

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

Court No.2

O. A. No. 937 of 2023

Ex Nk (ACP) Yamuna Ram

Applicant

By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav and

Shri Saurabh Yadav, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Alok Kumar Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. Judgment pronounced. 2. O.A. No. 937 of 2023 is allowed. 3. For orders, see our judgment and order passed on separate sheets.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>SB</i></p>

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

O.A. No. 398 of 2024 with M.A. No. 480 of 2024

Court No. 2 (Supp Sl. No 1)

Nb Sub Ram Shankar Mishra

Applicant

By Legal Practitioner for the Applicant : Shri Parijaat Belaura, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. This O.A. has been filed for grant of additional pension to the applicant with effect from the date applicant attained the age of 80 years.</p> <p>2. On the case being taken up for hearing, Shri Parijaat Belaura, Ld. Counsel for the applicant is present in Court. Shri Yogesh Kesarwani, Advocate appearing on behalf of respondents submits that he file memo of appearance on behalf of the respondents during course of the day.</p> <p><u>M.A. No. 480 of 2024</u></p> <p>3. There is delay of 01 year, 02 months and 16 days in filing Original Application. Learned counsel for the applicant has moved application for condonation of delay.</p> <p>4. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>5. Per contra, learned counsel for the respondents submits that cause shown by the applicant is not sufficient.</p> <p>6. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>7. Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p><u>O.A. No. 398 of 2024</u></p> <p>8. Matter related to grant of pensionary benefits needs adjudication.</p> <p>9. Admit.</p> <p>10. 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>11. List on 05.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 399 of 2024 with M.A. No. 481 of 2024

Court No. 2 (Supp Sl. No 2)

Sub Shankar Dayal Singh (Retd)

Applicant

By Legal Practitioner for the Applicant : Shri Satya Narayan Mishra and Shri Onkar Singh,
Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Mrs Deepti P Bajpai, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Satya Narayan Mishra, Ld. Counsel for the applicant is present. Ld. Counsel for the respondents is not present. Maj Naman Gupta, Departmental Representative for the respondents is present.</p> <p>2. This O.A. has been filed for grant of notional increment to the applicant. Learned counsel for the applicant has moved application for condonation of delay in filing Original Application. There is no delay in filing Original Application, therefore, delay condonation application is dismissed being not required.</p> <p>3. Matter needs adjudication.</p> <p>4. Admit.</p> <p>5. Departmental Representative for the respondents prays for and is allowed four weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks next.</p> <p>6. List on 05.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 402 of 2024 with M.A. No. 484 of 2024

Court No. 2 (Supp SI. No 3)

Indrajit Prasad Yadav

Applicant

By Legal Practitioner for the Applicant : Shri Pradeep Kumar Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. Memo of appearance filed by Shri JN Mishra, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Pradeep Kumar Pandey, Ld. Counsel for the applicant is present through virtual mode and Shri JN Mishra, Ld. Counsel for the respondents is present in Court.</p> <p>3. There is delay of 46 years, 07 months and 26 days in filing Original Application. Learned counsel for the applicant has moved application for condonation of delay.</p> <p>4. Learned counsel for the respondents prays for and is allowed two weeks time to seek instructions and file objection on delay condonation application.</p> <p>5. List on 18.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

M.A. No. 470 of 2024 Inre O.A. No. 70 of 2024 and M.A. No. 471 of 2024
inre O.A. No. 70 of 2024

Court No. 2 (Supp Sl. No 4 & 5)

Sulata Dey & Others

Applicants

By Legal Practitioner for the Applicants: Shri Rang Nath Pandey and Shri Rahul Pandey,
Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri....., Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pandey, Ld. Counsel for the applicants is present.</p> <p>2. This O.A. has been filed for grant of pensionary benefits to the applicants. There is delay of 38 years, 04 months and 25 days in filing Original Application. Respondents were directed to file objection on delay condonation application and maintainability of this O.A.</p> <p>3. At this stage, learned counsel for the applicant prays for withdrawal of this O.A. with liberty to file it afresh before appropriate forum.</p> <p>4. Accordingly, application is disposed off as withdrawn with liberty to the applicant to file it afresh before appropriate forum, if so advised.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

Dy No. 797 of 2024 Inre O.A. No. 786 of 2020

Court No. 2 (Sl. No 1)

Smt Sangeeta W/o Sep Deepak Malik Applicant
By Legal Practitioner for the Applicant : Shri KK Misra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri KK Misra, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the applicant submits that O.A. may be admitted as defects raised by the Registry have been removed.</p> <p>3. Shri RC Shukla, learned counsel for the respondents submits that he has filed memo of appearance on behalf of the respondents but his name has not been reflected in the cause list.</p> <p>4. Registry is directed to trace his memo and show his name in the cause list when the case is listed next.</p> <p>5. Since defects have been removed, registry is directed to register this case.</p> <p>6. Heard learned counsel for the parties and perused the record.</p> <p>7. This application has been filed for recall of order dated 12.01.2024 passed in O.A. No. 786 of 2020. On 12.01.2024, this O.A. was dismissed for non appearance of applicant's counsel.</p> <p>8. Grounds shown in recall application being sufficient, application is allowed subject to payment of cost of Rs 500/-. Learned counsel for the applicant is directed to deposit the cost in the registry within two weeks. Cost so deposited shall be remitted to the Bar Association of AFT.</p> <p>9. List on 15.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/163 of 2017 Inre O.A. No. 229 of 2014

Court No. 2 (Sl. No 2)

Ramvir Singh

Applicant

By Legal Practitioner for the Applicant : Col Ashok Kumar (Retd) and Shri Rohit Kumar,
Advocates

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, Ld. Counsel for the applicant is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Order dated 05.06.2020 passed by this Tribunal has been stayed by the Hon'ble Apex Court.</p> <p>3. List on 22.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/2 of 2022 Inre O.A. No. 695 of 2020

Court No. 2 (Sl. No 3)

Col Sanjeev Agnihotri

Applicant

By Legal Practitioner for the Applicant : Shri Gyanendra Kumar Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Rajeev Narayan Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents is present. Learned counsel for the applicant is not present.</p> <p>2. Affidavit of compliance has already been filed. Applicant was directed to file objection but objection has not been filed. Today, learned counsel for the applicant is not present.</p> <p>3. Learned counsel for the respondents submits that order of this tribunal has been complied with.</p> <p>4. Since order has been complied with, this execution application is disposed off in full satisfaction.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/120 of 2022 Inre O.A. No. 306 of 2021

Court No. 2 (Sl. No 4)

Ex Sep Birender Rai

Applicant

By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant is present. Ld. Counsel for the respondents is not present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Applicant is directed to provide details of movable/immovable property and salary accts of the respondents which can be attached under order 21 CPC, Rule 12 and 13 for non compliance of order of this Tribunal.</p> <p>4. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/173 of 2022 Inre O.A. No. 235 of 2020

Court No. 2 (Sl. No 5)

Pradeep Kumar S/o Late Ex Hav Gopal Das Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Anurag Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Affidavit filed on behalf of the responsible officer is taken on record.</p> <p>4. Departmental Representative for the respondents submits that cost has been paid. He prays for and is allowed four weeks further time to file affidavit of compliance on payment of cost of Rs 10,000/-.</p> <p>5. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/208 of 2022 Inre O.A. No. 464 of 2021

Court No. 2 (Sl. No 6)

Ex Nk Desh Raj Singh

Applicant

By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Pushpendra Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Shri Pushpendra Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is allowed four weeks further time to file compliance report.</p> <p>4. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p>

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Ex-A/191 of 2023 Inre O.A. No. 23 of 2022

Court No. 2 (Sl. No 7)

Hav (PA) Sachin Kumar Yadav

Applicant

By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Devesh Kumar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present. Ld. Counsel for the respondents is not present.</p> <p>2. Compliance report has not been filed by the respondents.</p> <p>3. Cost imposed on the respondents has also not been deposited.</p> <p>4. Departmental Representative for the respondents prays for and is allowed four weeks further time on payment of additional cost of Rs 10,000/-.</p> <p>5. Respondents are directed to file affidavit of responsible officer regarding present status and cause of delay in implementation of order of this Tribunal. Respondents are also directed to deposit all the cost by next date.</p> <p>6. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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Ex-A/307 of 2023 Inre O.A. No. 352 of 2022

Court No. 2 (Sl. No 8)

Ex Rifleman Chandra Mohan Singh

Applicant

By Legal Practitioner for the Applicant : Lt Col Nidhikant Dhyani (Retd), Shri Raj Kumar Mishra and Ms. Upasna Mishra, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri GS Sikarwar, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Lt Col Nidhikant Dhyani (Retd), Ld. Counsel for the applicant is present in Court and Shri GS Sikarwar, Ld. Counsel for the respondents is present through virtual mode. Lt Col Radhey Shyam, Record Officer, Garhwal Rifles is also present through virtual mode.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Respondents were directed to file affidavit of responsible officer regarding present status and reasons for delay in implementation of order of this Tribunal but the said affidavit has not been filed.</p> <p>4. Four weeks further time is granted to learned counsel for the respondents for filing affidavit of responsible officer on payment of cost of Rs 5,000/-.</p> <p>5. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

Form No. 4
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Ex-A/53 of 2024 Inre O.A. No. 462 of 2020

Court No. 2 (Sl. No 9)

Smt Birmati Devi W/o Inder Pal Singh

Applicant

By Legal Practitioner for the Applicant : Shri Veer Raghav Chaubey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Veer Raghav Chaubey, Ld. Counsel for the applicant is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is allowed four weeks further time to file compliance report.</p> <p>4. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 315 of 2022

Court No. 2 (Sl. No 10)

Smt Seema Pandey, w/o Late Hav Hemant Kumar Pandey Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Alok Kumar Mishra, Advocate
Mohd Zafar Khan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present in Court and Shri Alok Kumar Mishra, Ld. Counsel for the respondent No 1 to 6 and Mohd Zafar Khan, Ld. Counsel for the respondent No 7 and 8 are present through virtual mode.</p> <p>2. Supplementary counter affidavit filed on behalf of respondent Nos 1 to 6 is taken on record.</p> <p>3. Learned counsel for the applicant prays for and is allowed a week's time to file reply to supplementary counter affidavit.</p> <p>4. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 882 of 2022 with M.A. No. 1091 of 2022

Court No. 2 (Sl. No 11)

Tanuja Kumari Pandey, W/o Late Gdsm Abhishek Kumar Pandey Applicant
By Legal Practitioner for the Applicant : Shri Abhinandan Kumar Pandey, Shri Dhanjay Kumar Mishra and Shri Dheeraj Kumar Sharma, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Abhinandan Kumar Pandey, Ld. Counsel for the applicant is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Learned counsel for the applicant submits that he intends to file amendment application in this case. He prays for and is allowed three weeks time to file amendment application.</p> <p>3. List on 01.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 969 of 2022

Court No. 2 (Sl. No 12)

Smt Omwati Devi M/o Late Sep Bijendra Kumar Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, Ld. Counsel for the applicant is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Counter affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Learned counsel for the applicant prays for and is allowed two weeks time to file rejoinder affidavit.</p> <p>4. List on 22.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 52 of 2023

Court No. 2 (Sl. No 13)

Ex L/Nk Abu Talib Anwar

Applicant

By Legal Practitioner for the Applicant : Shri Gaurav Gupta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Ashish Kumar Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present through virtual mode. Learned counsel for the applicant is not present.</p> <p>2. Applicant was directed to file rejoinder affidavit but rejoinder affidavit has not been filed. Today, none is present on behalf of the applicant, therefore, opportunity to file rejoinder affidavit is hereby closed.</p> <p>3. List on 22.07.2024 for final hearing.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 803 of 2023

Court No. 2 (SI. No 14)

Ex Hav Asif Husain

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Shri Girish Tiwari, Shri Dheerendra Kumar Agnihotri, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vijay Kumar Pandey, Ld. Counsel for the applicant is present in Court and Ms. Appoli Srivastava, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Counter affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks.</p> <p>4. List on 01.07.2024 for final hearing.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 849 of 2023

Court No. 2 (Sl. No 15)

Ex Sub Maj Bachchu Singh

Applicant

By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ravi Kumar Yadav, Advocate holding brief of Shri KP Datta, learned counsel for the applicant is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Learned counsel for the applicant is stated to be ill. Accordingly, the case is passed over for the day.</p> <p>3. List on 08.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 886 of 2023

Court No. 2 (Sl. No 16)

Ex Sub (Dvr/MT) Tej Chand Rajwar

Applicant

By Legal Practitioner for the Applicant : Shri KKS Bisht, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri KKS Bisht, Ld. Counsel for the applicant is present through virtual mode. Ld. Counsel for the respondents is not present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Departmental Representative for the respondents prays for and is allowed four weeks further time as last opportunity to file counter affidavit.</p> <p>4. List on 29.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 922 of 2023

Court No. 2 (Sl. No 17)

Smt Malti Devi W/o Ex Sgt Late Rakesh Kumar
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant is present in Court and Shri Yogesh Kesarwani, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. Counter and rejoinder affidavits filed on behalf of the parties are taken on record.</p> <p>3. Pleadings are complete.</p> <p>4. List this case for final hearing on 08.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 954 of 2023 with M.A. No. 1264 of 2023

Court No. 2 (Sl. No 18)

Ex Nk Dvr Arvind Singh

Applicant

By Legal Practitioner for the Applicant : Shri Birendra Kumar Gautam, Advocate
Shri Suhel Ahmad Azmi, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing on admission, Shri Birendra Kumar Gautam, Ld. Counsel for the applicant who is present in Court and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents who is present through virtual mode.</p> <p>2. As per report of the Registry, there is delay of 15 years, 02 months and 28 days in filing Original Application. Learned counsel for the applicant has moved application for condonation of delay.</p> <p>3. Applicant has moved delay condonation application on the ground that he could not file the O.A. within limitation period because he is ignorant of law and had no sufficient means.</p> <p>4. Written objection has been filed on behalf the respondents in which it is stated that the delay of more than 15 years is not condonable in view of the Hon'ble Apex Court judgment passed in the case of <i>C. Jacob vs Director of Geology and Mining and Anr</i>, (2008) 10 SCC 115. Relying upon the above case law, it is submitted by learned counsel for the respondents that Courts should not entertain plea in respect of those who slept over for their rights and approached the Court of Law belatedly. It is also stated that applicant has been dismissed from service on 23.07.2004.</p> <p>5. Learned counsel for the respondents further submitted that the Hon'ble High Court of Judicature at Allahabad vide order dated 04.08.2004 passed in Civ Misc Writ Petition No. 8524 of 2000, <i>Inderpal Singh vs UOI & Ors</i> had dismissed the petition holding that the petitioner himself was not interested in pursuing the matter and kept silent for 18 years. He pleaded for dismissal of delay condonation application on the ground that delay of more than 15 years has not been properly explained.</p>

6. Reply filed on behalf of the applicant is taken on record. In his reply, it is submitted that initially the applicant had approached the Hon'ble High Court in the year 2016 and filed Writ Petition No. 7391/2016 which was dismissed vide order dated 18.02.2016 granting liberty to the petitioner to approach appropriate forum.

7. It is further submitted that the applicant has no proper source of income and being not well qualified he has no knowledge of belated consequences, therefore, delay may be condoned in filing Original Application.

8. Heard learned counsel for the parties on delay condonation application.

9. In the instant case, the applicant was dismissed from service w.e.f. 23.07.2004 for an offence under Section 39 (a) and now he has filed the subject case before this Tribunal for issuing directions to the respondents for grant of post retiral benefits to the applicant.

10. The applicant was dismissed from service in the year 2004 and the dismissal order has not been challenged for so many years. Now, after such a long period of time, the applicant wants post retiral benefits without challenging the dismissal order which is misconceived. Further, no reasonable cause or justification has been given for condoning the delay of more than 15 years in approaching this Tribunal.

11. In view of the above, the application for condonation of delay as well as original application are **dismissed** in limine.

(Lt Gen Anil Puri)
Member (A)

rathore

(Justice Anil Kumar)
Member (J)

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

O.A. No. 1368 of 2023

Court No. 2 (Sl. No 19)

Ex Nb Sub Niraj Kumar Thakur

Applicant

By Legal Practitioner for the Applicant : Shri Ravi Kumar Yadav, Advocate
Shri Saurabh Yadav, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Mrs Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Mrs Kavita Mishra, Ld. Counsel for the respondents are present.2. Counter affidavit filed on behalf of the respondents is taken on record.3. Learned counsel for the applicant declines to file rejoinder affidavit.4. Heard learned for the parties.5. For order, see our order passed on separate sheets. <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 114 of 2024

Court No. 2 (Sl. No 20)

Smt Suman Budhraja M/o Late Maj Ankit Budhraja Applicant
By Legal Practitioner for the Applicant : Wg Cdr SN Dwivedi (Retd), Advocate
Gp Capt RP Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri JN Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Wg Cdr SN Dwivedi (Retd), Ld. Counsel for the applicant and Shri JN Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is allowed four weeks further time to file counter affidavit.</p> <p>4. List on 29.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 357 of 2024

Court No. 2 (Sl. No 21)

Col Gunakara Giri

Applicant

By Legal Practitioner for the Applicant : Col Ashok Kumar (Retd) and Shri Rohit Kumar,
Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri RC Shukla, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri RC Shukla, Ld. Counsel for the respondents is present. Learned counsel for the applicant is not present.</p> <p>2. Shri RC Shukla, learned counsel for the respondents submits that he has filed memo of appearance on behalf of the respondents but his name has not been reflected in the cause list.</p> <p>3. Registry is directed to trace his memo and show his name in the cause list when the case is listed next.</p> <p>4. An adjournment has been sought on behalf of the applicant. Accordingly, the case is passed over for the day.</p> <p>5. List on 29.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A.(A) No. 29 of 2021

Court No. 2 (Sl. No 22)

Ex Nk Shankar Ingali

Appellant

By Legal Practitioner for the Appellant : Shri Vinay Pandey, Advocate

Shri Prasoon Kumar Anjor, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, learned counsel for the parties are not present. Departmental Representative for the respondents is present.</p> <p>2. Applicant was directed to supply copy of amended O.A. to learned counsel for the respondents and respondents were directed to file supplementary counter affidavit to the amended O.A.</p> <p>3. Learned counsel for the parties are directed to comply order dated 08.12.2023 of this Tribunal within two weeks.</p> <p>4. List on 19.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 119 of 2020

Court No. 2 (SI. No 24)

Ex LAC PP Naidu

Applicant

By Legal Practitioner for the Applicant : Shri Shiv Kant Pandey, Ms. Nisha Pandey and Shri Amit Pandey, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shiv Kant Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, case could not be taken up.</p> <p>3. List on 12.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 276 of 2020

Court No. 2 (Sl. No 25)

Ex Sigmn Pramesh

Applicant

By Legal Practitioner for the Applicant : Shri Om Prakash Kushwaha, Advocate
Mohd Zafar Khan, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Mohd Zafar Khan, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, case could not be taken up.</p> <p>3. List on 29.07.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 415 of 2022

Court No. 2 (Sl. No 26)

Ex Hav Suresh Kumar Sharma

Applicant

By Legal Practitioner for the Applicant : Shri Dharam Raj Singh, Col AK Srivastava (Retd),
and Shri Shyam Sunder Bajpai, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Dharam Raj Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, case could not be taken up.</p> <p>3. List on 05.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 1 of 2023

Court No. 2 (Sl. No 27)

Ex Nk Rauf Khan (DSC)

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Somesh Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, case could not be taken up.</p> <p>3. List on 05.08.2024.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p>

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

T.A. No. 15 of 2017 with M.A. No. 35 of 2020

Court No. 2 (Sl. No 28)

Bhupendra Singh Bhadauria

Petitioner

By Legal Practitioner for the Petitioner : Shri Rohitash Kumar Sharma, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>15.04.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. Heard Shri Rohitash Kumar Sharma, Ld. Counsel for the petitioner who is present in Court and Ms. Appoli Srivastava, Ld. Counsel for the respondents who is present through virtual mode.</p> <p>2. List on 06.05.2024 in supplementary cause list for physical hearing as first case.</p> <p>3. Original documents shall be retained by the respondents till next date of listing.</p> <p style="text-align: center;">(Lt Gen Anil Puri) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>