

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

O.A. No. 1047 of 2022

Ex. LAC Tejendra Singh Rana
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Wg. Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Heard.</p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 09.02.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

Court No.2 (Sl. No.2)

O.A. No. 1049 of 2022 with M.A No. 1253 of 2022

Ex. Sgt. Ashish Shukla
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajiv Narayan Pandey, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p><u>M.A No. 1253 of 2022</u></p> <p>On the case being taken up for hearing Shri Kapil Sharma, Shri Raj Kumar Mishra and Shri Upasna Mishra, Ld. Counsel for the applicant and Shri Rajiv Narayan Pandey, Ld. Counsel for the respondents are present.</p> <p>This Original Application has been filed with delay of three months and six days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a matter of notional increment in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer, saying there being delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a matter of notional increment in which cause of action does not accrue on a fixed date. The matter being a case of continuing</p>

wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.

In the result, delay condonation application is allowed and delay in filing applicant is condoned.

M.A. No 1253 of 2022 **is disposed of** finally.

O.A. No. 1049 of 2022

Heard. It is a fit case for adjudication.

Admit.

Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

List on **30.01.2023**.

(Lt Gen Rakesh Kumar Anand)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

Ukt/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (SI. No.3)

O.A. No. 1053 of 2022 with M.A. No. 1261 of 2022

Ex. Sgt. Ajeet Singh Chauhan
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Somesh Singh, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Shri V.P.Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>This Original Application has been filed with delay of two years, ten months and 22 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a matter of notional increment in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer, saying there being delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a matter of notional increment in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay deserves to be condoned.</p> <p>In the result, delay condonation application is allowed and delay in filing applicant is condoned.</p>

M.A. No 1261 of 2022 **is disposed of** finally.

O.A. No. 1053 of 2022

Heard. It is a fit case for adjudication.

Admit.

Ld. Counsel for the respondents seeks and is allowed four weeks' time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

List on **30.01.2023**.

(Lt Gen Rakesh Kumar Anand)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

Ukt/-

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

M.A. No. 1256 of 2022 with M.A. No. 1257 of 2022
Inre O.A. No 372 of 2020

Smt. Shanti Singh D/o Late Ex. Sep. Ram Naresh 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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Yogesh Kesarwani, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Col. R.C. Dixit (Retd), Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in Original Application. 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 dismissed.</p> <p>In consequence thereof application for leave to appeal is also dismissed.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.5)

M.A. No. 1259 of 2022 with M.A. No. 1260 of 2022 Inre O.A. No. 188 of 2010

Ex. Nb Sub Mohd. Masuduzzaman
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing.</p> <p>On the case being taken up for hearing Shri K.K.Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in Original Application. 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 dismissed.</p> <p>In consequence thereof application for leave to appeal is also dismissed.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.6)

Ex. A. No. 168 of 2022 Inre O.A. No. 216 of 2021

Ex. NK Sheo Mohan Lal
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents assisted by Shri Rajeev Kumar Tiwari, Account Officer, PCDA (P), Allahabad are present.</p> <p>Shri Rajeev Kumar Tiwari, Account Officer, PCDA (P), Allahabad prays for and is granted four weeks further time to file affidavit clarify complete details with break down of payment made to the applicant alongwith mode of payment.</p> <p>List on 25.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.7)
O.A. No. 190 of 2022

Ex. Cfn Suneel Kumar Shakya
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav, holding brief of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Shri Ravi Kumar Yadav, Advocate, prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p style="text-align: center;">List on 03.02.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.8)

O.A. No. 193 of 2022

Ex. Hav. Hari Om Babu
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit filed by the Respondents' is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to implead bank as party.</p> <p>List on 10.01.2023.</p> <p>In the meantime, learned counsel for the applicant may file rejoinder affidavit, if any.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.9)

O.A. No. 194 of 2022

Hony Nb Sub Shiv Mohan Tiwari
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>Counter affidavit filed on behalf of respondents No 1 to 4 is taken on record.</p> <p>Learned counsel for respondents No 5 and 6 prays for and is granted two weeks' time to file counter affidavit.</p> <p>List on 17.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.10)

O.A. No. 422 of 2022

Ex. Sub Ajay Kumar Awasthi
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rohitash Kumar Sharma, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed by the applicant is taken on record.</p> <p>Pleadings have been exchanged. The case is ripe for hearing.</p> <p>List on 18.01.2023 for final hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

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

O.A. No. 652 of 2022

Ex. Nb Sub Sube Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed by the applicant is taken on record.</p> <p>Pleadings have been exchanged. The case is ripe for hearing.</p> <p>List on 11.01.2023 for final hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.12)

O.A. No. 658 of 2022

Sub Umakant Tiwari (Retd)
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Amit Pandey, Shri Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Chet Narayan Singh, Ld. Counsel for the respondents are present.</p> <p>Rejoinder affidavit filed by the applicant is taken on record. Copy of rejoinder affidavit has been served upon learned counsel for the respondents.</p> <p>Pleadings have been exchanged. The case is ripe for hearing.</p> <p>List on 09.01.2023 for final hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.13)

O.A. No. 695 of 2022

Ex. Nk Dalvir Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Ved Prakash Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List on 30.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.14)

O.A. No. 698 of 2022

Ex. JWO Ram Laut Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present.</p> <p>No one is present on behalf of the applicant.</p> <p>Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>List on 24.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.15)

O.A. No. 699 of 2022

MWO Laxmi Kant Tiwari (Retd)
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Raj Kumar Mishra, Shri Upasna Mishra and Shri Gopal Dwivedi, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Deleted</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.16)

O. A. No. 701 of 2022

Ex. Sep (MACP NK) Rama Kant
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents and perused the documents available on record.</p> <p>O.A. No. 701 of 2022, Ex Sep (MACP Nk) Rama Kant, vs. Union of India and others is allowed.</p> <p>For order, see our judgment passed on separate sheets.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.17)

O.A. No. 970 of 2022 with M.A. No. 1181 of 2022

Rambriksh Ram S/o Late Sh Shivshankar Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Md. Abdul Fazal Jaffery and Shri Ram Manohar Kashyap, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;"><u>M.A No. 1181 of 2022</u></p> <p>This Original Application has been filed with delay of 26 years, 09 months and 20 days. Regarding delay the submission of the Ld. Counsel for the applicant is that it is a matter of pensionary benefits in which bar of limitation is not applicable. His further submission is that applicant has explained the delay in affidavit filed in support of application and, in view of this, delay is liable to be condoned.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer, saying there being delay in filing the Original Application and explanation for day to day delay offered by the applicant being not sufficient, application should be dismissed.</p> <p>Undisputedly, it is a matter of pensionary benefits in which cause of action does not accrue on a fixed date. The matter being a case of continuing wrong, cause of action accrues from month to month. Considering this aspect and explanation of delay offered by the applicant, being sufficient, delay</p>

deserves to be condoned.

In the result, delay condonation application is allowed and delay in filing applicant is condoned.

M.A. No 1181 of 2022 **is disposed of** finally.

O.A. No. 970 of 2022

Heard. It is a fit case for adjudication.

Admit.

Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

List on **07.02.2023**.

(Lt Gen Rakesh Kumar Anand)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

Ukt/-

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.18)

Ex.A No. 103 of 2022 alongwith O.A. No. 799 of 2021

Ex. Nk Satyaendra Narayan Dubey
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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Col. A.K. Srivastava, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>List on 04.01.2023.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.19)

O.A. No. 167 of 2021

Smt. Prem Bati, W/o Late Ex. Nb Sub Ram Sarup Prasad 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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shiv Kant Pandey and Shri Amit Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, learned counsel for respondents No. 1 to 4 and Mohd. Zafar, Ld. Counsel for the respondents No. 5 and 6 are present.</p> <p>Counter affidavit filed by learned counsel for the respondents No. 5 and 6 is taken on record.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents No 1 to 4 submits that he intend to withdraw counter affidavit filed earlier as it does not pertain to instant case. He prays for and is granted four weeks' further time to file fresh counter affidavit.</p> <p>List on 30.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.20)

O.A. (A) No. 383 of 2018 along with O.A.(A) No. 169 of 2020

Ex. Cpl Achchhan Seikh through his wife Smt. Shaheen Shekh 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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri G.S. Sikarwar, Ld. Counsel for the respondents are present.</p> <p>Pleadings have been exchanged and the case is ripe for hearing.</p> <p>Matter needs physical hearing.</p> <p>As prayed by learned counsel for the applicant, list on 03.01.2023 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.21)

O.A.(A) No. 1052 of 2022 with M.A. No. 1173 of 2022

Ex. Cfn Deepak Chandra Pandey (through Parokar Smt. Renu Pandey Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Wg. Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for and is granted three days' further time to file objection on application for condonation of delay as well as on maintainability of the case in terms of order dated 09.12.2022.</p> <p>The matter needs physical hearing.</p> <p>List on 19.12.2022 for physical hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.22)

R.A. No 19 of 2019 with M.A. No 212 of 2021 Inre T.A. No 1257 of 2010

Ex Hav RD Tripathi By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>Vakalatnama filed by Shri Shiv Kant Pandey, learned counsel for the applicant is taken on record. Registry is directed to show his name as learned counsel for the applicant on the next date of listing in addition to Shri Yashpal Singh.</p> <p>As prayed by learned counsel of both the parties, list on 30.01.2023 for physical hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.23)

T.A. No 1061 of 2010 with M.A. No 674 of 2021

R.N. Mishra

By Legal Practitioner for the Applicant

Applicant

Versus

Chief of Air Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Shiv Kant Pandey and Ms. Nisha Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>As prayed by learned counsel for the applicant, list on 09.02.2023 for physical hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.24)

T.A. No 1065 of 2010

R.N. 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>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Bhaskar Prasad Dubey and Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>As prayed by learned counsel for the applicant, list on 09.02.2023 for physical hearing.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.2 (Sl. No.25)

T.A. No 50 of 2017

Hari Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.12.2022</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Mukesh Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents are present.</p> <p>Matter needs physical hearing.</p> <p>As prayed by learned counsel for the applicant, list on 08.02.2023 for physical hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Ukt/-</p>