

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

Ex-A No. 45 of 2018 In re: O.A. No. 125 of 2015
In re: Ex-A No. 20 of 2017

Smt Manoj Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed today in court by Ms. Appoli Srivastava, as counsel for the respondents is taken on record. Let her name shall be shown in the cause list when the case is next listed.</p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for time to seek instructions.</p> <p>As prayed, four weeks' time is granted to show cause why the order of the Tribunal has not yet been complied with.</p> <p>List this case on 01.05.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

Form No. 4
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ORDER SHEET
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Cases of Court No.2 taken in Court No.1

M.A No. 630 of 2018 with M.A. No. 631 of 2018
In re: O.A. No. 636 of 2017

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

Jai Singh Yadav Respondents-Applicant
By Legal Practitioner for Respondents-Applicant

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Dr. Gyan Singh, Ld. Counsel for the applicant-respondents.</p> <p><u>M.A.No 630 of 2018</u></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 10.01.2018.</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 25 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><u>M.A.No.631 of 2018</u></p> <p>Since Application for condonation of delay has been rejected as not maintainable being barred by time, in consequence, the Application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

Form No. 4
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ORDER SHEET
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Cases of Court No.2 taken in Court No.1

O.A. No. 241 of 2015

Arjun Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri J.N. Mishra, Ld. Counsel for the applicant and Ms Deepti P. Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Since counter affidavit has been brought on record, the pleadings are complete and the case is now ripe for hearing.</p> <p>In view of the above, the case is directed to be listed for hearing on 03.05.2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

Form No. 4
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ORDER SHEET
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Cases of Court No.2 taken in Court No.1

O.A. No. 274 of 2017

Sahamatul Nisha

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>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ram Dheeraj Yadav, Ld. Counsel for the applicant and Ms Deepti P. Bajpai, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for time to file counter affidavit. The prayer for adjournment is opposed by learned counsel for the Applicant.</p> <p>However, in the interest of both the parties, the case is adjourned and is directed to be listed for orders on 10.04.2018.</p> <p>In the meantime, counter affidavit may be filed.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Cases of Court No.2 taken in Court No.1

O.A No. 558 of 2017 with M.A. No. 604 of 2018

Jitendra Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the Applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for orders on 07.05.2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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ORDER SHEET
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Cases of Court No.2 taken in Court No.1

O.A. (A) No. 128 of 2017 with M.A. No. 244 of 2016

Suraj Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri J.N.Mishra, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents objects to appearance of Shri J.N.Mishra, as counsel for the Applicant as he has not yet filed the power on behalf of the Applicant. The Shri J.N.Mishra, learned counsel holding brief of the learned counsel for the Applicant submits that the power shall be filed during the course of the day.</p> <p>As prayed, list this case for further hearing on 19.04.2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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Cases of Court No.2 taken in Court No.1

O.A No. 01 of 2016

Shyam Sunder Mishra

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: None for the applicant and Shri D.K. Pandey, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It is informed that Shri Rohit Kumar, learned counsel for the Applicant is not available today on account of some personal reason.</p> <p>In view of the above, the case is adjourned and is directed to be listed for hearing on 09.05.2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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Cases of Court No.2 taken in Court No.1

O.A No. 293 of 2016

Prashant Kumar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Rao Narendra Singh, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by W.O Desh Raj Singh, from Legal Cell.</p> <p>Heard.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>Learned counsel for the Applicant proposed to file written arguments within two days.</p> <p>Let it be filed within two days.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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Cases of Court No.2 taken in Court No.1

O.A No. 328 of 2017

Pradeep Kumar Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Shri V.P.S. Vats, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Since original record is not available today, the case is adjourned and is directed to be listed for hearing on 18.05.2018.</p> <p>Let original record be produced for perusal of the Bench on the next date fixed in the case.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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Cases of Court No.2 taken in Court No.1

T.A No. 26 of 2016

Noor Ahmed

By Legal Practitioner for the Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: None for the petitioner and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Case called out in the revised list but there is no appearance for the Petitioner.</p> <p>In view of the above, the case is dismissed for want of prosecution.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/</p>

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Cases of Court No.2 taken in Court No.1

M.A No. 204 of 2017 In re: O.A. No. 203 of 2013

Pushkar Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Parijat Belaura, Advocate holding brief of Shri V.A. Singh, Ld. Counsel for the applicant and Shri R.K.S. Chauhan, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Adjournment is prayed on behalf of the applicant.</p> <p>As per office report dated 28.02.2018 receipt of cost of Rs.750/-, if any still has not been filed by counsel for the applicant.</p> <p>List this case on 25.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4
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Cases of Court No.2 taken in Court No.1

O.A. No. 56 of 2014

Sunil Singh S/o
Late Smt Shyama Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, Ld. Counsel for the applicant and Maj Salen Xaxa, OIC Legal Cell for the respondents.</p> <p style="text-align: center;">Adjournment is prayed on behalf of the respondents on the ground of non availability of arguing counsel Shri Virendra Singh, appearing in this case for the respondents. Supplementary counter affidavit has not been filed by the respondents. Last opportunity is granted to them to file supplementary affidavit.</p> <p style="text-align: center;">List this case on 10.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4
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Cases of Court No.2 taken in Court No.1

O.A. No. 61 of 2014

Sukhvir Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Further argument is prayed on behalf of the applicant. Applicant himself is responsible for the delay in disposal of this case.</p> <p>List this case on 07.05.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4
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Cases of Court No.2 taken in Court No.1

O.A No. 60 of 2016 with M.A. No. 542 of 2018
M.A. No. 152 of 2018, M.A. No. 1717 of 2016,
M.A. No. 2042 of 2016, M.A. No. 2552 of 2016
& M.A. No. 347 of 2017

Lt Col Mukesh Baboo Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Applicant in person and Shri Asheesh Agnihotri, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Applicant who is present in person has filed rejoinder affidavit, which is taken on record. M.A. No. 542 of 2018 for taking the rejoinder affidavit on record stands disposed of.</p> <p>Learned counsel for the respondents prays for time to prepare the case.</p> <p>List this case for hearing on 14.05.2018.</p> <p>Meanwhile the respondents may file supplementary counter affidavit, if any.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

O.A. No. 182 of 2016 with M.A. No. 827 of 2017

Lt Col Manish Mishra

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Col Y.R. Sharma (Retd), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents Shri Yogesh Kesarwani submits that the counter affidavit is ready and he shall file the same during the course of day in the Registry of this Tribunal. Learned counsel for the applicant prays for and is allowed four weeks' time to file rejoinder affidavit.</p> <p>List this case on 25.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

Form No. 4
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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Cases of Court No.2 taken in Court No.1

O.A. No. 207 of 2016 with M.A. No. 22 of 2017
& M.A. No. 48 of 2017

Sushila Kumari Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Yash Pal Singh, Ld. Counsel for the applicant and Ms Appoli Srivastava, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">In this case an application for impleadment has been moved but the counsel is not present. Adjournment has been prayed on the ground of non availability of the counsel.</p> <p style="text-align: center;">List this case on 19.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</p> <p>JPT</p>

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Cases of Court No.2 taken in Court No.1

M.A. No. 586 of 2018 In re: O.A. No. Nil of 2018

Smt. Anita Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed today in court by Shri Asheesh Agnihotri, 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 Vinay Pandey, Ld. Counsel for the applicant, Shri Asheesh Agnihotri, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection to the Application for condonation of delay. Replication, if any, may be filed within two weeks next thereafter.</p> <p>List this case for orders on 20.04.2018.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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Cases of Court No.2 taken in Court No.1

EX-A. No. 43 of 2018 In re: M.A. No. 972 of 2017

Shailesh Mishra

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Memo of appearance filed today in court by Dr. Gyan Singh 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 Om Prakash Kushwaha, Ld. Counsel for the applicant, Dr. Gyan Singh, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>This is an application for execution of the order of the Tribunal dated 16.01.2018. It is informed that the order has to be mainly complied with by respondent no. 6.</p> <p>Let notice be issued to respondent no.6 with the direction to appear in person before the Tribunal to explain as to why the order of the Tribunal under execution has not yet been complied with.</p> <p>List this case on 11.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

Form No. 4
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Cases of Court No.2 taken in Court No.1

M.A. No. 602 of 2018 with M.A. No. 603 of 2018
In re: O.A. No. 220 of 2017

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

NA Khan Respondent-Applicants
By Legal Practitioner for Respondent- Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Shyam Singh, Ld. Counsel for the applicants - Respondent, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;"><u>M.A.No 602 of 2018</u></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 07.12.2017.</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 more than two months.</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;"><u>M.A.No.603 of 2018</u></p> <p>Since Application for condonation of delay has been rejected as not maintainable being barred by time, in consequence, the Application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

Form No. 4
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Cases of Court No.2 taken in Court No.1

M.A. No. 989 of 2017 In re: O.A. No. Nil of 2017

Lal Singh

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: None for the applicant, Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>It is informed across the bar that the learned counsel for the Applicant is seriously ill and is unable to attend the Court.</p> <p>In terms of earlier order, he was to file a better affidavit in support of the application for condonation of delay.</p> <p>In view of the above, the case is adjourned and is directed to be listed on 25.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 318 of 2015

Urvashi Devi W/O (Late) Shiv Narain Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri S.K. Gupta, Ld. Counsel for the applicant, Shri A.N. Tripathi, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 307 of 2017

Smt. Maya Thapa

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Col Ashok Kumar (Retd), Ld. Counsel for the applicant, Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for time to file counter affidavit.</p> <p>List this case on 12.04.2018 for orders.</p> <p>In the meanwhile, counter affidavit may be filed.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 576 of 2017

Smt. Sanjogi Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri V.P. Pandey, Ld. Counsel for the applicant, Ms Appoli Shrivastava, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the Applicant prays for and is granted four weeks time to file rejoinder affidavit.</p> <p>List this case on 18.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 53 of 2018

Indu Negi & Another

Applicants

By Legal Practitioner for the Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Tiwari, Ld. Counsel for the applicants, Ms Anju Singh, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the respondent no 6 prays for further time to file counter affidavit.</p> <p style="text-align: center;">List this case no 20.04.2018 for orders.</p> <p style="text-align: center;">In the meanwhile counter affidavit may be filed.</p> <p style="text-align: center;">It needs hardly be said that no further time to file counter affidavit shall be granted.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 101 of 2016

Smt. Madhubala

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Diwakar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents, assisted by W.O.Desh Raj Singh, OIC Legal Cell.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 147 of 2017 with M.A. No. 573 of 2018

Smt. Gomati Devi Mother of Late Sanjay Kumar Applicant
By Legal Practitioner for the Applicant
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, Ld. Counsel for the applicant, Shri Amit Jaiswal, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard.</p> <p>Petition disposed of.</p> <p>For orders see order of date on separate sheets of papers.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 175 of 2017

Kamakhya Harijan

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri V.K Pandey, Ld. Counsel for the applicant, Shri A.K. Sahu, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Learned counsel for the Applicant prays for and is granted two weeks further time to file rejoinder affidavit.</p> <p>List this case on 05.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 433 of 2017

Smt. Mithlesh Devi alias Lali Devi Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, Ld. Counsel for the applicant, Shri Ashish Saxena, Ld. Counsel for the respondents and assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the Applicant prays for time to file rejoinder affidavit.</p> <p style="text-align: center;">List this case on 26.03.2018 for orders.</p> <p style="text-align: center;">In the meanwhile, rejoinder affidavit may be filed.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

O.A. No. 90 of 2017

Smt. Anju Rani

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Ashok Singh, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>As prayed, two weeks' further time is granted to file supplementary counter affidavit.</p> <p>List this case on 06.04.2018 for orders.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

T.A. No. 42 of 2016

Smt. Savitri Devi Petitioner
By Legal Practitioner for the Petitioner
Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: None for the petitioner and Shri Virendra Singh, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p style="text-align: center;">Since learned counsel for the Applicant is ill, the case is adjourned and is directed to be listed on 05.04.2018 for hearing.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) (Justice S.V.S. Rathore) Member (A) Member (J)</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. 48 of 2016

Smt. Pinky Devi
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Judgment pronounced. Original Application No. 48 of 2016 is allowed. For orders, see our judgment and order of date passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</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. 285 of 2016

Vijay Shankar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Judgment pronounced. Original Application No. 285 of 206 is partially allowed. For orders, see our judgment and order of date passed on separate sheets.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>MH/-</p>

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

M.A No. 459 of 2018 In re: O.A. No. 655 of 2017

Smt Ganeshi Devi

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents, assisted by Maj Salen Xaxa, OIC Legal Cell.</p> <p>Heard on the application for correction.</p> <p>Applicant has prayed that in the O.A. due to typographical error, the personal number of the applicant has one additional digit. Apart from it, in the parties' title of the judgment the name of respondent no.3 has been wrongly transcribed. However, with the consent of parties, the application is allowed. The order is corrected. Leave is granted to the applicant to correct his O.A. Thereafter the order shall be corrected accordingly.</p> <p>Application for correction stands disposed of.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

M.A No. 560 of 2018 with M.A. No. 561 of 2018
In re: O.A. No. 663 of 2017

Union of India & Others Applicant-Respondents
By Legal Practitioner for the Applicant-Respondents
Versus

Ramesh Prasad Pandey & Others Respondent-Applicants
By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Bhanu Pratap Singh, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 560 of 2018</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p style="text-align: center;"><u>M.A. No. 561 of 2018</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left;">JPT</p>

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

M.A No. 570 of 2018 with M.A. No. 571 of 2018
In re: O.A. No. 619 of 2010

Union of India & Others Applicant-Respondents
By Legal Practitioner for the Applicant-Respondents
Versus

Ram Yash Singh Respondent-Applicants
By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p>Present: Shri Amit Jaiswal, Ld. Counsel for the applicant-respondents.</p> <p><u>M.A. No. 570 of 2018</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p><u>M.A. No. 571 of 2018</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p>JPT</p>

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

M.A No. 591 of 2018 with M.A. No. 592 of 2018
In re: O.A. No. 13 of 2016

Union of India & Others Applicant-Respondents
By Legal Practitioner for the Applicant-Respondents
Versus

Akash Singh Respondent-Applicants
By Legal Practitioner for Respondent-Applicants

Notes of the Registry	Orders of the Tribunal
	<p><u>05.03.2018</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Air Marshal BBP Sinha, Member (A)</u></p> <p style="text-align: center;">Present: Shri Amit Jaiswal, Ld. Counsel for the applicant-respondents.</p> <p style="text-align: center;"><u>M.A. No. 591 of 2018</u></p> <p>This is an application for condonation of delay under Section 5 of the Limitation Act in filing application for leave to appeal. The application has been preferred after lapse of statutory period. It is well settled law that the Tribunal lacks jurisdiction to condone the delay in the matter.</p> <p>Accordingly, the application for condonation of delay in filing application for leave to appeal is not maintainable and is rejected.</p> <p style="text-align: center;"><u>M.A. No. 592 of 2018</u></p> <p>This is an application for grant of leave to appeal filed under Section 31 of Armed Forces Tribunal Act.</p> <p>Since the application for condonation of delay has been rejected, in consequence thereof, the application for leave to appeal is also rejected.</p> <p style="text-align: center;">(Air Marshal BBP Sinha) Member (A)</p> <p style="text-align: center;">(Justice S.V.S. Rathore) Member (J)</p> <p style="text-align: left;">JPT</p>