX-A No. 46 of 2015**  
**(Inre O.A. No. 53 of 2014)**

**Praveen 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>29.02.2016</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 P.N.Chaturvedi, learned counsel for the applicant, and Shri Namit Sharma, learned counsel for the respondents, along with Maj, Ridhishri Sharma, Departmental Representative.</p> <p>This execution application has been filed with respect to non-compliance of our judgment and order dated 10.9.2015 passed in O.A.No. 53 of 2014, whereby a direction was given to the respondents to reinstate the applicant in service within one month from the date of receipt of the order. Since the applicant was not reinstated in service, this execution application was filed, against which the plea taken by the respondents was that they are taking steps to file an SLP against our aforesaid judgment. As such, time as prayed for by the respondents was granted to see the outcome of said SLP on 5.2.2016, but this Court had observed that mere pendency of SLP before the Hon'ble Supreme Court is no ground for not complying with the aforesaid judgment and we had directed the respondents to look into the matter and see that the aforesaid judgment is complied with forthwith, failing which the Chief of Air Staff, Integrated Headquarter of the Ministry of Defence (Army) shall appear in person before this Court on the next date.</p> <p>Today, Shri Namit Sharma, learned Standing Counsel appearing for the respondents has made an application supported by an affidavit, mentioning therein that the SLP preferred by the respondents against the aforesaid judgment and order has been dismissed by the Hon'ble Supreme Court vide order dated 24.2.2016, by means of which the respondents have been directed to implement the directions given in the aforesaid judgment within six weeks. Prayer for exemption of personal appearance of the Chief of Air Staff, opposite party No. 2 has also been made.</p> <p>In view of aforesaid order of the Hon'ble Apex Court passed in the</p>



SLP preferred by the respondents, which has been placed on record, we postpone the matter to the next date. Exemption of personal appearance of the Chief of Air Staff, opposite party No. 2 is granted for the day. The respondents are directed to comply with the directions given in our aforesaid judgment and order within the time specified by the Hon'ble Supreme Court in its order dated 24.2.2016, failing which the Chief of Air Staff, opposite party No. 2 shall appear in person before this Court on the next date.

List this case for orders n 7.4.2016 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. No. 21 of 2015 With M.A. 43, 93 & 370 of 2016**  
**(Inre O.A. No. 21 of 2015)**

**Maj Saurabh Dutt**  
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>29.02.2016</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 Hemendra Pratap, learned counsel for the applicant, and Dr. Shailendra Sharma Atal, learned counsel for the respondents, along with Maj Ridhishri Sharma, Departmental Representative.</p> <p><b><u>M.A.No. 370 of 2016</u></b></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><b><u>M.A.No. 93 of 2016</u></b></p> <p>This is an application for taking the counter affidavit on record, which is taken on record.</p> <p>The application stands finally disposed of.</p> <p><b><u>M.A.No. 43 of 2016</u></b></p> <p>This application has been moved by the applicant with a prayer for taking on record the rejoinder affidavit filed in response to the Counter Affidavit dated 17.7.2015 filed on behalf of respondents No. 1 to 5. The same is taken on record.</p> <p>The application stands finally disposed of.</p> <p>Heard Shri Hemendra Pratap, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned Standing Counsel for respondents No. 1 to 5 and Shri R.P.Verma, learned counsel for respondent No. 6.</p> <p>Since counter and rejoinder affidavits have been exchanged and the question involved is a short one i.e. as to whether the wife of the applicant</p>

opposite party no. 6 is entitled to maintenance from the applicant under the provisions of relevant law and rules or not, we direct this matter to be listed for hearing on 13.4.2016 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. No. 35 of 2016**

**Jitendra 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>29.02.2016</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 Pradeep Chandola, learned counsel for the applicant, and Dr. Chet Narain Singh, learned counsel for the respondents, along with Maj, Ridhishri Sharma Departmental Representative.</p> <p>Heard Shri Pradeep Chandola, learned counsel for the applicant, and Dr. Chet Narain Singh, learned Standing Counsel appearing for the respondents on admission of this O.A, which has been preferred against the order of punishment awarded to the applicant, praying for grant of reliefs to the effect that the order dated 20.8.2015 as well as the order of punishment dated 9.1.2012, contained in Annexures 1 and 2 respectively to the O.A, be set aside.</p> <p>The applicant was charged under Section 68 of the Navy Act, 1957 for unauthorisedly keeping his licensed weapon in Government Married Accommodation. It has been argued by learned counsel for the applicant that his case is covered under Clause 2-F and not under Clause 2-H of the Regulations under which he has been punished. His contention is that under Clause 2-F, it was open to him to keep the licensed weapon with him if he so desires.</p> <p>It has also been argued by learned counsel for the applicant that the applicant was serving in Navy as Regulating Petty Officer and he was promoted to the rank of Master at Arm vide order dated 28.1.2011, but with a view to frustrate the order of his promotion, the impugned order of punishment dated 9.1.2012 has been passed.</p> <p>There seems to be some substance in the submissions of learned counsel for the applicant. Accordingly, we <b>admit</b> this O.A.</p> <p>Let counter affidavit be filed by the respondents within six weeks. Rejoinder affidavit, if any, be filed by the applicant within two weeks thereafter. List this case for hearing on 27.4.2016 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(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. 1271 of 2010**

**Raj 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>29.02.2016</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 P.N.Chaturvedi, learned counsel for the applicant, and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p>Heard Shri P.N.Chaturvedi, learned counsel for the applicant and Dr. Chet Narain Singh, learned Standing Counsel appearing for the respondents.</p> <p>Co-accused Ex-Nk/SHT Kamraj, who was also tried by GCM alongwith the applicant, was charged under Section 52(a) of the Army Act read with Section 34 of the IPC. He preferred Writ Petition (C) No. 7132 of 2001 before the Hon'ble Delhi High Court, which was dismissed on 8.2.2008.</p> <p>Shri P.N.Chaturvedi, learned counsel for the applicant states that he is not aware of the outcome of aforesaid Writ Petition (C) No. 7132 of 2001. He prays for some time to enable him to go through the said judgment of the Hon'ble Delhi High Court.</p> <p>As prayed, list this case for hearing on 25.4.2016 before the appropriate Court having jurisdiction, as per roster of that date. The case shall not be treated as tied-up to this Bench.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>LN/</p>