

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

**O.A. No. 248 of 2011**

**Mohd Arif**

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>02.09.2016</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, Learned Counsel for the applicant and Mrs Amrita Chakraborty, Ld. Counsel for the respondents.</p> <p>List the case on <b>22.09.2016</b> for further hearing.</p> <p>Ld. Counsel for the respondents shall provide relevant Photostat copies of the Air Force letters to Ld. Counsel for the applicant and shall retain the record to be produced for perusal of the Tribunal on the next date of listing.</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>(Justice D.P. Singh)</b> <b>Member (A)</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**

**T.A. No. 31 of 2012 with M.A. No. 2007 of 2015**

**Shatrughan Singh Chauhan**

Petitioner

By Legal Practitioner for the Petitioner

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>02.09.2016</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.N. Singh, Shri Bhupinder Singh Chauhan, Learned Counsel for the petitioner and Shri Ashish Chaudhary and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Col NK Ohri, OIC Legal Cell.</p> <p>Col (Retd) R.N. Singh, Ld. Counsel for the petitioner assisted by Ld. Counsel Shri Bhupinder Singh Chauhan has concluded his arguments. On behalf of respondents Shri Ashish Chaudhary assisted by Ld. Counsel Mrs Appoli Srivastava and Col JG Manhas, OIC Legal Cell appeared.</p> <p>After conclusion of the arguments by Ld. Counsel for the petitioner we defer the matter for further hearing calling response from Ld. Counsel for the respondents. We have already granted time to Ld. Counsel for the respondents to file response to affidavits filed on 30.08.2016 and 31.08.2016 2016 while passing order dated 01.09.2016. Respondents may file their affidavits, if any, on or before next date of listing.</p> <p>Ld. Counsel for the applicant intends to provide Photostat copies of certain case law. He may do so by the next date of listing, but he is directed to provide list of cases which he intends to rely upon to Ld. Counsel Shri Ashish Chaudhary, Mrs Appoli Srivastava or OIC Legal Cell, whosoever is available, today or maximum by tomorrow ie. 03.09.2016.</p> <p>On the next date of listing the respondents shall produce the records in terms of earlier orders of the Tribunal.</p> <p>List the case on <b>21.09.2016</b> for further hearing.</p> <p>Col (Dr.) V.P. Singh has produced International Classification of diseases. It be placed on record.</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. 123 of 2010**

**Durgawati 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>02.09.2016</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. Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is reported that on account of illness Shri VA Singh, Ld. Counsel for the applicant is not attending the court.</p> <p>As prayed, list the case on <b>07.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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**

**T.A. No. 802 of 2010**

**Smt. Ashma Sultana**

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>02.09.2016</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) Ashok Kumar, Learned Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List on <b>18.10.2016</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 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;"><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**

**T.A. No. 17 of 2014**

**Rajesh Kumar Upadhyay** 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>02.09.2016</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 Anand Prakash Pandey, Learned Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>The issue involved in present case is; whether the members of General Reserve Engineer Force (GREF) are governed by Armed Forces Tribunal Act?</p> <p>Ld. Counsel for the parties may keep ready with respective case laws so that the matter may be disposed of on the next date of listing.</p> <p>List on <b>21.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><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**

**O.A. No. 220 of 2016**

**Radhey Shyam**

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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, Learned Counsel for the applicant and Shri V.P.S. Vats, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Grievance of the applicant is that while deciding statutory complaint vide order dated 19.04.2016, the respondents have not taken into account the actual material on record. The finding recorded by the Accounts Officer is contrary to the quarterly statement, copy of which has been annexed along with the O.A.</p> <p><b>Admit.</b></p> <p>Respondents may file counter affidavit within six weeks. Rejoinder affidavit may be filed by the applicant within next two weeks.</p> <p>List the case on <b>02.11.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>anb</small></p>

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

**O.A. No. 221 of 2016**

**Pramod Singh**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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, Learned Counsel for the applicant and Shri R.C. Shukla, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List after a week to enable Ld. Counsel for the respondents to produce the policy relied upon while passing the impugned order.</p> <p>List the case on <b>13.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 223 of 2016**

**Anoop 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>01.09.2016</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, Learned Counsel for the applicant and Mrs Appoli Srivastava, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties and perused the records.</p> <p>The applicant was discharged from service vide order dated 28.02.2014. Being aggrieved the applicant submitted statutory complaint dated 01.11.2015. Since the statutory complaint was not decided, the applicant filed O.A. No. 71 of 2014 which was disposed of finally on 14.10.2015 directing the appropriate authorities to decide the statutory complaint. Now the statutory complaint has been decided by order dated 18.07.2016, a copy of which has been filed as Annexure 10 to the O.A.</p> <p>Execution Application No. 62 of 2016 was filed which has been dismissed by the Tribunal vide order dated 04.08.2016 on the ground that the order of the Tribunal has been complied with.</p> <p>The applicant has preferred the present O.A. on the ground that statement given by the counsel for the respondents that the order of the Tribunal has been complied with was erroneous since there is error in the decision of the appropriate authority.</p> <p>Argument advanced by Ld. Counsel for the applicant seems to be misconceived. The order of the Tribunal was only to decide the statutory complaint and in compliance thereto by means of impugned order dated 18.07.2016 the statutory complaint</p>

preferred by the applicant has been rejected. Hence rightly the earlier Ld. Counsel for the respondents Shri V.P.S. Vats made statement before the Tribunal on 04.08.2016 that order of the Tribunal has been complied with. Whether the decision is correct or incorrect, is a question which may be adjudicated in appropriate proceedings, but the fact remains that the order of the Tribunal has been complied with. Prayer made by Ld. Counsel for the applicant regarding improper conduct of the counsel for the respondents and relief claimed thereon seems to be question of non-application of mind, which also shows ignorance of law on the part of Ld. Counsel for the applicant, Shri P.N. Chaturvedi.

Accordingly we **reject** the O.A. (O.A. No. 223 of 2016) in limine at the admission stage itself. However for the end of justice so that the applicant may not suffer for any error on the part of respondents, liberty is given to the applicant to assail order dated 18.07.2016 afresh.

Since the relief claimed by the applicant seems to be per se wrong, and Ld. Counsel for the applicant has tendered incorrect facts while arguing the case, we impose cost of Rs 1,000/- subject to the liberty given above. The cost shall be borne by Shri P.N. Chaturvedi, Ld. Counsel for the applicant and shall be deposited with the Registry within a period of two weeks. Cost so deposited shall be remitted to the Bar Association of Armed Forces Tribunal, Regional Bench Lucknow. In case cost is not deposited within the period stipulated hereinabove, it shall be recovered as arrears of land revenue by the Collector/District Magistrate Lucknow and shall be remitted to the Armed Forces Tribunal, Regional Bench Lucknow forthwith. The Registrar shall thereafter remit the cost to the Bar Association of Armed Forces Tribunal, Regional Bench Lucknow.

Registry to take necessary action.

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

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

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

**EX-A. No. 176 of 2016 Inre T.A. No. 721 of 2010**

<b>Jai Prakash Singh</b> By Legal Practitioner for the Petitioner	Petitioner
Versus	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondent	Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>01.09.2016</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 B.P.Singh, Learned Counsel for the petitioner and Shri D.K. Pandey, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List for orders on <b>03.10.2016</b> to enable Ld. Counsel for the respondents to receive instructions as to why order of the Tribunal dated 12.04.2016 has not been complied with.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></td></tr></table> <p style="text-align: left; margin-left: 5px;"><small>anb</small></p>	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>		

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

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

<b>Hare Ram Singh</b> By Legal Practitioner for the Petitioner	Petitioner
Versus	
<b>Chief of Air Staff &amp; Others</b> By Legal Practitioner for Respondent	Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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) Ashok Kumar, Learned Counsel for the petitioner and Dr. Shailendra Sharma Ata,, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents four weeks' time is allowed to inform the Tribunal as to why order of the Tribunal dated 11.04.2016 has not been complied with.</p> <p>Copy of the Execution Application shall be served on Ld. Counsel for the respondents by Ld. Counsel for the applicant during course of the day.</p> <p>List the case <b>04.10.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p style="text-align: left; margin-left: 5px;"><small>anb</small></p>

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

**M.A. No. 1296 of 2016**

**Vinay Kumar Mishra** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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.P. Pandey, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>A week further time is allowed to Ld. Counsel for the respondents to file objection to application for condonation of delay.</p> <p>Applicant may file replication within next one week thereafter.</p> <p>List on <b>28.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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**  
**EX-A. No. 40 of 2015 Inre O.A. No. 33 of 2010**

**Smt. Kalindi Dwivedi** 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>01.09.2016</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, Learned Counsel for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents assisted by OIC Legal Cell submits that PPO has been issued in compliance of the order of this Tribunal dated 22.04.2015. A copy of the PPO has been provided to Ld. Counsel for the applicant.</p> <p>In this view of the matter, we direct the Branch Manager of the Bank concerned to release the amount in terms of PPO expeditiously, say, within a period of one month from the date of production of a certified copy of this order.</p> <p>Subject to above, Execution Application No 40 of 2015 is <b>disposed</b> of finally.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>anb</small></p>

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

**EX-A. No. 57 of 2016 Inre T.A. No. 1292 of 2010**

**Radhey Shyam Gunera**

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>01.09.2016</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, Learned Counsel for the petitioner and Shri D.K. Pandey, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It has been submitted by Ld. Counsel for the respondents that letter dated 13.08.2016 has been sent to the applicant to complete the formalities and reply is awaited.</p> <p>Ld. Counsel for the parties shall bring on record by filing affidavits the present status of the matter.</p> <p>List on <b>21.09.2016</b> for orders.</p> <p style="text-align: center;"><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**

**EX-A. No. 146 of 2016 Inre O.A. No. 107 of 2015 with**  
**M.A. No. 1870 of 2015**

**Preetam Singh Arun**

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>01.09.2016</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 Lal Chand Sahu, Learned Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It is submitted by Ld. Counsel for the respondents as well as OIC Legal Cell that in pursuance of order dated 30.10.2015 of this Tribunal the applicant's appeal has been decided and applicant has been directed to report to RR Hospital, New Delhi for Release Medical Board. It has further been submitted that final decision shall be taken immediately after the applicant reports at RR Hospital, New Delhi.</p> <p>In view of the statement made at Bar, no further proceedings is required.</p> <p>The Execution Application No 146 of 2016 is <b>dismissed</b> at this stage having rendered infructuous.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>anb</small></p>

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

**EX-A. No. 151 of 2016 Inre O.A. No. 130 of 2014**

**Adesh Kumar**

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>01.09.2016</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.K. Pandey, Learned Counsel for the applicant and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Two weeks' further time is granted to Ld. Counsel for the respondents to submit status report with regard to compliance of the order of this Tribunal dated 09.02.2016.</p> <p>List on <b>15.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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**

**M.A. No. 630 of 2016**

**Ram Nath Mishra**

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>01.09.2016</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, Learned Counsel for the applicant and Shri Amit Jaiswal, 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 a weeks' further time to file objection to the application for condonation of delay. Replication may be filed by Ld. Counsel for the applicant within next one week.</p> <p>List the case on <b>22.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 472 of 2012**

**Dhanendra 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>01.09.2016</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, Learned Counsel for the applicant and Shri Kaushik Chatterji, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>While submitting the report dated 31.08.2016 the Registrar has not pointed out at what stage and who committed the error. He has not indicated the name of the person(s) who were responsible for non-listing of the case. The report of the Registrar does not seem to be sufficient compliance of the order of the Tribunal. Such action on the part of the Registrar seems to be unjustified. Let him submit a fresh report.</p> <p>Copy of the present order shall be kept in the service record of the Registrar. Hon'ble HoD shall be intimated accordingly.</p> <p>List the case on <b>15.09.2016</b> for final hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 135 of 2015**

**Surendra Yadav**

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>01.09.2016</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, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel Col (Retd) Y.R. Sharma was appointed as Amicus Curiae by the Tribunal to assist the applicant, who appeared in person on the last date of hearing. Col (Retd) Y.R. Sharma has drawn attention of the Tribunal to para 718 of Pension Regulations for the Army, 2008 which provides payment of provisional pension to the Army personnel against whom a criminal case is pending. Admittedly after conviction by the Trial Court, Criminal Appeal preferred by the applicant is pending before the Allahabad High Court in which the applicant has been enlarged on bail.</p> <p>Apart from the statutory mandate vide order dated 22.04.2016 we had directed the respondents to consider for payment of pension and post retiral dues but it seems that no decision has been taken by the respondents.</p> <p>In view of the above we direct the respondents to look into the matter for payment of provisional pension and post retiral dues to the applicant and communicate the decision to the applicant in terms of para 718 of the Pension Regulations (supra), expeditiously, say, within one month. Applicant shall also apply for the purpose.</p> <p>Ld. Counsel for the respondents shall submit the status report on the next date of listing.</p> <p>As prayed list the case on <b>06.10.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 199 of 2015 with M.A. No. 1855 of 2016**

**Awadhesh Kumar Yadav**

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>01.09.2016</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.K. Pandey, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><b><u>M.A. No. 1855 of 2016</u></b></p> <p>Counter affidavit filed by the respondents is taken on record. M.A. No. 1855 of 2016 is disposed of.</p> <p style="text-align: center;"><b><u>O.A. No. 199 of 2015</u></b></p> <p>Ld. Counsel for the applicant prays for and is granted three weeks' time to file rejoinder affidavit.</p> <p>List on <b>27.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</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. 311 of 2015 with M.A. No. 154 of 2016**

**Nirma 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>01.09.2016</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 Yash Pal Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed is taken on record.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the applicant, two weeks' time is granted to file rejoinder affidavit.</p> <p style="text-align: center;">List on <b>19.10.2016</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 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. 8 of 2016 with M.A. No. 1801 of 2016 &**  
**M.A. No. 1802 of 2016**

**Keshar 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>01.09.2016</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, Learned Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' further time is granted to file counter affidavit.</p> <p>Rejoinder affidavit may be filed by Ld. Counsel for the applicant within two weeks thereafter.</p> <p>List on <b>20.10.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 152 of 2016**

**Arbind Kumar Dubey**

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>01.09.2016</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 R.P. Srivastav and Shri R.K. Verma, Learned Counsel for the applicant and Dr, Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Vakalatnama filed by Shri R.P. Srivastav and Shri R.K. Verma on behalf of applicant is taken on record. Their names shall be printed in the cause list.</p> <p style="text-align: center;">As prayed, two weeks' further time is granted to the applicant to file amendment application.</p> <p style="text-align: center;">List on <b>29.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 202 of 2010**

**Mukesh Mishra**

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Applicant

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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, Learned 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;">List the case on <b>24.10.2016</b> for further hearing.</p> <p>On said date, Ld. Counsel for the respondents shall submit status report with regard to pendency of the case before Hon'ble the Supreme Court.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><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. 103 of 2015**

**Amar Singh Baliyan** 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>01.09.2016</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 Ashok Singh, Learned Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Records have not been made available by Ld. Counsel for the respondents.</p> <p style="text-align: center;">List on <b>22.09.2016</b> for further hearing to enable Ld. Counsel for the respondents to produce the records.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p style="text-align: left; margin-left: 20px;"><small>anb</small></p>

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

**M.A. No. 1932 of 2016 with M.A. No. 1933 of 2016**  
**Inre T.A. No. 120 of 2009**

**B.G. Gowda** Petitioner  
By Legal Practitioner for the Petitioner  
Versus  
**Union of India & Others** Respondent  
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>01.09.2016</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. Agarwal, Learned Counsel for the petitioner and Dr. Shesh Narain Pandey, Ld. Counsel for the respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><u>M.A.No.1932 of 2016</u></p> <p>This is an Application for condonation of delay in filing the Application for recall of the order whereby the TA was dismissed for default.</p> <p>The learned counsel for the Applicant has explained the delay in filing the recall Application. Hence delay in filing the recall Application is condoned. Application aforesaid shall stand disposed of.</p> <p><u>M.A.No 1933 of 2016</u></p> <p>This is an Application for recall of the order whereby T.A was dismissed for default.</p> <p>Learned counsel has reasonably explained his absence on the date. In our view, the cause shown is sufficient.</p> <p>Hence the order whereby the TA was dismissed for default is recalled of course, subject to payment of Rs 500/- as cost which shall be deposited with the Registry of this Tribunal within a week and remitted to the account of Bar Association Armed Forces Tribunal Lucknow for upgradation of its Library.</p> <p><u>T.A. No 120 of 2009.</u></p> <p>In view of the above, the TA shall stand restored to its original number.</p> <p>List this case for hearing on 14.10.2016.</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>MH/-</p>



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

**T.A. No. 77 of 2016**

**Ashok Kumar**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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>Memo of appearance filed in Court today by Dr. S.N.Pandey, as counsel for the respondents is taken on record. Let his name be shown in the list when the case is next listed.</p> <p>Present: Shri K.K. Singh. Bisht, Learned Counsel for the applicant and Shri Dr. S.N.Pandey, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>We have heard learned counsel for the parties on admission.</p> <p>It would appear from the record that the order of dismissal was challenged in the High Court by way of Writ Petition which subsequently stood transferred to this Tribunal under section 34 of the Armed Forces Tribunal Act 2007. Keeping in view the pleadings on record, we are of the view that it is a fit case for admission.</p> <p>In view of the above, the T.A is admitted.</p> <p>It would transpire from the record that during pendency of writ petition in the High Court, two weeks' time was granted on 25<sup>th</sup> May 2001 for filing of counter affidavit. Learned counsel for the respondents has informed that in compliance of the order aforesaid, counter affidavit was filed. However,</p>

counter affidavit is not traceable on record.

Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.

List this case for hearing on **27.09.2016**.

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

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

MH/-

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

**M.A. No. 1916 of 2015**

**Bal Krishna Tripathi**

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>01.09.2016</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 and Mrs. Anju Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the Applicant, it is informed, is not available at the station.</p> <p>As prayed, the case is adjourned today.</p> <p>List this case on <b>07.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**O.A. No. 500 of 2012 with Dy No. 1385 of 2015**

**Manjit Mishra**

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>01.09.2016</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.P. Pandey, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, a week's time is allowed to file chart of date and event and compilation of case laws.</p> <p style="text-align: center;">List this case for hearing on <b>09.09.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 160 of 2015 with Dy No. 2116 of 2016**

<b>Dhirendra Singh</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</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.P. Pandey, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell</p> <p>Rejoinder affidavit, filed today is taken on record.</p> <p>As prayed by learned counsel for the respondents, the case is adjourned today.</p> <p>List this case on <b>08.09.2016</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**O.A. No. 248 of 2015**

**Smt. Malti 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>01.09.2016</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.K. Pandey, Learned Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>List this case on <b>15.09.2016</b> for hearing in order to enable learned counsel for the parties to prepare the case in the light of the judgment of Hon'ble Apex Court as cited across the bar.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 1 of 2016 with M.A. No. 1868 of 2016**

<b>Shyam Sunder Mishra</b> By Legal Practitioner for the Applicant	Applicant
Versus	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>01.09.2016</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) Ashok Kumar, Learned 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;">List this case on <b>20.10.2016</b> in order to enable learned counsel for the respondents to produce the record for perusal of the Bench.</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></td></tr></table> <p style="font-size: small; margin-top: 5px;">MH/-</p>	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>		

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

**O.A. No. 218 of 2016**

**Shitla Prasad 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>01.09.2016</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 R. Chandra, Learned Counsel for the applicant and Mrs. Deepti P Bajpai, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' further time is allowed to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case for hearing on <b>20.10.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**R.A. No. 29 of 2016 Inre O.A. No. 73 of 2011**

**Om Prakash Rai** 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>01.09.2016</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, Learned Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Copy of the judgment delivered by Regional Bench Chandigarh which the Applicant relies upon, has been supplied to learned counsel for the respondents.</p> <p>Learned counsel for the respondents seeks time to study the case law.</p> <p>As prayed, list this case on <b>20.10.2016</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 156 of 2010**

**Babu Lal Yadav**

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>01.09.2016</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, Learned Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Soma John OIC Legal Cell.</p> <p>Copy of written arguments has been supplied to OIC legal Cell in court today by learned counsel for the Applicant.</p> <p>Learned counsel for the respondents prays for time in order to enable him to prepare the case in the light of the written arguments.</p> <p>As prayed, list this case on <b>15.09.2016</b> for hearing.</p> <p style="text-align: center;">.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 888 of 2010**

**Ranbir Singh**

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>01.09.2016</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 P.N. Chaturvedi, Learned Counsel for the petitioner and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">It is informed that Shri Yogesh Kesarwani, leaned counsel for the respondents who has to argue the case, is not present today.</p> <p style="text-align: center;">List this case on 27.09.2016 for hearing.</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>MH/-</p>

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

**T.A. No. 1455 of 2010 with M.A. No. 1693 of 2016**

**Sarvjit Singh**

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>01.09.2016</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) Ashok Kumar, Learned Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the respondents, three weeks' time is allowed to file supplementary rejoinder affidavit.</p> <p style="text-align: center;">List this case on 03.10.2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>



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

**T.A. No. 35 of 2013**

**Hira Singh**

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>01.09.2016</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 petitioner and Shri Ashish Saxena, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Case called out in revised list but there is no appearance for the Applicant. Learned counsel for the Respondents is present.</p> <p style="text-align: center;">The case is dismissed for want of prosecution.</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>MH/-</p>



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

**O.A. No. 114 of 2013 with M.A. No. 1042 of 2016**  
**M.A. No. 1317 of 2016**

**G.M. Vishwanathan**

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Applicant

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2016</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Sharad Bhatnagar, Learned Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Maj Soma John OIC Legal Cell.</p> <p style="text-align: center;">Two weeks' time is allowed to file supplementary counter affidavit. Supplementary rejoinder affidavit, if any may be filed within one week thereafter.</p> <p style="text-align: center;">List this case peremptorily for hearing on <b>30.09.2016</b>.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 31 of 2012 with M.A. No. 2007 of 2015**

**Shatrughan Singh Chauhan** 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>01.09.2016</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.N. Singh, Learned Counsel for the petitioner and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Arguments being advanced by Learned Counsel for the applicant not yet concluded.</p> <p>Put up tomorrow for further hearing.</p> <p>Capt Nitin Rathod, who has come from Srinagar 92 Base Hospital, shall bring all records pertaining to the year 1990 to 1991 regarding treatment given to the Applicant, medicines administered to him and date of admission of applicant in hospital. Further, it appears that the dates shown by the applicant of treatment and admission in the respective Hospitals have not been correctly mentioned. Keeping in view of the fact that the applicant was administered treatment at Srinagar, then at Udhampur and lastly at RR Hospital New Delhi, all the records pertaining to his treatment shall be produced for perusal of the Bench in case the same have been forwarded from there. Respondents shall also produce all relevant records pertaining to the case of the applicant and admission at Srinagar and also the record pertaining to bullet injury caused to the applicant.</p>

As prayed by Shri R.C Chaturvedi, Ld. Counsel appearing for the respondents is also permitted to file affidavit yesterday i.e. 31.08.2016, however hearing of applicant shall continue tomorrow. From 21.09.2016 onwards, the hearing shall continue on day to day basis, it being an old case relating back to 1990.

During the course of arguments, Col S.K.Saxena has drawn attention to the guide styled as Glossary and Guide to their Classification in accordance with the 9<sup>th</sup> revision of the International Classification of Diseases (World Health Organization Geneva,1978). A photo copy of the aforesaid Guide shall be provided for perusal of the Bench.

List on **02.09 2016** for further hearing.

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

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

BLY/-

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

**M.A. No. 1901 of 2016 Inre O.A. No. Nil of 2016**

**Ramwati Devi @ Ram Beti Devi**  
By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Ashok Kumar, Learned Counsel for the applicant and Shri Kaushik Chatterji, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

Ld. Counsel for the respondents Shri Kaushik Chatterji prays for and is granted six weeks' time to file objection to application for condonation of delay.

Replication may be filed by Ld. Counsel for the applicant within next two weeks.

List the case on **08.11.2016** for orders.

**(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. 1894 of 2016 Inre M.A. No. 1113 of 2016**

**Smt. Soni Sharma**

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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Ashok Kumar, Learned Counsel for the Applicant and Maj Soma John, OIC Legal Cell for the respondents.

Order dated 28.07.2016 is recalled subject to payment of cost of Rs 500/- which shall be deposited by Ld. Counsel for the applicant within a week. The cost deposited shall be remitted to the Bar Association, AFT, Regional Bench, Lucknow.

Subject to deposition of cost, the case will be restored to its original number and shall be listed on **08.09.2016** for orders.

**(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. 9 of 2016**

**Rakesh Yadav**

By Legal Practitioner for the Petitioner

Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: None for the applicant. Shri Bhanu Pratap Singh, Learned Counsel for the Respondents, assisted by Maj Soma John, OIC Legal Cell.

Case is called out.

Shri Bhanu Pratap Singh, Ld. Counsel for the respondents at the very outset submitted that the petition loses its efficacy for the reason that there has been divorce between husband and wife, and the wife has re-married.

Since none appeared on behalf of the applicant to press this petition in second round after pass over T.A. deserves to be dismissed for non prosecution.

It is **dismissed** accordingly.

Interim order, if any, stands vacated.

**(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. 375 of 2016 with M.A. No. 1636 of 2016  
Inre O.A. No. Nil of 2016**

**Smt. Anuradha Tewari**  
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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: None for the applicant. Dr. Shesh Narain Pandey, Ld. Counsel for the respondents.

Ld. Counsel Shri V.P. Pandey holding brief for Shri Virat Anand Singh states that Shri Virat Anand Singh, Ld. Counsel for the applicant is out of station and prays for adjournment of the case.

As prayed, list the case on **07.09.2016** for orders.

**(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**

**Dy. No. 1581 of 2016 Inre T.A. No. 934 of 2010**

**Dharmendra Singh Baghel**

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**

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri P.N. Chaturvedi, Learned Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.

Diary Number 1581 of 2016 for leave to appeal seems to have been moved against order dated 22.01.2016 passed by the Bench presided over by Hon'ble Mr Justice Abdul Mateen and Hon'ble Lt Gen A.M. Verma (since retired).

List the case before the appropriate Bench on **07.09.2016** for orders.

**(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**

**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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
--------------------------------------	-------------------------------

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri P.N. Chaturvedi, Learned Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondent, assisted by Col Kamal Singh, OIC Legal Cell.

Heard Shri P.N. Chaturvedi, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents assisted by Col Kamal Singh, OIC Legal Cell.

Arguments concluded.

Order is **reserved**.

**(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. 31 of 2012 with M.A. No. 2007 of 2015**

**Shatrughan Singh Chauhan**  
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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Col (Retd) R.N. Singh, Learned Counsel for the petitioner, Shri Ashish Chaudhary and Mrs. Appoli Shrivastava, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.

Though Ld. Counsel for the petitioner intended to argue the case finally, but since certain affidavits have been filed and Ld. Counsel Shri Ashish Chaudhary has been engaged by the Union of India to argue the matter, we direct Ld. Counsel for the applicant to proceed with arguments afresh. Today he has argued at length.

List the case on **01.09.2016** for further hearing at 11.00 am.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**O.A. No. 122 of 2011**

**Sanjay Kumar Verma**

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**

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: None for the applicant. Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

Case is called out. None appeared on behalf of the applicant to press this application in second round after pass over.

Shri G.S. Sikarwar, Ld. Counsel for the respondents is present.

O.A. is **dismissed** for non prosecution.

Interim order, if any, stands vacated.

**(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**

**O.A. No. 248 of 2011**

**Mohd Arif**

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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Shailendra Kumar Singh, Learned Counsel for the applicant and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents.

As agreed by Ld. Counsel for the parties, list the case on **02.09.2016** for further hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**O.A. No. 272 of 2013**

**Pravat Kumar Behuria**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
--------------------------------------	-------------------------------

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri S.S. Rajawat, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

Ld. Counsel for both the sides are not prepared with the case in criminal matter.

As prayed, list the case on **19.09.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**O.A. No. 310 of 2013**

**Piyoosh Kumar Singh Parmar**  
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>
	<b><u>31.08.2016</u></b>

**Hon'ble Mr. Justice D.P. Singh, Member (J)**  
**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri P.N. Chaturvedi, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.

Heard Ld. Counsel for the parties.

Only six months' imprisonment seems to have been awarded by the Court Martial while trying the applicant with regard to offence of embezzlement of more than rupees seven lakhs from Govt exchequer. Prima facie, it appears that the punishment awarded to the applicant is too lenient.

Accordingly let notice be issued to the applicant to show cause as to why in case O. A. is dismissed the sentence awarded may not be enhanced.

List the case on **06.10.2016** for hearing.

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

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

Registry shall ensure compliance.

**(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**

**O.A. No. 324 of 2013**

**Prabodh Nath Tiwari**

Applicant

By Legal Practitioner for the Applicant

Versus

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<b>31.08.2016</b>

**Hon'ble Mr. Justice D.P. Singh, Member (J)**  
**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Rohit Kumar, Learned Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

Considering the mental condition of the applicant at the relevant time, prima facie, we feel that the sentence awarded to the applicant is excessive.

Ld. Counsel for the respondents as well as OIC Legal Cell shall obtain instructions on the point as to whether the respondents are willing to reduce the sentence and revert the applicant to the rank of Naik. We hope and trust that the Govt or the Chief of the Army Staff shall show magnanimity with the jawan who only spoke and not assaulted the superior under the stress of family problems.

List the case on **23.09.2016** for hearing.

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

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

Copy of the order be supplied to Ld. Counsel for the parties free of cost by tomorrow i.e. 01.09.2016.

(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**

**O.A. No. 57 of 2016**

**Sudhir Kumar**

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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Ashok Singh, Learned Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.

Ld. Counsel for the applicant is not prepared with the case.

As agreed by Ld. Counsel for the parties, list the case on **19.09.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**O.A. No. (A) of 327 of 2015**

**Arun 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>
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**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Rohit Kumar, Learned Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.

Shri Rohit Kumar, Ld. Counsel for the applicant submits that he has filed application for amendment challenging order of dismissal.

Let the application be placed on record by the Registry.

In the meantime, Ld. Counsel for the respondents may file objection to the amendment application.

List the case on **22.09.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**T.A. No. 33 of 2012**

**Surendra Singh Verma**

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**

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri V.P. Pandey, Learned Counsel for the petitioner and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

As agreed by Ld. Counsel for the parties, list the case on **08.09.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**T.A. No. 88 of 2013**

**Birender Kumar**

By Legal Practitioner for the Petitioner

Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

**Notes of  
the  
Registry**

**Orders of the Tribunal**

**31.08.2016**

**Hon'ble Mr. Justice D.P. Singh, Member (J)**

**Hon'ble Air Marshal Anil Chopra, Member (A)**

Present: Shri Rohit Kumar, Learned Counsel for the petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.

List the case on **09.09.2016** for hearing.

On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case 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**

**O.A. No. 202 of 2012**

**Vijay Kant Shukla**

By Legal Practitioner for the Applicant

Applicant

Versus

**Chief of the Army Staff & Others**

By Legal Practitioner for Respondent

Respondent

**Notes of  
the  
Registry**

**Orders of the Tribunal**

	<p><b><u>31.08.2016</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>A perusal of the record shows that the order of dismissal has not been impugned.</p> <p>List for re-hearing on <b>14.09.2016</b>.</p> <p>Registry shall issue notice to Ld. Counsel for the parties.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 5px;">anb</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. 217 of 2016**

<b>Ram Gopal Yadav</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Union of India &amp; Others</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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.Khare, Learned Counsel for the Applicant and Maj Soma John, OIC Legal Cell, appearing for the respondents.</p> <p>Learned counsel for the Applicant submits that on account of serious ailment of his parents, the Applicant applied for premature retirement vide representation dated 13.07.2016 followed by representation dated 01.08.2016 which it is submitted, the authorities concerned may be directed to dispose of.</p>

The Applicant, it would appear from a perusal of the OA, was enrolled in the Indian Army on 08.07.2009. He was granted leave for 37 days on 24.04.2016 and after availing of leave before he could join the duties on 27.05.2016, he received information that the condition of his father had turned serious. Hence he was compelled to rush back to his village without reporting for duty in his unit. It was in the above background that the Applicant applied for premature discharge from Army service.

The aforesaid representation is stated to be pending before the authorities concerned and no orders have yet been passed.

In view of the above, the O.A is disposed of with the direction that in case any such representation for premature discharge from Army has been received and is pending, the same may be decided by a reasoned and speaking orders in accordance with law within four months from the date, a certified copy of this order is presented. The decision so taken shall be communicated to the Applicant forthwith.

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

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

MH/-

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

**EX-A. No. 70 of 2016 Inre O.A. No. 261 of 2015**

<b>Col Ran Sing Dudee</b> By Legal Practitioner for the Applicant	Applicant
Versus	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondent	Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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 Harshvardhan, Learned Counsel for the applicants and Shri D.K. Pandey, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><b><u>Ex Application No 70 of 2016</u></b></p> <p>This is an Application under section 29 of the Armed Forces Tribunal Act seeking compliance of the order of the Tribunal dated 07.12.2015.</p> <p>Learned counsel for the respondents has informed the Tribunal that the order of the Tribunal dated 07.12.2015 has been complied with in terms of directions contained in the aforesaid order. A copy of the order passed in compliance of the order of the Tribunal has been produced for perusal of the Bench. It would appear from a perusal that a cheque through SBICMP for Rs 32,64,266/- has been issued to the Applicant's salary banker namely, YES Bank Ltd Kasna after deduction of TDS to the extent of Rs 14,59,709/-. It is further informed that while paying the aforesaid amount, interest at the rate of 12% has been paid.</p> <p>On the other hand, learned counsel for the Applicant submits that the matter may not be disposed of finally as there is error in calculation and by his reckoning, the Applicant has</p>

not been paid the entire amount due to him.

In our considered view, there appears to be sufficient compliance of the order of the Tribunal and no further action is required in the matter.

The Execution Application aforesaid is therefore, disposed of finally attended with the observation that in case the Applicant has any surviving grievance, it shall be open to him to approach the Tribunal again under section 14 of the Armed Forces Tribunal Act.

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

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

MH/-

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

**EX-A. No. 122 of 2016 Inre O.A. No. 139 of 2015**

**Sunil Kumar Singh** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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>Memo of appearance filed today in Court by Ms Anju Singh, as counsel for the respondents is taken on record. Let her name be shown in the list when the case is next listed.</p> <p>Present: Col (Retd) Y.R. Sharma, Learned Counsel for the applicant and Ms Anju Singh, Ld. Counsel for the respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the respondent has stated across the bar that the order of the Tribunal dated 03.02.2016 has been complied with vide order dated 18<sup>th</sup> August 2016 whereby the Applicant has been reinstated and has been directed to resume duty to Depot Coy, ASC Centre (South), Bangalore. A copy of the order has been provided to Shri R.N.Singh, learned counsel who appears for the Applicant. A copy of the aforesaid order is also taken on record.</p> <p>In our considered view, the order produced before us constitutes sufficient compliance of the order of the Tribunal and no further action is now required.</p> <p>In view of the above, the Execution Application is decided finally in terms of the above observation.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 243 of 2016 with M.A. No. 244 of 2016 & M.A. No. 1443 of 2016**  
**Inre O.A. No. Nil of 2016**

**Suraj Singh**

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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. Pathak, Learned Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the Applicant, a week's time is allowed to file reply to the objection filed by learned counsel for the respondents vis a vis the Application for condonation of delay.</p> <p style="text-align: center;">List this case for orders on <b>08.09.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p style="text-align: left; margin-left: 20px;"><small>MH/-</small></p>

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

**M.A. No. 313 of 2016 Inre O.A. No. (A) Nil of 2016**

**Shaik Shabber**

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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.P. Pandey, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the respondents prays for and is granted a week's further time to file objection. Replication, if any, may be filed within two weeks next thereafter.</p> <p style="text-align: center;">List this case on 21.09.2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>                                      <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 1280 of 2016**

**Sunil Kumar Thapa**

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>31.08.2016</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, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted a week's further time to file objection. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case for orders on <b>30.09.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 274 of 2012**

**Imran Khan**

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>31.08.2016</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 Parijaat Belaura, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the Applicant makes a statement across the bar that no writ petition was either filed by the Applicant or is pending before Hon'ble High Court at Allahabad.</p> <p style="text-align: center;">In the instant case, affidavits have already been exchanged and the case is ripe for hearing.</p> <p style="text-align: center;">In view of the above, the case is ordered to be listed for hearing on <b>18.10.2016</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>MH/-</p>

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

**O.A. No. 195 of 2015**

**Narendra Kumar Rai** 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>31.08.2016</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) Ashok Kumar, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">It is informed that the case is ripe for hearing as affidavits have already been exchanged.</p> <p style="text-align: center;">In view of the above, the case is ordered to be listed for hearing on <b>20.10.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 301 of 2015**

**Patil Sachin Shankar**

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>31.08.2016</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 K.K.S. Bisht, Learned Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">In the instant case, learned counsel for the respondents has agitated a preliminary objection that the present O.A is not maintainable in this Regional Bench inasmuch as the impugned order was passed while the Applicant was posted at Jabalpur while the Applicant has his domicile in the State of Maharashtra. In furtherance of his preliminary objection, learned counsel states that in fact the OA is maintainable at the Regional Bench at Jabalpur.</p> <p style="text-align: center;">In our considered view, the preliminary objection carries weight.</p> <p style="text-align: center;">In view of the above, let the OA be transferred to the Regional Bench at Jabalpur for disposal. The office of this Tribunal shall transmit the record to the Regional Bench at Jabalpur forthwith fixing 20<sup>th</sup> Oct 2016.</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>MH/-</p>

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

**O.A. No. 40 of 2016 with M.A. No. 1771 of 2016**

**Nitu Kumar**

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>31.08.2016</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. Chandra, Learned Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>. As prayed by learned counsel for the Applicant, three weeks' time is granted to file rejoinder affidavit.</p> <p>List this case on <b>23.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 970 of 2010 with T.A. No. 209 of 2009 (Decided)**

<b>Rajput Chandrapal Singh</b> By Legal Practitioner for the Petitioner	Versus	Petitioner
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2016</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 Rakesh Johri, Learned Counsel for the petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the parties agreed that the case be listed for final hearing.</p> <p>In view of the case, the case is ordered to be listed for hearing on <b>06.09.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 20 of 2016**

**Bal Krishna M**

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>31.08.2016</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: Applicant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Learned counsel for the respondents prays for further time in the case to file response to the affidavit filed by the Applicant, submitting that he has received instructions just today from Air Force Headquarters.</p> <p style="text-align: center;">List this case on <b>14.09.2016</b> for further hearing.</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>MH/-</p>

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

**O.A. No. (A) of 210 of 2010**

**Rashmi Shukla**

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>31.08.2016</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>Shri Yash Pal Singh has filed power on behalf of the Applicant which bears no objection from the earlier counsel. Let his name be shown in the list as counsel for the Applicant when the case is next listed.</p> <p>Present: Shri Yash Pal Singh, Learned Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Learned counsel for the Applicant has agreed to list this case for hearing on the next date.</p> <p>List this case for further hearing on <b>18.10.2016</b>.</p> <p>On the date fixed, learned counsel for the parties has agreed to submit chart of date and events and compilation of case laws.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 1451 of 2010**

**Anil Kumar**

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>31.08.2016</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) Ashok Kumar, Learned Counsel for the petitioner and Dr, Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>A statement has been made across the bar by OIC Legal Cell that the case of Devendra Singh, a co accused with the Applicant of the instant case, which is pending in the Regional Bench at Chandigarh has not yet been decided.</p> <p>In view of the above, learned counsel for the parties have agreed that the present OA be decided finally.</p> <p>In view of the above, the case is ordered to be listed for final hearing on <b>20.10.2016</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 1295 of 2010 with M.A. No. 1456 of 2016**

**Chandra Deo Ram** 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>29.08.2016</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 Col (Retd) Ashok Kumar, Learned Counsel for the Petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the respondents prays for adjournment on the ground that he is not ready with the case as the relevant records were not available with him.</p> <p style="text-align: center;">As prayed list this case on 17<sup>th</sup> Oct 2016 for further hearing on which date, the learned counsel for the respondents shall produce the original records pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p style="text-align: left; margin-left: 20px;">MH/-</p>

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

**O.A. No. 324 of 2013**

**Prabodh Nath Tiwari** 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>29.08.2016</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) Ashok Kumar, Learned 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;">As prayed, list this case on 31.08.2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 229 of 2014**

**Ramvir 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>29.08.2016</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) Ashok Kumar, Learned Counsel for the Applicant and Shri Sunil Sharma, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell..</p> <p style="text-align: center;">List this case on 5<sup>th</sup> Sept 2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 332 of 2015**

**Raushan 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>29.08.2016</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 and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>It has been informed that counsel for the Applicant is ill and has not attended the Court today.</p> <p>List this case on 30.09.2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 156 of 2010**

**Babu Lal 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><b><u>29.08.2016</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, Learned Counsel for the Petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Learned counsel for the Applicant has prayed for adjournment on the ground that he could not prepare the case.</p> <p>As prayed, list this case on 1<sup>st</sup> Sept 2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>MH/-</p>



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

**T.A. No. 86 of 2011**

**G.C. Yadav**

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>29.08.2016</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) Ashok Kumar, Learned Counsel for the Petitioner and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Case called out in revised list and yet there is no appearance for respondent no 5. Even no counter affidavit has been filed as yet on behalf of the respondent no 5.</p> <p>In view of the above, the case is ordered to proceed exparte as against the respondent no 5.</p> <p>In so far as other parties are concerned, counter and rejoinder affidavits stand exchanged. Hence the case is ordered to be listed on <b>19.10.2016</b> for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 93 of 2012**

**Sanjay Kumar**

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>29.08.2016</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 Yash Pal Singh, Learned Counsel for the Petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Amended Typed Copy of the T.A has not been brought on record as yet despite orders.</p> <p>As prayed, a week's time is allowed to submit amended copy of the T.A.</p> <p>List for hearing on 24<sup>th</sup> Oct 2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**M.A. No. 1861 of 2016 with M.A. No. 1862 of 2016**  
**Inre O.A. No. 136 of 2015**

**Union of India & Others** Applicants-Respondent  
By Legal Practitioner for the Applicants- Respondent  
Versus

**Gajanan Shrinath** Respondent- Applicant  
By Legal Practitioner for Respondent- Applicant

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.08.2016</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 Mohd Zafar Khan, Learned Counsel for the applicants-Respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;"><b><u>M.A. No 1861 of 2016</u></b></p> <p>This is an Application under section 30 (1) of the Armed Forces Tribunal Act seeing leave to appeal vis-à-vis the order of the Tribunal dated 04.12.2015.</p> <p>According to the office report, the Application for leave to Appeal has been moved after expiry of statutory period, it being barred by 07 months and 17 days.</p> <p>It is well settled that the Tribunal lacks jurisdiction to condone the delay for want of any enabling provisions in the Armed Forces Tribunal Act, 2007. Hence the Application for condonation of delay is not maintainable and is rejected.</p> <p style="text-align: center;"><b><u>M.A. No.1862 of 2016</u></b></p> <p>Since Application for condonation of delay has been rejected as not maintainable being barred by time, in</p>





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

**O.A. No. 167 of 2016**

**Ramesh Kumar Tiwari** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.08.2016</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. Chandra, Learned Counsel for the Applicant and Shri Sunil Sharma, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>By order dated 14.07.2016, the case has been registered.</p> <p>Learned counsel for the respondents prays for and is granted three weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 17<sup>th</sup> October 2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. (A) of 167 of 2014**

**Hav Govind Singh Bisht** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.08.2016</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, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by learned counsel for the respondents, four weeks' further time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case for hearing on 18.10.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 256 of 2015**

**Radhey Shyam**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.08.2016</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 O.P. Kushwaha, Learned Counsel for the applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed, two weeks and no more further time is granted to file reply to the objection.</p> <p>List this case on 20.09.2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 2112 of 2015 with M.A. No. 292 of 2016**  
**Inre O.A. No. Nil of 2015**

**Shamsher Chand** 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>25.08.2016</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.P. Pandey, Learned 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, two weeks' further time is granted to file reply to the objection.</p> <p>List for orders on 21.09.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 77 of 2016**

**Aman 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>25.08.2016</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 Manish Mishra, Learned Counsel for the Applicant and Shri Shyam Singh, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A No 77 of 2016</u></p> <p>It appears that after the impugned order had been passed, the Applicant moved application for payment of disability pension which was rejected and as a consequence, the Applicant took recourse to filing First Appeal and Second appeal which were also rejected. It is stated that in the meantime, the Applicant made unabated efforts to seek certain reliefs from the respondents but having failed in his efforts, he has preferred the present O.A. The cause shown, in our considered view, is sufficient.</p> <p>Accordingly, M.A is allowed and delay in filing the OA if any, is condoned.</p> <p style="text-align: center;"><u>O.A No NIL of 2016.</u></p> <p>Learned counsel for the respondents submits that the Applicant is not entitled for payment of disability pension as this case is squarely covered by a decision of this Tribunal rendered in TA No 85 of 2013. He has also submitted that no</p>

prima facie case is made out and the Application be rejected outright in limine at admission stage.

It is a case in which Applicant was discharged on account of suffering from Primary Generalized Epilepsy within two months of his being enrolled in the Indian Army.

However, learned counsel for the Applicant seeks time to prepare the case in the light of the decision relied upon by learned counsel for the respondents.

List this case on 03.10.2016 for hearing.

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

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

MH/-

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

**M.A. No. 537 of 2016 with R.A. No. 20 of 2016**  
**Inre M.A. No. 1652 of 2014**

**Smt. Sagro 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>25.08.2016</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 C.S. Rawat, Learned Counsel for the Applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed two weeks and no more time is granted to file reply to the objection.</p> <p>List this case on 30<sup>th</sup> September 2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**O.A. No. 135 of 2015**

**Surendra Yadav**

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>25.08.2016</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: Applicant in person and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Shri Surendra Yadav, who appeared in person, submitted that on account of impoverished condition, he is not in a position to engage a lawyer. He further submitted that the earlier counsel engaged by him has returned the brief as he failed to pay the fee.</p> <p style="text-align: center;">In such situation, we appoint Col (Retd) Y.R.Sharma, learned counsel, as amicus curiae to assist the Tribunal. Fees and expenses shall be paid by the Registry in accordance with Rules.</p> <p style="text-align: center;">The registry shall make available photo copies of the entire record to learned counsel namely Col (Retd) Y.R.Sharma within three days.</p> <p style="text-align: center;">List this case on 01.09.2016.</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>MH/-</p>

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

**O.A. No. 143 of 2015 with M.A. No. 1019 of 2016**  
**(Alongwith T.A. No. 48 of 2011)**

**Shaikh Ibrahim** 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><b><u>25.08.2016</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 Raghuvansh Chandra, Learned Counsel for the Petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is informed by Shri Rohit Kumar, learned counsel holding brief of Shri Raghuvansh Chandra, learned counsel for the Applicant that the TA No 48 of 2011 is listed on 19<sup>th</sup> Sept 2016 which is a case of co-accused Taj Mohd Sheikh.</p> <p>From a perusal of the order dated 16.08.2016, it would transpire that the present OA was directed to be listed alongwith TA No 48 of 2011 today i.e on 25.08.2016.</p> <p>List this case alongwith TA No 48 of 2011 on 19.09.2016.</p> <p>Office is directed to explain why the order dated 16.08.2016 was not complied with and why the present OA has been listed today. The explanation must be presented by the next date fixed.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>MH/-</p>

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

**O.A. No. 7 of 2016**

**Srikant Chaubey**

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Applicant

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>25.08.2016</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, Learned 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;">As prayed, three weeks' further time is granted to file Rejoinder affidavit.</p> <p style="text-align: center;">List this case on 04.10.2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 45 of 2016**

**Yogesh Giri**

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>25.08.2016</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 D.S. Kauntae, Learned Counsel for the Applicant and Shri Mohd Zafar Khan, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the respondents drew our attention to the relief (A) as prayed for in the OA and submitted that the relief claimed seems to be vague in nature.</p> <p>Learned counsel for the Applicant prays for time to amend the prayer in terms of the objection raised by the learned counsel for the respondents.</p> <p>As prayed list this case on 25.10.2016 by which amendment as prayed be carried out.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 5 of 2016**

**Sidhya Narayan Saxena** 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>25.08.2016</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>Memo of appearance filed today in court by Dr Gyan Singh, as learned counsel for the respondents is taken on record. Let his name be shown when the case is next listed.</p> <p>Present: Shri Sudhir Kumar Singh, Learned Counsel for the Petitioner and Dr Gyan Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is a case in which notice was issued to the Petitioner. According to the office report, notice issued has not yet been received back served or unserved.</p> <p>As prayed by learned counsel for the respondents, six weeks' time is granted to file counter affidavit/objection. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case on 20<sup>th</sup> Oct 2016 alongwith service report.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 70 of 2012**

**Pratap 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>25.08.2016</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 D.S. Kauntae, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Shri Amit Sharma seeks time to file reply to the Supplementary affidavit filed by learned counsel for the Applicant. Learned counsel for the Applicant has stated that by way of supplementary affidavit, he has merely brought on record certain documents.</p> <p>On being confronted, learned counsel for the respondents submits that copy of the supplementary affidavit was served to me on 15.1.2016 pursuant to which he sought instruction is still awaited.</p> <p>Our anxiety is that the case is an old one as it relates back to the year 2010.</p> <p>Be that as it may, the case is adjourned and is ordered to be listed on 25.10.2016 for hearing. It is clarified that the case would not be adjourned any further on the next date fixed in the case.</p> <p>On the date fixed, learned counsel for the parties may submit/exchange synopsis/ written arguments, supported with case law if any.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 301 of 2012**

<b>Padam Bahadur Gurung &amp; Others</b> By Legal Practitioner for the Applicant	Applicant
Versus	
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents	Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>		
	<p><b><u>25.08.2016</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: justify;">Present: Shri Veer Raghav Chaubey, Learned Counsel for the Applicant and Mrs. Anju Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: justify;">Learned counsel for the Applicant seeks adjournment on the ground that in an identical case rendered by the Armed Forces Tribunal Calcutta, the Union of India went up in appeal in the Apex Court in which Hon Apex Court has stayed the operation of the said judgment. It is submitted that since stay is in operation, it is desirable that the case be listed awaiting the outcome of the Appeal filed in the Apex Court.</p> <p style="text-align: justify;">In view of the above, list this case on 12.01.2017.</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; text-align: center;"><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></td><td style="width: 50%; text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></td></tr></table> <p style="font-size: small; margin-top: 5px;">MH/-</p>	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>		

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

**O.A. No. 229 of 2014**

**Ramvir 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>25.08.2016</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) Ashok Kumar and Shri Rohit Kumar, Learned Counsel for the Applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">List this case for hearing on 29<sup>th</sup> August 2016 as prayed by learned counsel for the Applicant.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 130 of 2015 with M.A. No. 553 of 2016**  
**& M.A. No. 1052 of 2016**

**Prashantha Kumar PG** 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>25.08.2016</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 Yash Pal Singh, Learned Counsel for the Applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed, two weeks' further time is granted to file rejoinder affidavit.</p> <p>List this case for hearing on 05.10.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

Reserved  
Court No. 2

**ORIGINAL APPLICATION No. 143 of 2014**

**Hakim 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>24.08.2016</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, Learned Counsel for the applicant and Shri R.K.S. Chauhan, Learned Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell</p> <p>Judgment pronounced.</p> <p>Original Application No. 143 of 2014 is <b>dismissed</b>.</p> <p>For order, see our order of date passed on separate sheets.</p> <p style="text-align: center;"><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**

**EX-A. No. 145 of 2016 Inre O. A. No. 284 of 2015**

<b>Mukesh Kumar</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondent		Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.08.2016</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) Ashok Kumar, Learned Counsel for the Applicant and Mrs Amrita Chakraborty, Learned Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to comply the order of this Tribunal dated 09.03.2016 and also submit compliance report. In case the order of Tribunal is not complied with within the stipulated period, the Tribunal may pass punitive order.</p> <p>List the case on <b>23.09.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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**

**M.A. No. 1850 of 2016 Inre O.A. No. 325 of 2015**

**Rakesh Kumar Mishra** 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>24.08.2016</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.C. Dixit, Learned Counsel for the Applicant and Col Kamal Singh, OIC Legal Cell for the respondents.</p> <p>Order dated 27.07.2016 is recalled subject to payment of Rs 500/- which shall be remitted to Bar Association of Armed Forces Tribunal, Regional Bench, Lucknow.</p> <p>Subject to deposition of cost within ten days, the case will be listed on <b>14.10.2016</b> for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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**

**M.A. No. 1852 of 2016 Along with M.A. No. 1853 of 2016**  
**Inre T.A. No. 1481 of 2010**

**Union of India & Others** Applicant-respondents  
By Legal Practitioner for the Applicant-respondents  
Versus  
**Rustam Singh** Petitioner-respondent  
By Legal Practitioner for Petitioner-respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.08.2016</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: Mrs Appoli Srivastava, Learned Counsel for the Applicant-respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p><b><u>M. A. No. 1852 of 2016</u></b></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in T.A. No. 1481 of 2010. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving application for leave to appeal. Accordingly application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><b><u>M.A. No. 1853 of 2016</u></b></p> <p>This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected.</p> <p>In consequence there of the application for leave to appeal is also rejected.</p>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b> <small>anb</small>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**EX-A. No. 47 of 2016 Inre T.A. No. 167 of 2009**

<b>Avdhesh Kumar</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.08.2016</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. Chandra, Learned Counsel for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant submits that except marriage certificate all documents have been forwarded. He provided marriage certificate to Maj Soma John, OIC Legal Cell who shall forward it to appropriate authorities forthwith.</p> <p>Order of Tribunal dated 04.11.2015 passed in T.A. No. 167 of 2009 shall be complied with within six weeks and compliance report shall be filed by the respondents by the next date of listing.</p> <p>List the case on <b>20.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>  <b>Member (A)</b>  <small>anb</small> </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**

**EX- A. No. 117 of 2016 Inre T.A. No. 817 of 2010**

<b>Nagendra Kumar</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.08.2016</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. Chandra, Learned Counsel for the Applicant and Mrs. Anju Singh, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Heard Ld. Counsel for the parties.</p> <p>It has been submitted that letter dated 24.06.2016 has been forwarded to the applicant followed by reminder in the month of July 2016 and later on 08.08.2016 but the applicant has not responded.</p> <p>In case the applicant is not responding, no purpose will be solved in keeping the matter pending. The applicant shall complete the formalities and thereafter the respondents shall ensure compliance of the order of the Tribunal in its letter and spirit.</p> <p>OIC Legal Cell shall provide a fresh set to Ld. Counsel for the applicant.</p> <p>Subject to above observations the execution application is <b>disposed of</b> finally.</p>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
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anb

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

**EX-A. No. 133 of 2016 T.A. No. 486 of 2010**

**Lalit Singh Chawada** 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>24.08.2016</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, Learned Counsel for the Petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>We have heard Ld. Counsel for the parties and OIC Legal Cell.</p> <p>By order dated 18.07.2016 statement was made by Ld. Counsel for the respondents that the order of the Tribunal dated 06.10.2015 shall be complied with and compliance report will be filed. Till date neither the order of the Tribunal has been complied with nor compliance report has been filed.</p> <p>Ld. Counsel for the respondents prays for and is granted two weeks' further time and no more to comply the order of this Tribunal and file affidavit with regard to compliance of Tribunal's order in the light of order passed on 18.07.2016.</p> <p>List the case on <b>19.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span>  <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span> </p>

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

**O.A. No. 67 of 2016**

**Puran 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>24.08.2016</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 Ashish Kumar Srivastava, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, two weeks' further time is allowed to file counter affidavit. Applicant shall have two weeks thereafter to file rejoinder affidavit.</p> <p>List on <b>23.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p>

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

**T.A. No. 72 of 2012**

**Ugra Sen Singh**

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>24.08.2016</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.P. Pandey, Learned Counsel for the Petitioner and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the applicant two weeks' further time is allowed to file rejoinder affidavit.</p> <p style="text-align: center;">List on <b>23.09.2016</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 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;"><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**

**T.A. No. 17 of 2015**

**Trilok Dixit**

By Legal Practitioner for the Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Petitioner

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>24.08.2016</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 Rajiv Manglik, Ld. Counsel for the petitioner and Dr. Shesh Narain Pandey, Ld. Counsel for the respondents assisted by Maj Soma John, OIC Legal Cell.</p> <p>The present T.A. has been transferred from Armed Forces Tribunal, Regional Bench Kolkata in pursuance to order passed by the Hon'ble Chairperson, Principal Bench, Armed Forces Tribunal, New Delhi.</p> <p>Let original records be produced before the Tribunal on the next date of listing.</p> <p>Ld. Counsel for the parties may also submit/exchange synopsis, and list of events.</p> <p>List the case on <b>17.10.2016</b> for hearing.</p> <p style="text-align: center;"><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**

**T.A. No. 2 of 2015 with Dy No. 2295 of 2015**

**Chattar Singh**

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>24.08.2016</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 M.R. Gupta, Learned Counsel for the Petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">We have heard Ld. Counsel for the parties.</p> <p style="text-align: center;">During course of hearing Ld. Counsel for the petitioner submitted that the main accused viz. T. D. Pillai, after conviction has been re-instated in service by Ld. Single Judge of the High Court. Hence submission is that the petitioner may not be saddled with major penalty. It is also submitted that T. D. Pillai has accepted all the charges in pursuance to which he was convicted.</p> <p style="text-align: center;">Ld. Counsel for the respondents shall obtain instructions as to whether against order of Ld. Single Judge of the High Court, any appeal was preferred and whether said T. D. Pillai was re-instated in service on the thrust of the judgment of Ld. Single Judge.</p> <p style="text-align: center;">List on <b>30.09.2016</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 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>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b> <small>anb</small>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

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

<b>R.P.L. Baranwal</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>24.08.2016</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: justify;">Present: Col (Retd) A.K. Srivastava, Learned Counsel for the Applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: justify;">This is an application for condonation of delay to a petition filed claiming seniority and promotional avenue. Admitted the applicant retired from service on 31.03.1984. A legal notice was given on 30.12.2005 which was rejected on 30.01.2006. Ld. Counsel for the applicant submits that denial of promotion adversely affects the applicant, hence there is recurring cause of action and the applicant is entitled for redressal of his grievance.</p> <p style="text-align: justify;">On the other hand, Ld. Counsel for the respondents assisted by OIC Legal Cell submits that the applicant after retirement had joined a bank and was serving there with due salary. Later on notice was given after lapse of almost 20 years from the date of retirement which was rejected on</p>

30.01.2006. Even thereafter the applicant remained silent for about ten years. Ld. Counsel for the respondents relied upon a case ***Balwant Singh (Dead) vs. Jagdish Singh & ors***, (2010) 8 SCC 685 and submitted that day-to-day delay has not been explained. Even broadly the applicant has failed to explain the delay in not approaching the appropriate forum though he was serving in a Bank where plenty of facilities were available and he was not in dearth of financial assistance. Hence, submission is that the delay has not been reasonably explained and the application is liable to be rejected.

At this stage, Ld. Counsel for the applicant prayed for time to cite case laws on the subject.

As prayed, list the case on **05.10.2016** for orders.

**(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**

**O.A. No. 229 of 2014**

**Ramvir 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>24.08.2016</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) Ashok Kumar, Learned Counsel for the Applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant at the very outset submitted that he used to keep the records at Allahabad and that is why he has not been able to bring the file to Court since he had noted incorrect date.</p> <p>Lawyers are supposed to keep their records at appropriate place so that they may attend the Court on each and every date fixed in the cases ready with arguments and record. It is for the lawyers to accommodate the Tribunal and assist to provide necessary justice to the litigants. It is not for the Tribunal to adjourn a case on the whims and caprice of the lawyer. The lawyers are supposed to follow professional ethics and the ground taken by Ld. Counsel for the applicant to adjourn the case is not sustainable since it shall lay down incorrect precedent. However we intend to fix the case for 26.08.2016.</p> <p>Ld. Counsel for the applicant stated that he is elected</p>

President of the Bar Association of the Armed Forces Tribunal, Regional Bench, Lucknow and he should be given respect and some preference over other Advocates. Only because the Ld. Counsel for the applicant is President of the Bar Association, does not entitle him to be given different preferential treatment. Court/Tribunal should treat all equally.

At this stage, Ld. Counsel for the applicant submitted that the case may be taken up tomorrow.

As prayed, list the case on **25.08.2016** for hearing.

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

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

**(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**

**O.A. No. 69 of 2015**

**Awadhesh Yadav**

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>24.08.2016</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 Arun Kumar, Learned Counsel for the Applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Ld. Counsel for the applicant submits that he is not prepared with the case and prays for adjournment.</p> <p>As prayed, list on <b>26.08.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 1 of 2016**

**Shyam Sunder Mishra** 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>24.08.2016</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, Learned Counsel for the Applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Ld Counsel for the applicant prays for and is granted a week's time to file rejoinder affidavit.</p> <p>List the case on <b>01.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 32 of 2016**

**Jay Veer 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>24.08.2016</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 Ashok Singh, Learned Counsel for the Applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld Counsel for the applicant prays for and is granted a week's time to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on <b>20.09.2016</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 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;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p style="text-align: left;"><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. 208 of 2016**

**Sineshwar Singh**

Applicant

By Legal Practitioner for the Applicant

Versus

**Union of India & Others**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.08.2016</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 Lalit Kumar, Learned Counsel for the Applicant and Shri Bhanu Pratap Singh, Learned Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is a case in which fresh O.A has been filed assailing the show cause notice issued by the authorities notwithstanding the fact that OA 158 of 2016 is already pending decision in which this Tribunal had passed the order whereby specific direction was made to amend the pending O.A. by way of assailing the show cause notice. Prima facie, the order of punishment awarding severe reprimand is the consequential action of show cause notice issued by the competent authority. Hence it was rightly observed in the order dated 29<sup>th</sup> July 2016 that the Applicant may amend the O.A.</p> <p>In the facts and circumstances, we do not feel that any fresh OA is required to be filed assailing the show cause notice and thus it is liable to be rejected at the very threshold.</p> <p>In view of the above, the fresh OA is accordingly rejected at the very threshold with liberty to the Applicant to file appropriate amendment Application in the pending OA that is OA No 158 of 2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 1733 of 2016 Inre T.A. No. 82 of 2013**

**Prem Chand**

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>23.08.2016</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.S. Imran Rizvi, Learned Counsel for the petitioner and Shri Siddharth Dhaon, Learned Counsel for the Respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>It is a case in which Application for recall of order whereby the OA was dismissed for default, is for consideration.</p> <p>We have heard learned counsel for the Applicant as also Shri Sidharth Dhaon, learned counsel for the respondents.</p> <p>Having heard learned counsel for the parties, we are convinced that the case for recall of order dated 18.07.2016 is made out.</p> <p>The order dated 18.07.2016 is hereby recalled subject to payment of cost which we quantify at Rs 300/-. The cost shall be deposited within a week. The cost so deposited will be remitted to the Account of Armed Forces Tribunal Bar Association for being utilized for upgradation of its Library.</p> <p>List this case for hearing on 05.10.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 1837 of 2016 Inre O.A. No. 26 of 2015**

**Satyapal Singh** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.08.2016</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, Learned Counsel for the Applicant and Shri Adesh Kumar Gupta assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A 1837 of 2016</u></p> <p>This is an Application for incorporating correction in the order dated 21.07.2016 to the effect that at page 8 of the order, the date of release which is mentioned as 1st Nov 2013 should be 24<sup>th</sup> May 2013.</p> <p>On being asked, learned counsel for the respondents did not object to the prayer for correction (supra).</p> <p>In view of the above, the Application aforesaid is allowed. The requisite correction has been incorporated at page 8 of the order dated 21.07.2016 whereby date of release which is mentioned as 1st Nov 2013, has been corrected to read as 24<sup>th</sup> May 2013.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**M.A. No. 1838 of 2016 Inre T.A. No. 718 of 2010**

**The Chief of Army Staff and Others**  
By Legal Practitioner for the Petitioner

Applicant- respondent

Versus

**C.D.P.Yadav**  
By Legal Practitioner for Respondent

Respondent-Petitioner

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.08.2016</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 Shyam Singh, learned counsel appearing for the Chief of Army Staff assisted by Col Kamal Singh OIC Legal Cell.</p> <p style="text-align: center;"><b><u>M.A. No 1838 of 2016</u></b></p> <p>This is an Application for leave to appeal vis a vis the order of the Tribunal dated 21.07.2016.</p> <p>We have heard learned counsel for the Applicant.</p> <p>In our view, no question of law of public importance has been raised to make out a case for grant of leave to appeal which is a condition precedent for grant of leave to appeal under section 31 of the Armed Forces Tribunal Act 2007.</p> <p>Accordingly, the Applicant being devoid of merit, is hereby 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>MH/-</p>

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

**M.A. No. 1840 of 2016 Inre O.A. No. 175 of 2014**

**Union of India & Others**

Applicants

By Legal Practitioner for the Applicants

Versus

**Harshwardhan Singh**

Respondent

By Legal Practitioner for Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>23.08.2016</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.S. Chauhan, Learned Counsel for the Applicants assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A.No 1840 of 2016</u></p> <p>It is an Application for grant of leave to appeal on the ground that in the O.A in question, since no specific prayer was made to hold an enquiry against the private respondent, it was supererogatory on the part of the Tribunal to issue direction to hold enquiry on the issue of use of filthy language when both wife and officer were present in his chamber who were called to his chamber during office hours.</p> <p>The submission, in our considered view, seems to be wholly misconceived for the reason that right from the day the Apex Court delivered Vishakha Judgment, a duty was cast on the appropriate authority to constitute a Committee and hold enquiry whenever a complaint is received with regard to molestation or eve-teasing or use of filthy language vis a vis a lady in the office. Immediately after the judgment of the Apex Court, Code of Criminal procedure and Indian Penal Code have been amended in terms of the ratio flowing from the judgment of the Apex Court (supra). In the case under consideration, since the respondents had not discharged their</p>

duties which is foundation of the whole allegation raised by the officer against the respondents in the O.A, it was solemn duty to hold enquiry. In case the allegations are found to be correct, the delinquent officer/Private respondent shall be liable to be punished. In the present case, the unique feature is that the Corps Commander has admitted that the Applicant Harshwardhan had approached him and had expressed to file statutory command but he was dissuaded from filing statutory complaint. The crux was that no enquiry was held. Since it all related to service career of the Applicant Harshwardhan Singh, direction in question was issued.

To be precise, no question of law of public importance is involved for grant of leave to appeal, we are of the view of the Application for grant of leave to appeal lacks merit.

It is accordingly rejected being devoid of merit.

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

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

MH/-

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

**O.A. No. 256 of 2013**

**Shiv Pratap 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>23.08.2016</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, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The distillate of arguments in the instant case is that during court martial proceedings some of the witnesses like PW 7 and PW 8 who were examined during summary of evidence were not produced by the prosecutor which has prejudiced the case of the Applicant. The next submission advanced across the bar is that the Applicant was not permitted to engage an Advocate and he was coerced to accept a Subedar who was not at all conversant with law, to assist him which constitutes violation of Rule 129 of the Army Rules 1954.</p> <p>We have heard learned counsel for the parties at length and perused the relevant rules.</p> <p>However, on being confronted whether it was mandatory for the prosecution to produce all the witnesses whose statements were recorded during summary of evidence, he could not draw our attention to any such Rules. On being further confronted whether the Applicant had made any application to provide assistance of a lawyer, he merely said</p>

that he had made an oral request for the assistance of a well versed lawyer.

Learned counsel for the Applicant laid much emphasis on Rule 134 of the Army Rules, 1954. From a bald perusal of Rule 134, it is clearly postulated that the prosecutor or in the cases of a trial by summary court martial, the court is not bound to call all the witnesses for the prosecution whose evidence is in the summary of evidence of whom the accused has been informed he or it intends to call but or it should ordinarily call such of them as the accused desires, in order that he may cross examine them and shall, for this reason, so far as practicable, secure the attendance of all such witnesses. As stated supra, learned counsel for the Applicant has not drawn attention to any application so moved by the Applicant for legal assistance or that he was not satisfied with the services of the person engaged to act as a friend of the accused.

On being asked whether any specific pleading has been made in the OA on this count, learned counsel for the Applicant drew our attention to the averments made in para 4.3. We have carefully perused the averments. There is no such pleading that the Applicant had made an Application to call for any particular witness whose statement was recorded in the summary of evidence. In the fact situation, we feel compelled to observe that the submission advanced on this count by the learned counsel for the Applicant is wholly misconceived.

The learned counsel for the Applicant in repudiation submitted that it was not incumbent on the Applicant to move any application and it being the requirement of the provisions contained in Rule 134 of the Army Rules, it was incumbent on the authorities to have observed the said Rule in compliance. We have already adverted to Rule 134 of the Army Rules 1954 from which it clearly transpires that it was not mandatory for the prosecutor to produce all the witnesses whose

statements were recorded during summary of evidence. To cap it all, from a perusal of proceeding of summary court martial, it clearly transpires that the Applicant himself stated that he does not want any of the witnesses to be cross examined.

As a result of foregoing discussion, we are of the view that the OA lacks merit and is liable to be dismissed in limine.

It is accordingly dismissed in limine.

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

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

MH/-

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

**O.A. No. 106 of 2015**

**Bharat Singh Shakya**

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>23.08.2016</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.P. Pandey, Learned Counsel for the Applicant and Shri Md. Zafar Khan, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>In the instant case, the Applicant has been administratively terminated on the ground of bigamy.</p> <p>In the instant case, in no Delphic terms, the Applicant has admitted that since his first wife could not bear a child, he was compelled to contract a second marriage. The admitted case thus is that the Applicant contracted a second marriage during the service of the Army. If this is so, the Applicant has rightly been terminated and no interference is called for with the impugned order of termination.</p> <p>However, during the course of arguments, learned counsel for the Applicant made a vehement plea for adjournment of the case as he wanted to produce some rulings in which a lenient view has been taken by the Courts in the case of similarly situated army men. Be that as it may, it remains a fact that the practice of bigamy is not permitted during the service of the Army. It may be that in some cases where bigamy is permitted, it is with prior permission and under certain special circumstances. It is not the case that the</p>

Applicant had asked for any such permission prior to contracting a second marriage. Besides that Article 14 is a positive concept and any illegality done by the authority shall not make out a case to extend parity vis a vis a similarly situated person.

As a result of foregoing discussion, the OA lacks merit and is dismissed as devoid of merit.

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

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

MH/-

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

**O.A. No. 172 of 2016**

**Sahendra Kumar**

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>23.08.2016</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 B.D. Mishra, Learned Counsel for the Applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks next thereafter.</p> <p>List this case for admission on 23.09.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**M.A. No. 1598 of 2015 Inre O.A. No. Nil of 2016**

**Chandra 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>23.08.2016</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 K.K. Mishra, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the Applicant, list this case on 20<sup>th</sup> September 2016 for orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 105 of 2016 with M.A. No. 1374 of 2016**

**Lt Col Rajeev Bhola** 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>23.08.2016</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 Harshvardhan, Learned Counsel for the Applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell. Shri Nishant Verma learned counsel for respondent no 5.</p> <p>Shri Nashant Sharma who appears for respondent no 5 prays that his name be shown as counsel for the respondent no 5 when the case is next listed. Let his name be shown as counsel for the respondent no. 5.</p> <p>It would appear that counter affidavit filed by respondent no 5 has been brought on record but no counter affidavit has yet been filed by Union of India.</p> <p>Learned counsel for Union of India prays for further time to file counter affidavit. As prayed, two weeks' further time is granted to file counter affidavit. Rejoinder affidavit, if any may be filed within one week next thereafter.</p> <p>List this case for orders on 16.09.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 158 of 2016**

**Hony Lt Sineshwar 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>23.08.2016</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 Lalit Kumar, Learned Counsel for the Applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Present O.A has been preferred assailing the order of severe reprimand.</p> <p>Learned counsel for the respondents raised objection having complexion of preliminary objection that against the order of severe reprimand, the Applicant has submitted a non-statutory petition which is pending consideration before the appropriate authority. He also submits that summary trial of the JCO is under review before the Army Authority.</p> <p>Learned counsel for the Applicant on the other hand submits that the Applicant would attain the age of superannuation on 31<sup>st</sup> Oct 2016, and in case no decision is taken before the aforesaid date, the O.A would be rendered otiose.</p> <p>In our view, the interest of justice would be best attained if the present O.A. is disposed of with the direction to the authority concerned to dispose of the non statutory petition expeditiously on or before 15<sup>th</sup> Oct 2016 and communicate the decision to the Applicant.</p>

In view of the above, with the consent of both the parties, the O.A is finally disposed of in terms of the above directions to the effect that the non statutory petition pending before the Army Authorities shall be decided on or before 15<sup>th</sup> Oct 2016 and decision so taken shall be communicated to the Applicant before 31<sup>st</sup> oct 2016. It is further directed that decision shall also be taken before the aforesaid date by the respondents with regard to review of the summary trial pending before the Army Authorities and decision so taken shall be communicated to the Applicant immediately thereafter.

Interim order already passed and operating in the instant case, shall continue to hold good till 15<sup>th</sup> October 2016 or till the adjudication of controversy by the competent authority whichever is earlier.

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

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

MH/-

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

**R.A. No. 13 of 2013 Inre O.A. No. 233 of 2010**

**Ravi Pratap Pandey** 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>23.08.2016</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 Lalit Kumar, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>Heard learned counsel for the Applicant on the Review Application. Learned counsel for the Applicant has raised certain points which appear to be cogent and convincing.</p> <p>Let notice be issued to respondents to show cause why review be not admitted.</p> <p>The case is ordered to be listed on 17.10.2016 orders.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**T.A. No. 78 of 2010 with M.A. No. 188 of 2016**  
**& M.A. No. 1815 of 2016**

**Shyam Singh**

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>23.08.2016</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, Learned Counsel for the Petitioner and Shri G.S. Sikarwar, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>The affidavit annexing proceeding of the Summary Court Martial filed by learned counsel for the respondents is taken on record. Replication to it if any may be filed within a week.</p> <p>List this case peremptorily for hearing on 30<sup>th</sup> August 2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**T.A. No. 116 of 2009**

**Safiuddin**

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>23.08.2016</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: Maj (Retd) R.D. Singh, Learned Counsel for the Petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by learned counsel for the Applicant, list this case on 24.08.2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**O.A. No. 278 of 2012**

**Hamendra Kumar**

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>23.08.2016</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 Bachchan Singh, Learned Counsel for the Applicant and Mrs. Deepti Prasad Bajpai, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As agreed by learned counsel for the parties, list this case on 26.08.2016 for hearing.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 316 of 2012**

**Krishna Kant Pandey** 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>23.08.2016</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, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Affidavit filed by learned counsel for the respondents is taken on record. Replication to it if any may be filed within a week.</p> <p>List this case for hearing on 22.09.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

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

**O.A. No. 324 of 2013**

**Prabodh Nath Tiwari**

Applicant

By Legal Practitioner for the Applicant

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>23.08.2016</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) Ashok Kumar, Learned 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;">As prayed by learned counsel for the respondents, list this case for hearing on 29.08.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>

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

**O.A. No. 109 of 2014**

**Mukesh Kumar**

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>23.08.2016</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. Chandra, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Let the entire record with regard to present controversy be produced for perusal of the Tribunal on the next date.</p> <p>List this case for hearing on 22.09.2016.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p><small>MH/-</small></p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**  
**M.A. No. 1125 of 2016 Inre Dy No. 737 of 2016**  
**& M.A. No. 1064 of 2013**

**Nil Kant Gain**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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: Ld. Counsel Shri Brijesh Kumar Trivedi holding brief for Shri Anju Dyal, Learned Counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Ld. Counsel Shri Brijesh Kumar Trivedi states that Shri Anju Dyal, Ld. Counsel for the applicant is not attending the court today. Cost has already been deposited in the Registry.</p> <p>As prayed, list this case on <b>22.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p>

	<p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D. P. Singh)</b> <b>Member (J)</b></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 16 of 2015**

<b>Kamal Singh Bhadoria</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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.S. Bisht, Learned Counsel for the petitioner and Shri Bhanu Pratap Singh, Learned Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents four weeks' further time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed by Ld. Counsel for the applicant within next two weeks.</p> <p>List on <b>03.10.2016</b> for orders.</p>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2**

**M.A. No. 978 of 2016 with M.A. No. 1185 of 2016,**  
**Inre O. A. (Nil) of 2016**

**K.K. Pandey** 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>22.08.2016</u>  <b>Hon'ble Mr. Justice D.P. Singh, Member (J)</b>  <b>Hon'ble Air Marshal Anil Chopra, Member (A)</b> </p> <p>           Present: Shri V.K. Pandey, Learned Counsel for the Applicant and Shri Asheesh Agnihotri, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.         </p> <p>           Preliminary objection filed by respondents is taken on record. <b>M.A. No. 1185 of 2016</b> is disposed of accordingly.         </p> <p> <u><b>M.A. No. 978 of 2016</b></u> </p> <p>           Three weeks' further time as prayed for by Ld. Counsel for the applicant is allowed to file reply to objection filed by Ld. Counsel for the respondents on application for condonation of delay.         </p>

	<p>List on <b>21.09.2016</b> for orders.</p> <p><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**M.A. No. 1320 of 2016 with M.A. No. 1321 of 2016**  
**Inre T.A. No. 1223 of 2010**

**Vijay Pratap Singh Chauhan**  
 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><b><u>22.08.2016</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 Rajeev Kumar Srivastava, Learned Counsel for the petitioner Col Kamal Singh, OIC Legal Cell for the respondents.</p> <p><b><u>M.A. No. 1320 of 2016</u></b></p> <p>This application under Section 31 of the Armed Forces Tribunal Act, 2007 for leave to appeal has been filed with inordinate delay of three years and six months. Admittedly, the application is time barred and has been moved beyond statutory period. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act, 2007. It is well settled proposition of law that the Tribunal is not empowered to condone delay in moving application for leave to appeal. Accordingly application for condonation of delay in</p>

	<p>moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><b><u>M.A. No. 1321 of 2016</u></b></p> <p>This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected.</p> <p>In consequence there of the application for leave to appeal is also rejected.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 5px;"><small>anb</small></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. 63 of 2010 with M.A. No. 1422 of 2016**

<b>Rupesh Vardhan</b>		Applicant
By Legal Practitioner for the Applicant		
	Versus	
<b>Union of India &amp; Others</b>		Respondent
By Legal Practitioner for Respondents		

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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. Chandra, Learned Counsel for the Applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Documents filed by Ld. Counsel for the applicant are taken on record. <b>M.A. No. 1422 of 2016</b> is disposed of accordingly.</p> <p>Supplementary affidavit filed by the respondents is taken on record. <b>M.A. No. 1842 of 2016</b> is disposed of accordingly.</p> <p style="text-align: center;"><b><u>O.A. No. 63 of 2010</u></b></p>

	<p>List on <b>22.09.2016</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>
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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. 385 of 2011 with M.A. No. 1155 of 2016**

**Sharma Naresh Kumar** Applicant  
By Legal Practitioner for the Applicant

Versus

**Union of India & Others** Respondent  
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>22.08.2016</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, Learned Counsel for the Applicant and Shri D.K.Pandey, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Counter affidavit filed by Ld. Counsel for the respondents is taken on record. <b>M.A. No. 1155 of 2016</b> is disposed of.</p> <p><b><u>O.A. No. 385 of 2011</u></b></p> <p>On request made by Ld. Counsel for the applicant, list the case on <b>23.09.2016</b> for orders.</p>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D. P. Singh)</b> <b>Member (J)</b>
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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. 122 of 2016**

**Yogesh Singh**

By Legal Practitioner for the Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>22.08.2016</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 J.N. Mishra, Learned Counsel for the Applicant and Mrs. Appoli Shrivastava, Ld. Counsel for the respondent, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted one week's further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by Ld. Counsel for the applicant within two weeks thereafter.</p> <p style="text-align: center;">List the case on <b>21.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> </p>

	<b>Member (A)</b>	<b>Member (J)</b>
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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. 162 of 2016**

**Tomy Varghese**

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>22.08.2016</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 B.P.Singh, Learned Counsel for the Applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p style="text-align: center;">While assailing the impugned order of severe censure entry, it is argued that for the same charges proceeding was concluded. It is submitted that later on for the same charges, the applicant has been punished with severe censure.</p> <p style="text-align: center;">The case needs adjudication.</p> <p style="text-align: center;"><b>Admit.</b></p>

	<p>Counter affidavit be filed by Ld. Counsel for the respondents within six weeks. Applicant shall have two weeks thereafter to file rejoinder affidavit, if any.</p> <p>List the case on <b>05.10.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </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. 202 of 2012**

<b>Vijay Kant Shukla</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Chief of Army Staff &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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, Learned Counsel for the Applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Copy of the written arguments has been submitted by Ld. Counsel for the applicant. He shall provide a copy of the same to Ld. Counsel for the respondents.</p> <p>List the case on <b>24.08.2016</b> for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal</p>

	<p>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>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 5px;"><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**M.A. No. 2056 of 2015**

<b>Raghvendra Singh</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<p><b>Orders of the Tribunal</b></p> <p><b><u>22.08.2016</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, Learned Counsel for the Applicant and Mrs. Anju Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the applicant, two weeks' further time is granted to file rejoinder affidavit.</p> <p>List the case on <b>20.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 5px;"><small>MH/-</small></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. 248 of 2010 with M.A. No. 2098 of 2015,**  
**M.A. No. 899 of 2016**

**Atar Singh**

By Legal Practitioner for the Applicant

Applicant

Versus

**Chief of Army Staff & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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 P.N. Chaturvedi, Learned 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;">Heard Ld. Counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Order is <b>reserved</b>.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</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. 47 of 2014 with O.A. No. 200 of 2012**

**Hardev 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>22.08.2016</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 Animesh Bajpai holding brief for Shri Ashok Kumar, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Ld. Counsel Shri Animesh Bajpai holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant states that Shri Ashok Kumar is out station and prayed that the case be passed over for the day.</p>

	<p>As prayed, list the case on <b>22.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"><b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 671 of 2010 with T.A. No. 1381 of 2010**

<b>Umakant Mishra</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Chief of Army Staff &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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, Learned Counsel for the Applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Heard 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><b>Order is reserved.</b></p> <p>Shri P.N. Chaturvedi may file written arguments by 24.08.2016.</p>

	<b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b>	<b>(Justice D.P. Singh)</b> <b>Member (J)</b>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 1377 of 2010**

<b>Awaneesh Kumar Pandey</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
	<p><b><u>22.08.2016</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 petitioner and Shri Anurag Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Case called out in the revised list after pass over. None appears for the petitioner.</p> <p style="text-align: center;">Sri Anurag Mishra, Ld. Counsel for the respondents is present.</p> <p style="text-align: center;">The case is <b>dismissed</b> for want of prosecution.</p> <p style="text-align: center;">Interim order, if any, is hereby vacated.</p>

	No order as to costs.	
	(Air Marshal Anil Chopra) Member (A)	(Justice D.P. Singh) Member (J)
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 1402 of 2010**

**Anurag Singh**

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><b><u>22.08.2016</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, Learned Counsel for the Petitioner and Shri Namit Sharma, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the parties, list the case on <b>03.10.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p>

	<p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p><b>(Air Marshal Anil Chopra)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

T.A. No. 29 of 2011

**Jugul Kishor**

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>22.08.2016</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, Learned Counsel for the Petitioner and Shri Md Zafar Khan, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>This Transferred Petition has been sent by the Registrar General of High Court of Judicature at Allahabad in pursuance of provisions of Section 34 of the Armed Forces Tribunal Act, 2007 for adjudication. Section 34 of the Armed Forces Tribunal Act, 2007 which provides for transfer of all pending matters before any court including High Court or other authority immediately before</p>

	<p>the date of establishment of the Tribunal under this Act, relating to service matters of members of the Armed Forces.</p> <p>However, the Full Bench of the Allahabad High Court in Special Appeal No. 610 (D) of 2002: <b>No. 14226029W Ex Signalman Nand Kishore Sahu vs. Chief of the Army Staff &amp; ors.</b> held that pending matters in the High Court in intra-court appeal (Special Appeal) may not be heard by the Tribunal.</p> <p>In view of the above, the matter is relegated back to the High Court at Allahabad. Registrar General of the High Court shall list the case before the appropriate Bench dealing with Special Appeals.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 33 of 2012**

<b>Surendra Singh Verma</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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.P. Pandey, Learned Counsel for the Petitioner and Mrs. Amrita Chakraborty, Ld. Counsel for the respondents, assisted by Col Kamal Singh, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the parties, list the case on <b>31.08.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal</p>

	<p>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>(Justice D.P. Singh)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>MH/-</p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 2**

**T.A. No. 2 of 2015 with Dy No. 2295 of 2015**

<b>Chattar Singh</b>	Petitioner
By Legal Practitioner for the Petitioner	
	Versus
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.08.2016</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 M.R. Gupta, Learned Counsel for the Petitioner and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>During course of hearing, a question cropped up whether Armed Forces personnel who has already retired can be dismissed from service.</p> <p>Parties counsel shall provide case law on the subject by the next date of listing.</p>

	<p>List the case on <b>24.08.2016</b> for further hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"> <b>(Air Marshal Anil Chopra)</b>                      <b>(Justice D.P. Singh)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**M.A. No. 1825 of 2016 with M.A. No. 1826 of 2016**  
**Inre T.A. No. 1122 of 2010**

<b>Vishnu Deo Tiwari</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri S.K. Pandey, Learned Counsel for the petitioner and Shri Sunil Sharma, learned counsel for the respondent.</p> <p>Application for condonation of delay is taken on record.</p> <p><b>M.A. No. 1825 of 2016</b> is disposed of accordingly.</p> <p><b><u>M.A. No. 1826 of 2016</u></b></p> <p>This application has been filed for leave to appeal against order dated 30.05.2016.</p>

	<p>List before the appropriate Bench on <b>21.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 20px;"><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**T. A. No. 1364 of 2010**

<b>Mohan Singh</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondent
By Legal Practitioner for Respondent	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col (Retd) A.K. Srivastava, Learned Counsel for the petitioner and Shri Namit Sharma, Learned Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On request made by Ld. Counsel for the applicant, case is adjourned.</p> <p>List on <b>14.10.2016</b> for admission before the appropriate Bench.</p>

	<b>(Lt Gen Gyan Bhushan) Member (A)</b>	<b>(Justice Abdul Mateen) Member (J)</b>
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**Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Case of Court No.2 taken up in Court No.1**

**EX-A. No. 115 of 2016 Inre O.A. No. 221 of 2013**

<b>Rahul Kumar</b>	Applicant
By Legal Practitioner for the Applicant	
	Versus
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: justify;">Present: Shri R. Chandra, Learned Counsel for the Applicant and Mrs. Deepti Prasad Bajpai, Learned Counsel for the Respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: justify;">Ld. Counsel for the respondents Ms. Deepti Prasad Bajpai as well as OIC Legal Cell informs that in pursuance of judgment of this court dated 19.01.2016 passed in O.A. No. 221 of 2013 the authority concerned has passed detailed order. Copy of the order has been given to Shri R. Chandra,</p>

	<p>Ld. Counsel for the applicant in court.</p> <p>Respondents are directed to bring the order on record alongwith affidavit within a week.</p> <p>List on <b>20.09.2016</b> for orders.</p> <p style="text-align: center;"> <b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**EX-A. No. 124 of 2016 Inre O.A. No. 139 of 2014**

<b>Prabhat Pandey</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Ld. Counsel Shri Shailendra Kumar Singh holding brief for Shri Sudhir Kumar Singh, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Shri Shailendra Kumar Singh, Ld. Advocate holding brief for Shri Sudhir Kumar Singh informs that Shri Sudhir Kumar Singh has met with an accident and has not come to court.</p> <p>The case is passed over for the day.</p>

	<p>List on <b>22.09.2016</b> for orders.</p> <p>(Lt Gen Gyan Bhushan)                      (Justice Abdul Mateen)  Member (A)    Member (J)</p> <p><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**O.A. No. 108 of 2010 with M.A. No. 127 of 2016, M.A. No. 356 of 2016 & M.A. No. 1201 of 2016**

<b>Barde Devi</b> By Legal Practitioner for the Applicant	Versus	Applicant
<b>Union of India &amp; Others</b> By Legal Practitioner for Respondents		Respondent

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri V.P. Pandey, Learned Counsel for the Applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondent, assisted by Maj Soma John, OIC Legal Cell.</p> <p style="text-align: center;">Objection against application for condonation of delay is taken on record. M.A. No. 356 of 2016 is <b>disposed of</b> accordingly.</p> <p style="text-align: center;">On request of Ld. Counsel for the applicant the case is</p>



	<b>(Lt Gen Gyan Bhushan) Member (A)</b>	<b>(Justice Abdul Mateen) Member (J)</b>
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**Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
Case taken up in Court No.1**

**O.A. No. 14 of 2015**

**Lakhvir 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>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Ld. Counsel Shri Shailendra Kumar Singh holding brief for Shri Sudhir Kumar Singh, Learned Counsel for the Applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>Shri Shailendra Kumar Singh, Ld. Advocate holding brief for Shri Sudhir Kumar Singh informs that Shri Sudhir Kumar Singh has met with an accident and has not come to court.</p> <p>The case is passed over for the day.</p>

	<p>List on <b>22.09.2016</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>    <b>Member (J)</b></p> <p>anb</p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**O.A. No. 28 of 2015 with M.A. No. 1676 of 2016**

<b>Hav Brijesh Singh</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Krishna Lal, Learned Counsel for the Applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>Shri Krishna Lal, Ld. Counsel for the applicant states that he does not intend to file supplementary rejoinder affidavit. He presses that the case may be listed for hearing since affidavits have been exchanged.</p> <p>As prayed, list on <b>23.09.2016</b> for hearing.</p>

	<p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"> <b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 20px;"><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case of Court No.2 taken up in Court No.1**

**Dy. No. 1555 of 2016 with M.A. No. 1818 of 2016 Inre M.A. No. 2033 of 2015 with M.A. No. 574 of 2016**

<b>Ram Pyare Kushwaha</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri O.P. Kushwaha, Learned Counsel for the Applicant and Shri D.K. Pandey, Ld. Counsel for the respondent assisted by Maj Soma John, OIC Legal Cell.</p> <p>M.A. No. 2033 of 2015 stands disposed of vide order dated 08.04.2016 hence wrongly listed.</p> <p>Shri O.P. Kushwaha, Ld. Counsel for the applicant states that he is not prepared with the case and prays for</p>

	<p>adjournment.</p> <p>As prayed, list the case on <b>20.09.2016</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>                                      <b>Member (J)</b></p> <p><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**O.A. No. 252 of 2014**

<b>Md Samsul Haque</b>	Petitioner
By Legal Practitioner for the Petitioner	
Versus	
<b>Union of India &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri S.K. Pandey, Learned Counsel for the Petitioner and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>As prayed by Ld. Counsel for the applicant, the case is passed over for the day.</p> <p>List on <b>21.09.2016</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the respondents shall</p>

	<p>produce original documents pertaining to the case for perusal of the Bench</p> <p>Ld. Counsel for the parties may submit/exchange synopsis, and list of events.</p> <p style="text-align: center;"> <b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice Abdul Mateen)</b>  <b>Member (A)</b>    <b>Member (J)</b> </p> <p style="text-align: left; margin-left: 20px;"><small>anb</small></p>
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**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Case taken up in Court No.1**

**O.A. No. 253 of 2012**

<b>Krishna Kumar Thakur</b>	Applicant
By Legal Practitioner for the Applicant	
Versus	
<b>Chief of Army Staff &amp; Others</b>	Respondents
By Legal Practitioner for Respondents	

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.08.2016</u></b>  <b><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></b>  <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Applicant present in person. Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Soma John, OIC Legal Cell.</p> <p>On call of the case, person stating himself to be Krishna Kumar Thakur, applicant, appeared and informed that his Ld. Counsel Col (Retd) Y.R. Sharma has not come to court and prayed for adjournment.</p>

Accordingly the case is adjourned.

List on **09.11.2016** for hearing.

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

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

**(Lt Gen Gyan Bhushan)**  
**Member (A)**

**(Justice Abdul Mateen)**  
**Member (J)**

anb