

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

Court No. 2(Supl. No. 2)

O.A. No. 187 of 2024 with M.A. No. 236 of 2024

L/Nk Ashok Kumar Applicant
By Legal Practitioner for the Applicant : Shri Rahul Pal and Shri VB Yadav, Advocates

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>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the said respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Rahul Pal and Shri VB Yadav, Ld. Counsel for the applicant and Shri Ashish Kumar Singh Ld. counsel for the respondents are present.</p> <p>3. There is delay of more than 17 years in filing this Original Application.</p> <p>4. Learned counsel for the respondents prays for and is granted four weeks time to seek instruction and file objection, if any.</p> <p>5. List on 01.04.2024.</p> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/-</p>

Court No. 2(Supl. No. 3)

O.A. No. 190 of 2024

Mrs Deepti Tiwari W/o Nk (Chef) Papulesh Kumar Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Shiv Kumar Saroj and
Shri Manoj Kumar Awasthi, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents No. 1 & 2 is taken on record. His name shall be shown as counsel for the said respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Shiv Kumar Saroj, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. counsel for the respondents No. 1 & 2 are present.</p> <p>3. Learned counsel for the respondents prays for and is granted three weeks time to seek instruction and file objection on maintainability of the Original Application.</p> <p>4. List on 09.04.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

O.A. No. 193 of 2024 with M.A. No. 246 of 2024

Ex Sub Laxman Singh Applicant
By Legal Practitioner for the Applicant : Shri KP Datta, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the said respondents when the case is listed next.</p> <p>2. Heard Shri KP Datta, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. counsel for the respondents.</p> <p><u>M.A. No. 246 of 2024</u></p> <p>3. There is delay of 01 month and 09 days in filing Original Application. The applicant has moved application for condoning the delay.</p> <p>4. Learned counsel for the applicant submits that it is pensionary matter in which bar of limitation is not applicable being recurring cause of action.</p> <p>5. We are of the view that ground shown in affidavit filed in support of application is sufficient. Delay condonation application is allowed and delay in filing application is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 193 of 2024</u></p> <p>6. This O.A. has been filed for grant of composite disability element to the applicant.</p> <p>7. Matter needs adjudication.</p> <p>8. Admit.</p> <p>9. Learned counsel for the respondents is granted four weeks time to file counter affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>10. List on 14.05.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2(Supl. No. 5)

O.A.(A). No. 183 of 2024 with M.A. No. 231 of 2024

Gnr Saurav Kumar Appellant
By Legal Practitioner for the Appellant : Shri Vinay Pandey and
Shri Shashi Kant Chaturvedi, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the said respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Vinay Pandey, Ld. Counsel for the appellant and Shri Asheesh Agnihotri, Ld. counsel for the respondents are present through virtual mode.</p> <p>3. There is delay of 26 days in filing Original Application.</p> <p>4. Leaned counsel for the respondents has raised objection regarding maintainability of the O.A. He prays for and is granted three weeks time to seek instruction and file objection, if any.</p> <p>5. List on 12.04.2024.</p> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Supl. No. 6)

EX. A. No. 68 of 2024 Inre O.A. (A). No. 175 of 2019

Ex Sep Shankar Datt Bhatt

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Asheesh Agnihotri, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the said respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri KKS Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. counsel for the respondents are present through virtual mode.</p> <p>3. This execution application has been filed by the applicant for implementation dated 09.10.2023 passed in OA (A) No. 175 of 2019.</p> <p>4. Learned counsel for the respondents prays for and is granted four weeks time to seek instruction and file affidavit of compliance.</p> <p>5. List on 09.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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Court No. 2(Supl. No. 7)

EX. A. No. 73 of 2024 Inre T.A. No. 1199 of 2010

Ex Sgt SKS Chauhan

Applicant

By Legal Practitioner for the Applicant : Shri Rahul Dev Tripathi, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, 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 as counsel for the said respondents when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Rahul Dev Tripathi, Ld. Counsel for the applicant and Shri JN Mishra, Ld. counsel for the respondents are present.</p> <p>3. This execution application has been filed by the applicant for implementation dated 08.02.2011 passed in T.A. No. 1199 of 2010.</p> <p>4. Learned counsel for the respondents prays for and is granted two weeks time to seek instruction and file objection, if any, on maintainability of the Original Application.</p> <p>5. List on 12.04.2024.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Maj Gen Sanjay Singh) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Anil Kumar) Member (J)</p> </div> </div> <p>SB/-</p>

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Court No. 2(Supl. No. 8)

M.A. No. 243 of 2024 Inre T.A. No. 1065 of 2010

RN Mishra
By Legal Practitioner for the Applicant : Shri Amit Pandey and
Shri Shiv Dayal Singh, Advocates

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shiv Kant Pandey, Advocate holding brief of Shri Amit Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents are present.</p> <p><u>M.A. No. 243 of 2024</u></p> <p>2. This application has been moved by the applicant to expedite the date fixed for hearing and list for early hearing of the case.</p> <p>3. Heard learned counsel for the parties and perused the record.</p> <p>4. In this case, 08.04.2024 is already fixed for hearing. Presently due to functioning of only one Bench, a large number of cases are listed for hearing as per roster, therefore, early hearing in this case is not possible.</p> <p>5. In view of the above fact, we are of the view that there is no sufficient ground to expedite the date of hearing in this case, application is liable to be dismissed. Accordingly, early hearing application is dismissed.</p> <p>6. List the case for hearing on its already fixed date, i.e. 08.04.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Amit Pandey, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. counsel for the respondents are present through virtual mode.</p> <p><u>M.A. No. 244 of 2024</u></p> <p>2. This application has been moved by the applicant to expedite the date fixed for hearing and list for early hearing of the case.</p> <p>3. Heard learned counsel for the parties and perused the record.</p> <p>4. In this case, 08.04.2024 is already fixed for hearing. Presently due to functioning of only one Bench, a large number of cases are listed for hearing as per roster, therefore, early hearing in this case is not possible.</p> <p>5. In view of the above fact, we are of the view that there is no sufficient ground to expedite the date of hearing in this case, application is liable to be dismissed. Accordingly, early hearing application is dismissed.</p> <p>6. List the case for hearing on its already fixed date, i.e. 08.04.2024.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

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Court No. 2(Sl. No. 1)

DY. No. 4274 of 2023

Smt Dhanu Man w/o Late Nk Netra Bahadur Chhetri Applicant
By Legal Practitioner for the Applicant : Col AK Srivastava (Retd) and
Shri Amrendu Srivastava, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Col AK Srivastava (Retd), Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents are present.</p> <p>2. Application for removing the defects, filed by the applicant, is taken on record.</p> <p>3. Defects raised by the Registry have been rectified. Now, Registry is directed to register this case as Original No.</p> <p>4. List on 14.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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Court No. 2(Sl. No. 2)

EX. A. No. 224 of 2022 Inre O.A. No. 281 of 2020

Ex Hav Ram Yatan Ram

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Rajesh Shukla and

Mohd. Zafar Khan, Advocates

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Parijaat Belaura, Ld. Counsel for the applicant and Shri Rajesh Shukla and Mohd. Zafar Khan, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Shri Rajeev Tiwari, AO, PCDA (P) Prayagraj is also present who submits that matter is still pending before PCDA (P) Prayagraj. He prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs. 10,000/- shall be paid by the respondents which shall be remitted to the applicant.</p> <p>3. List on 14.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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Court No. 2(Sl. No. 3)

EX. A. No. 246 of 2022 Inre O.A. No. 746 of 2021

Ex Sub (Hony Capt) Jaipal Singh

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, none is present for the applicant. Shri RC Shukla, Ld. counsel for the respondents is present alongwith Shri Rajeev Tiwari, AO, PCDA (P) Prayagraj and Maj Naman Gupta, Departmental Representative.</p> <p>2. Respondents were granted time to submit report in compliance of the order dated 05.10.2023 but report has not been submitted by the respondents.</p> <p>3. Learned counsel for the respondents prays for and is granted three weeks further time to seek instruction and file report in light of the said order.</p> <p>4. List on 14.05.2024.</p> <p>5. Let a copy of the order dated 05.10.2023 be provided to learned counsel for the respondents/AFT Legal Cell for compliance.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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Court No. 2(Sl. No. 4)

EX. A. No. 34 of 2023 Inre T.A. No. 24 of 2012

Ex Gnr Yogendra Singh

Applicant

By Legal Practitioner for the Applicant : Shri Pushpendra Kumar Dhaka and
Shri Ramakant Gupta, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Namit Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none"> On the case being taken up for hearing, Shri Pushpendra Kumar Dhaka, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. counsel for the respondents, through virtual mode, are present. Affidavit of compliance has not been filed. Learned counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs. 5000/- shall be paid by the respondents which shall be paid to the applicant. Respondents are also directed to file affidavit of responsible officer regarding present status and cause of the delay in implementation of the order. Respondents are also directed to deposit all cost due against them by the next date of listing which shall be remitted to the applicant. List on 04.04.2024. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Maj Gen Sanjay Singh) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Anil Kumar) Member (J)</p> </div> </div> <p>SB/-</p>

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Court No. 2(Sl. No. 5)

EX.A. No. 100 of 2023 Inre O.A. No. 850 of 2021

Ex Hav Sharafat Minya

Applicant

By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Shyam Singh, 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 submits that Govt. Sanction has been accorded on 01.02.2024 and implementation of the order is under process. He prays for and is granted four weeks further time, as last opportunity, to file affidavit of compliance failing which cost of Rs. 5000/- shall be paid by the respondents which shall be paid to the applicant.</p> <p>4. List on 16.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 6)

EX. A. No. 238 of 2023 Inre O.A. No. 300 of 2022

Mrs Kamlesh Singh, M/O Late Lt Akash Chaudhary Applicant
By Legal Practitioner for the Applicant : Shri Pawan Bisht and
Ms. Priyanka Chaudhary, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri KK Singh Bisht, Advocate is present through virtual mode, and submits that he wants to file Vakalatnama on behalf of the applicant.</p> <p>2. Dr. Chet Narayan Singh, Ld. counsel for the respondents is present.</p> <p>3. Affidavit of compliance has not been filed.</p> <p>4. Learned counsel for the respondents submits that compliance for implementation of the order is under process. He prays for and is granted four weeks further time, as last opportunity, to file affidavit of compliance.</p> <p>5. List on 16.05.2024.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Maj Gen Sanjay Singh) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Anil Kumar) Member (J)</p> </div> </div> <p>SB/-</p>

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Court No. 2(Sl. No. 7)

EX.A. No. 17 of 2023 Inre O.A. No. 585 of 2020

Ex Rect Vijay Pratap Yadav

Applicant

By Legal Practitioner for the Applicant : Shri Yashraj Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance.</p> <p>4. List on 16.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 8)

O.A. No. 220 of 2016

Radhey Shyam Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh, 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>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rohit Kumar, Advocate holding brief of Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. counsel for the respondents are present.</p> <p>2. Applicant was granted time to file affidavit in regard to pending dues and amount paid to him. Affidavit regarding required clarification filed by the applicant is taken on record.</p> <p>3. Respondents may file objection/reply, if any, within two weeks.</p> <p>4. List on 04.04.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 9)

O.A. No. 232 of 2023

Smt Kalpana Tripathi W/o Late Hav Yatindra Kumar Tripahti Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ankur Rawat, Advocate holding brief of Shri Ashok Kumar, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. counsel for the respondents are present.</p> <p>2. Rejoinder affidavit filed on behalf of the applicant is taken on record.</p> <p>3. List for hearing on 30.04.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

Court No. 2(Sl. No. 10)

O.A. No. 333 of 2023

Ex Hav Narendra Singh Chauhan Applicant
By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Shri Raj Kumar Tiwari
and Shri Rahul Dev Tripathi, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Dev Tripathi, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. counsel for the respondents are present.</p> <p>2. In this case, applicant was granted time to move amendment application but amendment application has not been moved.</p> <p>3. Today arguing counsel is not present. On previous date also, he was absent. Last opportunity of two weeks is granted to move amendment application, if any, failing which this O.A. will be dismissed in non prosecution.</p> <p>4. List on 07.03.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2(SI. No. 11)

O.A. No. 684 of 2023 with M.A. No. 824 of 2023

Ex Sub Maj (Hony Capt) Ram Gopal Singh

By Legal Practitioner for the Applicant : Shri VP Pandey and Shri RK Singh, Advocates

Versus

Union of India & Others

By Legal Practitioner for Respondents: Shri RKS Chauhan, Advocate

Applicant

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>22.02.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div> <div><div>1. On the case being taken up for hearing, Shri VP Pandey and Shri RK Singh, Ld. Counsel for the applicant and Maj Naman Gupta, Departmental Representative for the respondents are present. Shri RKS Chauhan, Ld. counsel for the respondents is not present.</div><div>M.A. No. 824 of 2023</div><div><div>2. There is delay of 03 years, 01 month and 14 days in filing Original Application.</div><div>3. On request of learned counsel for the respondents time was granted to file objection. Several opportunities have been availed but objection has not been filed.</div><div>4. Submission of learned counsel for the applicant is that it is pensionary matter in which bar of limitation is not applicable being recurring cause of action and therefore, delay is condonable.</div><div>5. We have perused the affidavit annexed along with delay condonation application moved by the applicant and we are of the view that ground shown in affidavit filed in support of application is sufficient. Delay condonation application is allowed and delay in filing application is condoned. Delay condonation application stands disposed off.</div><div>O.A. No. 684 of 2023</div><div><div>6. This O.A. has been filed for revision of commutation as per 7th CPC.</div><div>7. Matter needs adjudication.</div><div>8. Admit.</div><div>9. Counter affidavit has already been filed by the respondents which is taken on record.</div><div>10. Learned counsel for the applicant submits that he is not inclined to file rejoinder affidavit.</div><div>11. List for hearing on 09.04.2024.</div></div><div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div><div>SB/-</div></div></div>

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u></p> <p><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></p> <p><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Dev Tripathi, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents are present.</p> <p>2. Amendment application moved on behalf of the applicant is taken on record.</p> <p>3. List on 12.04.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</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. 1003 of 2023

Ex Hav Rohit Kumar Applicant
By Legal Practitioner for the Applicant : Shri Dhiraj Kumar, Shri Rahul Pal and
Shri Tatsat Shukla, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Ms. Kavita Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. counsel for the respondents are present.</p> <p>2. Counter affidavit filed by the respondents and rejoinder affidavit filed by the applicant are taken on record.</p> <p>3. List for hearing on 16.05.2024.</p> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/-</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. 1347 of 2023

Ex Sub (Hony Lt) Gyanendra Singh Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi, Shri Girish Chandra
Tripathi and Shri Prateek Mishra, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Ram Saran Awasthi, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ram Saran Awasthi, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is granted four weeks further time to file counter affidavit.</p> <p>4. List on 17.05.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/-</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. 53 of 2024 with M.A. No. 63 of 2024

Smt Malti Devi W/o Ex Late Sep Rishi Pal Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Dr. Chet Narayan Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Dr. Chet Narayan Singh, Ld. counsel for the respondents No. 1 to 4 are present.</p> <p>2. Objection on delay, filed by the respondents No. 1 to 4 is taken on record.</p> <p>3. Issue notice to respondents No. 5 & 6 returnable within four weeks. Applicant is directed to take step within a week.</p> <p>4. List on 24.05.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

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

Court No. 2(Sl. No. 17)

O.A. (A). No. 377of 2023

Ex L/Nk Pramod Kumar Appellant
By Legal Practitioner for the Appellant : Col Ashok Kumar (Retd) and
Shri Rohit Kumar, 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>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rohit Kumar, Ld. Counsel for the appellant and Ms. Appoli Srivastava, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Counter affidavit filed by the respondents is taken on record.</p> <p>3. Rejoinder affidavit, if any, may be filed within a week.</p> <p>4. List on 07.03.2024.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/-</p>

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

Court No. 2(Sl. No. 18)

O.A. (A). No. 430 of 2023 with M.A. No. 525 of 2023

Ex L/Nk Mohammed Shahab Alam
(Through wife Smt Saba Perveen)
By Legal Practitioner for the Appellant : Shri Brijendra Singh, Shri Rohit Kumar
and Shri Romil Pathak, Advocates

Appellant

Versus

Union of India & Others
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>22.02.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Maj Gen Sanjay Singh, Member (A)</div></div><div><div>1. On the case being taken up for hearing, Shri Rohit Kumar, Ld. Counsel for the appellant and Shri Amit Jaiswal, Ld. counsel for the respondents are present.</div><div>2. Objection on bail application filed by the respondents is taken on record.</div><div>3. List for hearing on bail application on 27.02.2024.</div></div><div><div>(Maj Gen Sanjay Singh)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div></div>
	SB/-

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

Court No. 2(Sl. No. 19)

O.A. (A). No. 1400 of 2023 with M.A. No. 2027 of 2023

Ex Sep Birendra Singh

Appellant

By Legal Practitioner for the Appellant : Shri SN Singh Gaherwar, Shri Ajit Singh Gaherwar
and Shri Satya Narayan Mishra, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri SN Singh Gaherwar, Ld. Counsel for the appellant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents are present.</p> <p>2. Objection on maintainability of the O.A. filed by the respondents is taken on record.</p> <p>3. Reply, if any, may be filed within a week.</p> <p>4. List on 23.04.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</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. 1415 of 2023 with M.A. No. 2050 of 2023

Gnr (TA) Abhishek Kumar Mishra
(Through Pairokar)
Appellant
By Legal Practitioner for the Appellant : Shri Manoj Kumar Awasthi and
Shri Prateek Mishra, Advocates

Versus

Union of India & Others
Respondents
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the appellant and Shri Amit Jaiswal, Ld. counsel for the respondents are present.</p> <p>2. This Original Application (Appeal) has been filed by the appellant under section 15 of the AFT Act, 2007 to quash and set aside sentence order dated 03.08.2023 passed by GCM.</p> <p>3. Heard learned counsel for the appellant and learned counsel for the respondents.</p> <p>4. This appeal is maintainable under section 15 of AFT Act, 2007. It is fit case for admission. We admit the appeal for hearing on merit. The respondents may file counter affidavit within four weeks.</p> <p><u>M.A. No. 2050 of 2023</u></p> <p>5. This application has been moved by the appellant under section 15 (3) of AFT Act, 2007, read with section 389(3) of the Code of Criminal Procedure and Rule 25 of the AFT (Procedure) Rules, 2008 for suspension of sentence and release of the appellant on bail.</p> <p>6. Objection on bail application filed by the respondents is taken on record.</p> <p>7. Heard learned counsel for the appellant and learned counsel for the respondents.</p> <p>8. The appeal of the appellant has been admitted for hearing on merit. The GCM has passed sentence of dismissal of the appellant from service and 01 year rigorous imprisonment. The appellant is under incarceration w.e.f. 02.08.2023, i.e. more than 6 months. The appellant has deposited back entire embezzled amount mentioned in the charge sheet.</p>

	<p>9. It is also submitted by learned counsel for the appellant that appellant even before charge sheet dated 18.07.2023 was raised against him, compounded the offence and deposited back the entire embezzled amount back to the URC Canteen as mentioned in the charge sheet.</p> <p>10. The appeal may take time in its final disposal. We consider it as a fit case for merit.</p> <p>11. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, we are of the view that it is a fit case for bail.</p> <p>12. In view of above, the application for bail is allowed. The Appellant shall be released on bail forthwith on his furnishing a personal bond of Rs. 50,000/- (Fifty Thousand only) with two sureties in the like amount to the satisfaction of the Registrar of this Tribunal. On furnishing sureties, as stated above, Registrar shall then issue the release order, which in turn will be conveyed to the concerned Jail Superintendent, Central Jail, Amritsar, wherein the appellant is presently confined and serving out his sentence. The appellant after release on bail shall attend Armed Forces Tribunal on each and every date of hearing. He shall not indulge in any criminal activity or commission of any crime after being released on bail. He shall surrender his passport (if any) and shall not leave the Country without the prior permission of this Tribunal where his case is pending. The appellant shall not cause any hindrance in pending proceedings and shall fully cooperate in peaceful hearing of the appeal. The appellant shall not leave the jurisdiction of this Tribunal without proper permission of the Tribunal. In case any complaint with regard to his conduct during the period of bail is received, the respondents will be free to apply for cancellation of the bail granted by this Tribunal.</p> <p>13. After release of the appellant, the bail bonds furnished for his release, shall be kept on record of this Original Application.</p> <p>14. M.A. No 2050 of 2023 stands disposed of accordingly.</p> <p>15. List this case on 22.03.2024.</p> <p>16. Let a copy of this order be provided to learned counsel for the parties for their necessary action and compliance.</p> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/-</p>
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 21)

O.A. No. 544 of 2019 with M.A. No. 851 of 2019

Sub Maj (RT) Ran Bahadur Singh

Applicant

By Legal Practitioner for the Applicant : Shri Vinay Misra and

Shri Yashpal Singh, 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>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Yashpal Singh, Ld. Counsel for the applicant and Shri RC Shukla, Ld. counsel for the respondents are present.</p> <p>2. Respondents are directed to submit present status of the statutory complaint dated 29.01.2019 filed by the applicant (Annexure -8 of the O.A.), till next date of listing.</p> <p>3. List on 05.04.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

Smt Radha Devi W/o Late Shaheed Dinesh Singh Bhadauriya Petitioner
By Legal Practitioner for the Petitioner : **Shri Raj Kumar Mishra, Advocate**

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri JN Mishra and Shri Amit Asthana, Advocates

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Raj Kumar Mishra, Ld. Counsel for the petitioner, through virtual mode, and Shri JN Mishra, 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 for hearing on 26.04.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: right;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>

Smt Sadhna Devi W/o Late Arbeshanker Rajdhari Yadav	Petitioner
By Legal Practitioner for the Petitioner :	Shri Sudeshwar Maurya, Shri DP Singh, Shri Abhishek Yadav, Shri Shivendra Pratap Singh and Yashpal Singh, Advocates
Versus	
Union of India & Others	Respondents
By Legal Practitioner for Respondents:	Shri Somesh Singh, Shri Sanjay Kumar Singh and Shri Chandra Sewak, Advocates

Notes of the Registry	Orders of the Tribunal
	<p><u>22.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Sudeshwar Maurya, Shri DP Singh, Shri Abhishek Yadav, Shri Shivendra Pratap Singh and Shri Yashpal Singh, Ld. Counsel for the petitioner and Shri Somesh Singh, Shri Sanjay Kumar Singh and Shri Chandra Sewak, 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 for hearing on 26.04.2024.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Anil Kumar) Member (J) </p> <p>SB/-</p>