

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**O.A. No. 150 of 2012**

**Ex Naik Satendra Kumar Mishra** **Applicant**  
**By Legal Practitioner for Applicant**  
**Versus**  
**Chief of Army Staff and Others**  
**Respondents**  
**By Legal Practitioner for Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p><b>Judgement pronounced.</b> <b>Original Application is dismissed.</b> <b>For order, see our order of date passed on separate sheets.</b></p> <p><b>(Air Marshal Anil Chopra)</b>      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>                              <b>Member (J)</b></p> <p>anb</p>

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

Dy- No. 2520 of 2016

Rajbeer Singh  
By Legal Practitioner for the Applicant  
Versus

Applicant

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.10.2016</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) Ashok Kumar, 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>List the case on 13.10.2016 for orders so as to enable Ld. Counsel for the respondents to seek instructions with regard to status of the applicant's service as also with regard to pendency of statutory complaint filed by the applicant.</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

EX-A. No. 199 of 2016 Inre O.A. No. 311 of 2013

Gulshan Kumar Dogra

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>05.10.2016</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 Vinay Pandey, 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>This is an application for execution of order dated 22.05.2015 passed in O.A. No 311 of 2013.</p> <p>At the threshold of the arguments Col Kamal Singh, OIC Legal Cell submits that the order has been complied with. Copy of the order dated 10.07.2015 has been handed over to Ld. Counsel for the applicant.</p> <p>Accordingly execution application loses its efficacy and is rejected being infructuous.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

EX-A. No. 200 of 2016 Inre T.A. No. 1074 of 2010

Om Prakash Chaurasia  
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>05.10.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present :Shri P.N. Chaturvedi, Ld. Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p>This is an application for execution of order dated 06.11.2015 passed in T.A. No. 1074 of 2010.</p> <p>At the threshold of the arguments Ld. Counsel for the respondents Shri D.K. Pandey submits that P.P.O. has been issued in compliance of order of this Tribunal. Copy of order dated 05.05.2016 has been placed on record.</p> <p>In this view of the matter the execution application loses its efficacy and is rejected accordingly.</p> <p>However we have been informed that application has been moved by the respondents to review the order dated 06.11.2015 to the extent of payment of cost to be remitted to the Bar Association of Armed Forces Tribunal, Regional Bench, Lucknow which may be considered in the pending application moved by the respondents.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

O.A. No. 253 of 2016

Govind Shukla  
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others  
By Legal Practitioner for Respondents

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>05.10.2016</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 Shailendra Kumar Singh, Ld. Counsel for the applicant, and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties and perused the records.</p> <p>The applicant was discharged from Air Force services by order dated 13.03.2014 which was subject matter of controversy before the Tribunal in O.A. No. 109 of 2015 decided on 10.03.2016. The operative portion of the order passed by the Tribunal is reproduced as under:</p> <p style="text-align: center;"><i>“7. Accordingly we allow the O.A. and set aside the impugned order of discharge dated 13.03.2014 with all consequential benefits, but without back wages. Respondents shall consider the applicant’s case for re-instatement into service in the light of fresh Medical Board opinion and take a decision expeditiously say, within three months from today with due communication to the applicant.”</i></p> <p>A plain reading of the aforesaid order shows that the applicant was granted all consequential benefits including re-instatement in service but without back wages.</p> <p>A perusal of the impugned order dated 01.07.2016 shows that finding has been recorded by Wg Cdr YCK Reddy, Joint Director Training (G-II), Air Headquarters (Vayu Bhawan), New Delhi that the applicant cannot be restored in service keeping in view the medical opinion which was subject matter of finding in order dated 10.03.2016 passed in O.A. No. 109 of 2015. It appears that no fresh medical opinion was sought and Wg Cdr YCK Reddy took a decision not to re-instate the applicant in</p>

service. Otherwise also since the O.A. was allowed and the applicant was directed to be re-instated in service without back wages, at the face of record, action of Wg Cdr YCK Reddy seems to be contemptuous.

Accordingly we admit the O.A.

Registry shall issue notice to Wg Cdr YCK Reddy, Joint Director Training (G-II), Air Headquarters (Vayu Bhawan), New Delhi through Chief of the Air Staff. Wg Cdr YCK Reddy (supra). He shall show cause as to why appropriate contempt proceedings under the provisions of Armed Forces Tribunal Act, 2007 be not initiated against him and as to why applicant may not be compensated by exemplary cost followed by re-instatement in service in due compliance of order of this Tribunal (supra).

Wg Cdr YCK Reddy shall be impleaded as respondent No 6 during the course of the day by Ld. Counsel for the applicant.

Let counter affidavit be filed by the respondents No 1 to 6 within six weeks. Applicant shall file rejoinder affidavit within next two weeks.

List the case on 14.12.2016 for orders.

We hope and trust that by the next date the respondents shall comply the order of this Tribunal (supra) in letter and spirit otherwise law may take its own course.

Let copy of this order be supplied to Ld. Counsel for the parties free of cost within two days.

(Air Marshal Anil Chopra)  
Member (A)

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

anb

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

T.A. No. 90 of 2016

Brij Mohan Singh  
By Legal Practitioner for the Petitioner  
Versus

Petitioner

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present : Shri A.K. Johri, Ld. Counsel for the petitioner and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the petitioner is not ready with the case to argue.</p> <p style="text-align: center;">As prayed, list on 26.10.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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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  
By Legal Practitioner for the 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>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : None for the applicant. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, list the case on 20.10.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>MH/-</p>



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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**M.A. No. 265 of 2016**

**R.P.L. Baranwal** **Applicant**  
**By Legal Practitioner for the 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>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present :Col (Retd) A.K. Srivastava, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, 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 ready with the case to argue.</p> <p style="text-align: center;">As prayed, list on 26.10.2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**O.A. No. 293 of 2015**

**Dinesh Kumar Mishra**  
**By Legal Practitioner for the Applicant**  
**Versus**

**Applicant**

**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>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;"><b>Present : Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</b></p> <p style="text-align: center;"><b>Ld. Counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Applicant shall have two weeks thereafter to file rejoinder affidavit.</b></p> <p style="text-align: center;"><b>List on 15.11.2016 for orders.</b></p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p><b>anb</b></p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2  
O.A. No. 150 of 2016 with M.A. No. 1481 of 2016  
& M.A. No. 1966 of 2016

Sub Keshav Patel  
By Legal Practitioner for the Applicant  
Versus

Applicant

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>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the applicant, one week further time is granted to file replication to objection on application for condonation of delay.</p> <p>List on 02.11.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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. 162 of 2016

Tomy Varghese  
By Legal Practitioner for the Applicant  
Versus

Applicant

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.10.2016</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 B.P. Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' further time to file counter affidavit. Rejoinder affidavit may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List the case on 24.11.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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

T.A. No. 59 of 2009 with M.A. No. 297 of 2016  
M.A. No. 1262 of 2016

Jai Nath Singh  
By Legal Practitioner for the Petitioner  
Versus

Petitioner

Union of India & Others  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.10.2016</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. Upadhyay, Ld. Counsel for the petitioner and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the petitioners prays for and is granted three weeks' further time to file replication to objection on application for condonation of delay.</p> <p>List on 21.11.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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  
T.A. No. 1271 of 2010

Raj Kumar  
By Legal Practitioner for the Petitioner  
Versus

Petitioner

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>05.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri P.N. Chaturvedi, 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>We have heard Shri P.N. Chaturvedi, 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>During course of hearing Ld. Counsel for the respondents placed on record judgments of High Court of Delhi passed in Ex Nk/SHT K. Kamraj Vs. Union of India &amp; Ors passed in Writ Petition (C) No. 7132 of 2001 decided on 08.02.2008 with regard to co-accused.</p> <p>Judgment is reserved.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 259 of 2013

Chun Bahadur

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>05.10.2016</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 : None for the applicant and Shri Namit Sharma, 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 present.</p> <p style="text-align: center;">List the case on 12.12.2016 for hearing.</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**  
**Dy No. 2661 of 2016 Inre O.A. No. Nil of 2016**

**Ran Singh Dudee** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Applicant in person and Ms Appoli Srivastava, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>We have heard the applicant in person and Ms Appoli Srivastava, Ld. Counsel for the respondents assisted by OIC Legal Cell.</p> <p>It appears that being punished in Court Martial proceeding the applicant filed O.A. in the Armed Forces Tribunal, Regional Bench Kolkata. It further appears that the applicant has represented his case before the Government of India. The Government of India has allowed the appeal and passed the following order:-</p> <p style="padding-left: 40px;"><i>“8. Now, therefore, the Central Government, under the powers conferred under section 165 of the Army Act, 1950 do hereby annul the proceedings of the General Court Martial findings and sentence dated 16<sup>th</sup> May, 2005 and confirmation order dated 21<sup>st</sup> October 2005 being illegal and unjust and allow the petition filed by IC-47908F, Major Ran Singh Dudee, of 36 DOU. Consequently the penalty imposed upon IC-47908F Ex Major Ran Singh Dudee of 36 DOU stands quashed and he is entitled to all consequential benefits as admissible under rules on the subject.”</i></p>



A plain reading of the aforesaid order shows that the Government of India quashed the punishment awarded through Court Martial in its entirety and held that the applicant shall be entitled to all consequential benefits in accordance with rules on the subject.

Submission of applicant is that during pendency of controversy in question, persons junior to the applicant were promoted to the rank of Brigadier. Feeling aggrieved on account of commission and omission on the part of respondents the applicant filed O.A. which was decided vide order dated 16.01.2014 passed in T.A. No. 84 of 2011 providing that the respondents shall grant all consequential benefits in accordance with rules in terms of order dated 20.11.2013 within six months. It is submitted that after expiry of aforesaid period of six months the applicant kept on submitting representations for his promotional avenue but promotion was not granted to him; rather by order dated 09.01.2015 the Military Secretary communicated that consequential benefits shall not be admissible.

Once the Tribunal had passed order granting consequential benefits keeping in view the decision rendered by the Government of India (supra), now at this stage, prima facie, it is not open to the respondents to declare that consequential benefits are not admissible till the order of the Tribunal passed on judicial side survives. There appears no justifiable reason on the part of the respondents to deny consequential benefits to the applicant. If the respondents had any grievance against the order of Armed Forces Tribunal, Regional Bench Kolkata (supra) it was open for them to approach the Tribunal for modification of the order which admittedly has not been done and the order has attained finality.

So far as objection of the respondents that the O.A. is barred by time for about one year and more the same is misconceived for the reason that the applicant had made prayer for issuance of order or direction to grant him consequential benefits keeping in view the order of the Tribunal as well as order of the Government of India. Since the applicant has been continuously raising his grievance for promotion in the light of

order of the Tribunal passed in T.A. No. 84 of 2011, we do not find any delay in approaching this Tribunal of about one year and more.

For the cause of substantial justice whatever delay has been caused we condone the same keeping in view the decision of Allahabad High Court in the cases reported in (1998) 7 SCC 123 *N. Balakrishnan vs. M. Krishnamurthy*, AIR 1969 SC 575 *Shakuntala Devi Jain Vs. Kuntal Kumari* and AIR 1972 SC 749 *State of West Bengal Vs. The Administrator, Howrah Municipality*.

We **admit** the O.A.

Counter affidavit may be filed within four weeks. Rejoinder affidavit may be filed within two weeks' thereafter.

List the case on **16.11.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy for perusal of the Bench.

Ld. Counsel for the parties may submit/exchange synopsis, and list of events.

**(Air Marshal Anil Chopra)**  
**Member (A)**

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

anb

Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

M.A. No. 1864 of 2016 Inre O.A. No. 247 of 2015

Meera Devi

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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Sharad Nandan Ojha, Ld. Counsel for the applicant and Shri Amit Jaiswal, Learned Counsel for the respondents.</p> <p>Cost has been deposited and receipt thereof has been filed by the Ld. Counsel for the applicant which is placed on record.</p> <p>Respondents may file counter affidavit within four weeks. Rejoinder affidavit shall be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List the case on <b>22.11.2016</b> for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**M.A. No. 2252 of 2016 with M.A. No. 2253 of 2016**  
**Inre O.A. No. 29 of 2010**

**Union of India & Others** Applicant- respondents  
By Legal Practitioner for the Applicant - respondents

**Versus**

**Shiv Shankar Singh Sengar** Respondent- Applicant  
By Legal Practitioner for Respondent-Applicant

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Md Zafar Khan, Ld. Counsel for the applicant - respondent, assisted by Col Kamal Singh, OIC Legal.</p> <p style="text-align: center;"><b><u>M.A. No. 2252 of 2016</u></b></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. 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 <b>rejected</b>.</p> <p style="text-align: center;"><b><u>M.A. No. 2253 of 2016</u></b></p> <p>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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 2260 of 2016 with M.A. No. 2261 of 2016**  
**Inre O.A. No. 130 of 2010**

**Parmatma Nand Ram**  
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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present :Shri V.A. Singh, Ld. Counsel for the petitioner and Shri V.P.S. Vats, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><b><u>M.A. No. 2260 of 2016</u></b></p> <p>This is an application for condonation of delay in filing application for restoration of case. The delay is only of one month and eight days. Ld. Counsel for the respondents does not intend to file objection against application for condonation of delay. Delay is accordingly condoned.</p> <p><b><u>M.A. No. 2261 of 2016</u></b></p> <p>This is an application for recall of order dated 12.07.2016.</p> <p>The cause shown is sufficient. Accordingly subject to payment of Rs 500/- as cost order dated 12.07.2016 dismissing the O.A. for want of prosecution is recalled and the O.A. is restores to its original number. The cost shall be deposited by the applicant within one week which shall be remitted to Bar Association of Armed Forces Tribunal, Regional Bench Lucknow.</p> <p style="text-align: center;">Subject to deposition of cost, the case shall be listed on <b>17.11.2016</b> for further hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**T.A. No. 46 of 2016**

**Dhirendra Narayan Giri**

Petitioner

By Legal Practitioner for the Petitioner

**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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri Surendra Yadav, Ld. Counsel for the petitioner and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Memo of appearance has been filed by Ld. Counsel Dr. Shesh Narain Pandey on behalf of the respondents which is taken on record. His name shall be printed in the cause list.</p> <p>As prayed by Dr. Pandey, list the case on <b>29.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

T.A. No. 87 of 2016

**Yuvraj Singh**

By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**Union of India & Others**

By Legal Practitioner for Respondents

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri Shailendra Kumar Singh, Ld. Counsel for the petitioner, and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Memo of appearance has been filed by Ld. Counsel Shri V.P.S. Vats on behalf of the respondents which is taken on record. His name shall be printed in the cause list.</p> <p>Respondents shall provide fresh copy of the counter affidavit along with annexures to the applicant's counsel as well as copies of the same for perusal of the Tribunal.</p> <p>Applicant shall file rejoinder affidavit within four weeks.</p> <p>List the case on <b>29.11.2016</b> for orders.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

EX-A. No. 142 of 2016 Inre O.A. No. 43 of 2014

Nitesh Kumar Rai

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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Amit Sharma, 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>It has been submitted that sanction has been accorded to reinstate the applicant vide order dated 30.09.2016. Let consequential decision be taken by the competent authority and order passed within two weeks.</p> <p>List the case on <b>02.11.2016</b> for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(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

EX-A. No. 177 of 2016 Inre T.A. No. 1096 of 2010

Hare Ram Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri Rohit Kumar, 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>It has been submitted by Ld. Counsel for the respondents that Government sanction has been received and compliance shall be made.</p> <p>List the case on <b>26.10.2016</b> for orders.</p> <p>By the date fixed the competent authority shall issue P.P.O. and provide the same to the applicant.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

EX-A. No. 191 of 2016 Inre M.A. No. 516 of 2016

**Upendra Nath 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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri Dwijendra Mishra, Ld. Counsel for the applicant and Shri Namit sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>13.10.2016</b> for orders.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 2190 of 2015 Inre O.A. No. 25 of 2014**

**Smt. Rameshwari Devi** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri V.R. Chaubey, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>This is an application for grant of maintenance to the applicant from private respondent No 5. Submission of Ld. Counsel for the applicant is that the private respondent No 5 has entered into wed lock with another lady and is practicing bigamy. It is further submitted that the applicant is entitled for maintenance allowance.</p> <p>A preliminary objection has been made by the respondents that against retired personnel of the Army O.A. is not maintainable. However Ld. Counsel for the applicant submits that when the O.A. was filed private respondent was still in service.</p> <p>Keeping in view the factual matrix on record, we direct the respondents to decide the representation filed by the applicant expeditiously say, within three months from the date a copy of this order is produced by a speaking and reasoned order in accordance with rules. The applicant shall forward a copy of earlier representation alongwith copy of present order to the respondents within one month.</p> <p>It is clarified that in case the private respondent No 5 has been engaged with another lady and plural marriage is proved</p>

this circumstance shall be looked into by the respondents after providing opportunity of hearing to both the parties. We are not issuing notice to respondent No 5 since we have not entered into the merits of the case and keep it open for the respondents-authorities to look into the matter and resolve the controversy.

Subject to above observations the O.A. is **disposed** of finally.

No order as to costs.

**(Air Marshal Anil Chopra)**  
**Member (A)**

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

anb

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**M.A. No. 2357 of 2015**

**P.K. Mahapatra**

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri V.A. Singh, 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>As prayed by Ld. Counsel for the applicant, two weeks' time is granted to file replication to the objection filed by the respondents.</p> <p>List the case on <b>07.11.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 718 of 2016 Inre O.A. No. Nil of 2016**

**Smt. Rekha Devi** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Col (Retd) R.C. Dixit, 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>Ld. Counsel for the respondents submits that he intends to move application for recall of the order dated 12.09.2016 for the reason that the application for amendment has been allowed without entering into the question of delay. Submission of Ld. Counsel of the respondents is that the order of discharge of husband of the applicant was passed in the year 1996. Prayer made is allowed.</p> <p>Ld. Counsel for the respondents may file objection within two weeks. Replication may be filed by the applicant within two weeks thereafter.</p> <p>List the case on <b>08.11.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 232 of 2010**

**Jagdish Singh**

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present : Shri S.K. Singh, Ld. Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted two weeks' time to file supplementary counter affidavit. Supplementary rejoinder affidavit may be filed by Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List the case on <b>08.11.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 265 of 2014**

**Abhishek Pandey**

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present :Shri T.N. Tiwari, Ld. Counsel for the applicant and Shri Amit Sharma , Ld. Counsel for the respondents assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents is directed to produce the entire records relating to the present controversy including case property on the next date of listing.</p> <p>List the case on <b>17.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 7 of 2016**

**Srikant Chaubey**

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present :Shri S.C. Yadav, 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;">We have Ld. Counsel for the parties.</p> <p>A preliminary objection has been raised that Summary Court Martial was convened at Jabalpur and the applicant resides in district Dhanbad, Jharkhand. The Tribunal lacks jurisdiction. This factual position has not been rebutted.</p> <p style="text-align: center;">Let the records be remitted to Armed Forces Tribunal, Regional Bench, Jabalpur where the case shall be listed before the appropriate Bench on <b>10.11.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p><small>anb</small></p>

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

**O.A. No. 173 of 2016**

**Mohan 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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present :Ld. Counsel Shri V.P. Pandey holding brief of Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell and Shri D.S. Tiwari, Ld. Counsel for the private respondents Nos 6 &amp; 7.</p> <p style="text-align: center;">We have heard Ld. Counsel Shri V.P. Pandey holding brief for Shri K.K.S. Bisht, Ld. Counsel for the applicant, Shri Amit Sharma, Ld. Counsel for the respondents and Shri D.S. Tiwari, Ld. Counsel appearing for private respondent Nos 6 and 7.</p> <p style="text-align: center;">Ld. Counsel for the parties agree that the controversy requires mediation it being a matter relating to husband and wife.</p> <p style="text-align: center;">Ms Appoli Srivastava, Ld. Counsel who is a trained mediator and present in court is appointed as MEDIATOR for mediation and conciliation. The proceedings shall take place within the premises of Bar Association of Armed Forces Tribunal, Regional Bench, Lucknow on <b>11.11.2016</b> where both the sides shall appear.</p> <p style="text-align: center;">The Mediator shall submit her report within a month thereafter and the case shall be listed in Court on <b>12.12.2016</b> for orders.</p> <p style="text-align: center;">Both the parties shall deposit Rs 5,000/- each (Rs 10,000/-) out of which Rs 5,000/- shall be paid to Ms Appoli Srivastava, mediator and Rs 5,000/- shall be remitted to the Bar Association of Armed Forces Tribunal, Regional Bench, Lucknow.</p> <p style="text-align: center;">We are referring this matter in view of consensus between the parties and various pronouncements of Hon'ble Supreme Court wherein it has been held that in matrimonial dispute the court should try to resolve the controversy amicably through mediation and conciliation.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**O.A. No. 264 of 2014**

**Col Mahesh Kumar Singh** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Col (Retd) Y.R. Sharma, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents ,assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Vakalatnama filed by Col (Retd) Y.R. Sharma, on behalf of Ld. Counsel for the applicant is taken on record.</p> <p>List for hearing on <b>24.11.2016</b>.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**T.A. No. 1446 of 2010**

**A.B. Natu and Others**

By Legal Practitioner for the Petitioner

Petitioner

**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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : None for the petitioner. Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents ,assisted by Maj Soma John, OIC Legal Cell.</p> <p>On request made on behalf of Shri Lalit Kumar, Ld. Counsel for the petitioner, list the case again on <b>17.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**T.A. No. 1497 of 2010**

**M.S. Nagar**

By Legal Practitioner for the Petitioner

Petitioner

**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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : None for the petitioner. Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>On request made on behalf of Shri Lalit Kumar, Ld. Counsel for the petitioner, list the case again on <b>17.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**Dy No. 288 of 2016 Inre T.A. No. 13 of 2011**

**Baban Prasad Tiwari** Petitioner  
By Legal Practitioner for the Petitioner  
**Versus**  
**Chief of Army Staff & Others** Respondents  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present : Shri Rohit Kumar, Ld. Counsel for the petitioner and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List on <b>20.10.2016</b> as prayed by Shri Rohit Kumar, Ld. Counsel for the applicant for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 208 of 2014**

**Pravind Kumar Singh**  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri D.K Pandey, Ld. Counsel for the respondents ,assisted by Maj Soma John, OIC Legal Cell.</p> <p>Four weeks' further time is granted to the Ld. Counsel for the respondents to file supplementary counter affidavit to the amended O.A.</p> <p>Applicant shall have two weeks thereafter to file rejoinder affidavit.</p> <p>List the case on <b>23.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 245 of 2014**

**Bhag Bahadur Tamang**

Applicant

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p style="text-align: center;">Present : None for the applicant. Shri Bhanu Pratap Singh, Ld. Counsel for the respondents ,assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">On request made on behalf of Shri Lalit Kumar, Ld. Counsel for the petitioner, list the case again on <b>17.11.2016</b> for hearing.</p> <p style="text-align: center;">On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 45 of 2015**

**Uttam Singh**

By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Rohit Kumar, Ld. Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Vakalatnama filed by Shri Rohit Kumar, Ld. Counsel for the applicant is taken on record. His name shall be shown in cause list.</p> <p>As prayed, list the case on <b>21.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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. 145 of 2015**

**Lt Col Pawan Kumar Gaur** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri R.K. Verma, Ld. Counsel for the applicant and Mrs Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, three weeks' and no more further time is granted for filing objection on application for condonation of delay. Replication may be filed within one week thereafter.</p> <p>List the case on <b>25.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></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 2015**

**Col V.J.S. Varaich**  
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><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri K.K. Mishra, Ld. Counsel for the applicant, Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Alifa Akbar, MS (Legal) &amp; Maj Soma John, OIC Legal Cell and Shri Alok Mathur, Ld. Counsel for the private respondent No 5.</p> <p>Ld. Counsel Shri Alok Mathur has filed Vakalatnama on behalf of private respondent No 5 which is taken on record. Vakalatnama has been filed after obtaining permission from the earlier counsel.</p> <p>From perusal of order dated 18.08.2016 it appears that Ld. Counsel for the applicant made a statement before the Tribunal that he does not propose to file rejoinder affidavit and accordingly the Tribunal observed that question with regard to filing rejoinder affidavit is treated closed.</p> <p>Today after hearing Ld. Counsel for the parties it is borne out from the record that rejoinder affidavit has already been filed and it is on record. How such statement was given is not understandable. It is unfortunate on the part of the Ld. Counsel for the applicant who made incorrect statement. He is warned to be cautious in future and we hope and trust that lawyers should not compel the Tribunal to proceed under Section 19 of the Armed Forces Tribunal Act, 2007.</p> <p>As prayed by Ld. Counsel for the parties, list the case on <b>25.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p style="text-align: left; font-size: small;">anb</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**O.A. No. 289 of 2015**

**Col Balvinder Singh Mavi** Applicant  
By Legal Practitioner for the 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>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri S.G. Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Maj Alifa Akabar, MS (Legal) and Maj Soma John, OIC Legal Cell.</p> <p>It is reported that Shri S.G. Singh, Ld. Counsel for the applicant is indisposed of and is hospitalised. Case is accordingly adjourned.</p> <p>List the case again on <b>24.11.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the present controversy 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;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
{See rule 11(1)}  
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Court No. 2

T.A. No. 1019 of 2010 with M.A. No. 707 of 2016  
& M.A. No. 2262 of 2016

**Sanjio Kumar Prajapati**

Petitioner

By Legal Practitioner for the Petitioner

**Versus**

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.10.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></b></p> <p>Present : Shri Rohit Kumar, 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>Ld. Counsel for the respondents prays for and is granted further time to produce the record in terms of earlier order.</p> <p>As prayed, list the case on <b>21.11.2016</b> for hearing.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>