

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

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

M.A. No. 741 of 2016 with M.A. No. 742 of 2016
Inre O.A. No. 71 of 2015

Dheeraj Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 O.P. Kushwaha, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p><u>M.A. No. 741 of 2016</u></p> <p>This is an application for condonation of delay in moving application for recall or order dated 25.02.2016.</p> <p>The cause shown is sufficient.</p> <p>Delay is accordingly condoned.</p> <p>M.A. No 741 of 2016 is disposed of accordingly.</p> <p><u>M.A. No. 742 of 2016</u></p> <p>Order dated 25.02.2016 of this Tribunal is recalled subject to payment of Rs 500/- as cost which shall be deposited in Bar Association Library, AFT, Lucknow. On production of receipt, the case shall be restored to its original number.</p> <p>M.A. No 742 of 2016 is disposed of accordingly.</p> <p><u>O.A. No. 71 of 2015</u></p> <p>List this case on 25.04.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
M.A. No. 743 of 2016 with M.A. No. 744 of 2016
Inre O.A. No. 197 of 2014

Vishvendra Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 O.P. Kushwaha, Ld. Counsel for the applicant and Maj Priti Tyagi, OIC Legal Cell for the respondents.</p> <p style="text-align: center;"><u>M.A. No. 743 of 2016</u></p> <p>This is an application for condonation of delay in filing application for leave to appeal under Section 31 of the Armed Forces Tribunal Act, 2007. As per office report, the application is time barred and has not been preferred within the statutory period.</p> <p>It is well settled proposition of law that the Tribunal lacks jurisdiction to condone the delay while entertaining application for leave to appeal.</p> <p>Accordingly, we reject the application for condonation of delay in filing application for leave to appeal.</p> <p style="text-align: center;"><u>M.A. No. 744 of 2016</u></p> <p>In consequence thereof, the application for leave to appeal is also rejected.</p> <p>No order as to cost.</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>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
Ex-A/40 of 2016 Inre T.A. No. 609 of 2010

Chintamani Mishra Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present : Shri Yash Pal Singh, Ld. Counsel for the petitioner and Mrs Anju Singh, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>By order dated 31.10.2016, we directed the respondents to decide the revision within three months by passing a reasoned and speaking order. Almost six months have elapsed, but respondents have not passed any order. Today again, Ld. Counsel for the respondents seeks time for disposal of revision.</p> <p>As prayed by Ld. Counsel for the respondents, one month and no more time is granted to respondents to decide the revision and submit compliance report to the Tribunal. In case the respondents do not decide the revision within one month, the Tribunal may impose exemplary cost as well as proceed under Section 19 of the Armed Forces Tribunal Act 2007 against persons who are at fault for non compliance of the order.</p> <p>List this case on 19.05.2016 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>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
M.A. No. 2117 of 2015

Ram Bahadur Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 V.A. Singh, Ld. Counsel for the applicant and Shri Ashish Saxena, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>A week's further time is granted to Ld. Counsel for the respondents to file objection on application for condonation of delay. Reply, if any, may be filed by Ld. Counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 28.04.2016 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: right;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
O.A. No. 312 of 2015 with M.A. No 757 of 2016

Ramakant Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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.B. Tiwari, Ld. Counsel for the applicant and V.P.S. Vats, Ld. Counsel for the respondents.</p> <p style="text-align: center;"><u>M.A. No 757 of 2016</u></p> <p>Counter Affidavit filed by Ld. Counsel for the respondents is taken on record. Ld. Counsel for the respondents undertakes that he will provide the copy of Counter Affidavit to Ld. Counsel for the applicant today itself.</p> <p style="text-align: center;">M.A. No 757 of 2016 is disposed of accordingly.</p> <p style="text-align: center;"><u>O.A. No. 312 of 2015</u></p> <p>Ld. Counsel for the applicant prays for and is granted three weeks time to file Rejoinder Affidavit.</p> <p style="text-align: center;">List this case on 28.04.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 718 of 2010

C.D.P. Yadav 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><u>07.04.2016</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 Rohit Kumar, Ld. Counsel for the petitioner and Shri Shyam Singh, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>On joint request, list this case on 09.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case on the subject for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 1380 of 2010

Kashi Singh Yadav

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 Mrs Appoli Shrivastava, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Shri P.N. Chaturvedi, Ld. Counsel for the petitioner appeared himself and submits that he is not feeling well and prays for adjournment of the case.</p> <p>As prayed, list this case on 21.07.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
O.A. No. 154 of 2015

Shambhu Gurung

By Legal Practitioner for the Petitioner

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 : Non for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Case called out. None appeared on behalf of the applicant to press this case in second round after pass over.</p> <p>Ld. Counsel for the respondents is present.</p> <p>O.A. is accordingly dismissed for non prosecution.</p> <p>Interim order, if any, stands vacated.</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>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 887 of 2010

Niranjan Singh Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 Ashish Saxena, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Shri P.N. Chaturvedi, Ld. Counsel for the petitioner appeared himself and submits that he is not feeling well and prays for adjournment of the case.</p> <p>As prayed, list this case on 22.07.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 888 of 2010

Ranbir Singh

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Shri P.N. Chaturvedi, Ld. Counsel for the petitioner appeared himself and submits that he is not feeling well and prays for adjournment of the case.</p> <p>As prayed, list this case on 25.07.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 42 of 2013 with M.A. No. 1163 of 2015

Vijay Kumar Verma Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.04.2016</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 Mrs Appoli Shrivastava, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Shri P.N. Chaturvedi, Ld. Counsel for the petitioner appeared himself and submits that he is not feeling well and prays for adjournment of the case.</p> <p>As prayed, list this case on 26.07.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
O.A. No. 106 of 2016

Ram Lakhman Chandel
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 applicant and Dr Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant that submitted that in the case on <i>Union of India and ors vs. Rajpal Singh, (2009) 1 SCC 216</i>, Army Order 46 of 1980 has been set aside. Accordingly the applicant could not have been discharged in pursuance of Army Order 46 of 1980. When asked to point out specific pleading in the O.A. where it is stated that Army Order 46 of 1980 has been set aside, Ld. Counsel for the applicant failed to do so. At this stage, Ld. Counsel for the applicant prayed for time to prepare the case.</p> <p>As prayed, list this case on 02.05.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Keshav Patel
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 R. Chandra, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Let copy of the application be provided to Ld. Counsel for the respondents during the course of the day who may file objection on application for condonation of delay within six weeks.</p> <p>Replication may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List this case on 01.07.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

M.A. No. 114 of 2016

Nihal Singh

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 V.K. Pandey, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents shall file counter affidavit within a week. Rejoinder affidavit, if any, may be filed within four weeks thereafter.</p> <p>List this case on 05.07.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

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

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

O.A. No. 242 of 2013 with M.A. No. 456 of 2016

Jitendra Kumar Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell</p> <p>Ld. Counsel for the applicant intends to go through the original records which are confidential in nature. We are not inclined to permit him to go through the original confidential record. The record has been summoned for perusal of the Tribunal and in case the Tribunal feels it may make necessary observation. We reject the prayer made by Ld. Counsel for the applicant.</p> <p>List this case for hearing on 02.05.2016.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Bal Krishna M
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 Bal Krishna M, applicant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Wg Cdr Sardul Singh, OIC Legal Cell.</p> <p><u>M.A. No. 684 of 2016</u></p> <p>Rejoinder affidavit filed by Ld. Counsel for the applicant is taken on record.</p> <p>M.A. No. 684 of 2016 is disposed of accordingly.</p> <p><u>O.A. No. 20 of 2016</u></p> <p>During course of hearing it was born out from arguments of Ld. Counsel for the respondents that since the applicant suffered four red and six black ink entries, for the third time extension was not granted to him. However, from the arguments advanced by Ld. Counsel for the respondents it appears that two red ink entries were expunged by the competent authority.</p> <p>It appears that all the entries were on record on 29.01.1997 but in spite of it the applicant was granted extension twice and for the third time extension as permissible was not granted. A query was made as to what were the facts because of which third extension was not considered or refused.</p> <p>Ld. Counsel for the respondents prays for time to prepare the case.</p> <p>As prayed, list on 05.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Jay Veer Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 Ashok Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>As prayed, four weeks' time is granted to Ld. Counsel for the respondents to file counter affidavit.</p> <p>Rejoinder affidavit, if any, may be filed within two week thereafter.</p> <p>List this case on 18.05.2016 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Hare Ram Singh
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 petitioner and Shri V.P.S. Vats, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties. Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

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

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

T.A. No. 106 of 2011 with M.A. No. 552 of 2016

Ramji Gautam
By Legal Practitioner for the Petitioner

Petitioner

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 Rohit Kumar, Ld. Counsel for the petitioner and Mrs Appoli Shrivastava, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p><u>M.A. No. 552 of 2016</u></p> <p>Counter affidavit filed by Ld. Counsel for the respondents is taken on record.</p> <p>M.A. No. 552 of 2016 is disposed of accordingly.</p> <p><u>T.A. No. 106 of 2011</u></p> <p>Rejoinder affidavit filed by the Ld. Counsel for the petitioner is taken on record.</p> <p>Pleadings have been exchanged.</p> <p>List this case on 06.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Naresh Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 applicant and Mrs Appoli Shrivastava, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>List alongwith record of O.A. No. 73 of 2011 and review application filed in said O.A. as well as O.A. No. 432 of 2012 on 06.05.2016 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
O.A. No. 144 of 2014 with Diary No 954 of 2015

Col Pramod Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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) R.N. Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant submitted that statutory complaint preferred by the applicant has been rejected by the competent authority. It is also submitted that copy of ACR entries were not provided to the applicant, hence representation submitted by him was based on presumptions and suppositions. Though Ld. Counsel raised several grounds but since he relied upon the case of <i>Sukhdev Singh vs. Union of India & Ors</i> (2013) 9 SCC 566 which provides that every entry i.e. poor, fair, average, good or very good must be communicated within reasonable period. In para 9 of the judgment their Lordships of Hon'ble Supreme Court have overruled earlier two of its judgments. Hon'ble the Supreme Court in <i>Sukhdev Singh's</i> case (supra) has not taken different view with regard to defence forces. The judgment rendered by the Hon'ble Supreme Court is law of the land and has binding force on Courts/Tribunals/Authority under Article 141 of the Constitution of India. Since it seems to apply to all services, the respondents should have provided copies of the ACR entries to the applicant.</p> <p>However, Ld. Counsel for the respondents submits that it shall create enormous problems to Armed Forces.</p> <p>So far as Courts/Tribunals/Authorities are concerned hardship coming in the way in implementation of statutory mandate does not make out a case to deny benefit to a litigant. Whatever hardship may be, it shall not create a ground to do injustice by not following the law laid down by Hon'ble Supreme Court. Law enunciated by Hon'ble Supreme Court is the law of land and it is the sacrosanct duty of the Courts/Tribunals/Authorities to follow</p>

the dictum of law as laid down by Hon'ble Supreme Court.

With these observations we grant time to Ld. Counsel for the respondents to prepare the case and advance arguments.

List this case on **02.05.2016** for further hearing.

On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.

Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.

(Air Marshal Anil Chopra)
Member (A)

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

ukt

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2
T.A. No. 11 of 2012 with M.A. No. 2347 of 2015

Krishan Lal

Petitioner

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the petitioner, list this case on 02.05.2016 for further hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

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

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

O.A. No. 123 of 2010

Durgawati Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 V.A. Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>List this case on 05.05.2016 with office report with regard to sufficiency of service on respondents 2,3, 4 and 5.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

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

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

O.A. No. 140 of 2015 with M.A. No. 282 of 2016

Lalmani Singh Yadav

Applicant

By Legal Practitioner for the Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.04.2016</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 petitioner and Mrs Appoli Shrivastava, Ld. Counsel for the respondents assisted by Maj Priti Tyagi, OIC Legal Cell.</p> <p>Ld. Counsel for the parties shall place judgment of this Tribunal wherein the question with regard to sending on cadre course has been decided. Ld. Counsel for the respondents shall apprise the Tribunal as to why the applicant was not sent to complete the cadre course.</p> <p>List this case on 04.05.2016 for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>ukt</p>