

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 (Supp 1)
O.A. No. 188 of 2024 with M.A. No. 238 of 2024

Sep Vikas Chandel (Retd)

Applicant

By Legal Practitioner for the Applicant : Shri Raj Kumar Mishra, Shri Pradeep Kumar Mishra and Ms Upasna Mishra, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Arvind Kumar Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Arvind Kumar Pandey, 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 Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Arvind Kumar Pandey, Ld. Counsel for the respondents are present through virtual mode.</p> <p>3. There is delay of 01 year, 05 months and 17 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 maintainability of this O.A. as well as on delay condonation application.</p> <p>5. List this case 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><i>rathore</i></p>

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

Court No. 2 (Supp 2)

O.A. No. 194 of 2024

Lt Col Shivender Kumar Pandey

Applicant

By Legal Practitioner for the Applicant : Applicant in person

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>23.02.2024</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 Ms Appoli Srivastava, Advocate on behalf of the respondents is taken on record. Her 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, Applicant in person and Ms Appoli Srivastava, Ld. Counsel for the respondents are present through virtual mode.</p> <p>3. Learned counsel for the respondents prays for and is allowed three weeks time to seek instructions and file objection on maintainability.</p> <p>4. List this case on 01.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Supp 3)

O.A. No. 197 of 2024 with M.A. No. 257 of 2024

Nk DSC Ram Pratap (Retd)

Applicant

By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, Advocate
Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Arun Kumar Sahu, 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 Sarvesh Kumar Verma, Ld. Counsel for the applicant is present through virtual mode and Shri Arun Kumar Sahu, Ld. Counsel for the respondents is present in Court.</p> <p><u>M.A. No. 257 of 2024</u></p> <p>3. There is delay of 01 years, 05 months and 18 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. Heard learned counsel for the parties on delay condonation application and perused the record.</p> <p>7. 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>8. Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p><u>O.A. No. 197 of 2024</u></p> <p>9. Matter being related to grant of second service pension needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. List this case on 21.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Supp 4)

O.A. No. 198 of 2024 with M.A. No. 258 of 2024

Nb Sub DSC Sumer Singh (Retd)

Applicant

By Legal Practitioner for the Applicant : Shri Sarvesh Kumar Verma, 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>23.02.2024</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 in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Sarvesh Kumar Verma, Ld. Counsel for the applicant is present through virtual mode and Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present in Court.</p> <p>3. There is delay of 23 years, 07 months and 03 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 file objection on application for condonation of delay.</p> <p>5. List this case on 08.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Supp 5)

O.A. No. 201 of 2024 with M.A. No. 261 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: Mrs Kavita Mishra Belaura, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Mrs Kavita Mishra Belaura, Advocate on behalf of the respondents is taken on record. Her 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 KP Datta, Ld. Counsel for the applicant and Mrs Kavita Mishra Belaura, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 261 of 2024</u></p> <p>3. There is delay of 01 months and 19 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. Heard learned counsel for the parties on delay condonation application and perused the record.</p> <p>7. 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>8. Accordingly, delay in filing of application is condoned. Application stands decided accordingly.</p> <p><u>O.A. No. 201 of 2024</u></p> <p>9. Matter being related to grant of second service pension needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. Learned counsel for the applicant submits that there is some typographical error in the O.A. which requires correction. On request being made on behalf of the applicant, prayer is allowed. Applicant is directed to amend the address in array of parties during course of the day.</p> <p>13. List this case on 21.05.2024.</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 style="text-align: left;"><i>rathore</i></p>

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

Court No. 2 (Supp 6)

Ex-A/78 of 2024 Inre O.A. No. 915 of 2023

Ex Nk (TS) Jagdish Prasad

Applicant

By Legal Practitioner for the Applicant : Shri Vijay Kumar Pandey, 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>23.02.2024</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 respondent respondent No 1 to 3 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>3. Issue notice to respondent No 4, 5 and 6 returnable within four weeks. Steps within a week.</p> <p>4. List on 30.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 1)

Dy No 224 of 2024

Nk (XRA) Vivek Kundu

Applicant

By Legal Practitioner for the Applicant : Wg Cdr Ajit Kakkar (Retd) 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>23.02.2024</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, Ms Chhabi Yadav, holding brief for Wg Cdr Ajit Kakkar (Retd) Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant is present through virtual mode and Shri Amit Jaiswal, Ld. Counsel for the respondents is present in Court.</p> <p>2. In this case registry has raised objection that delay condonation application has not been filed.</p> <p>3. Applicant is directed to rectify the defect within two weeks.</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: right;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p>

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

Court No. 2 (Ser 2)

Ex-A/270 of 2022 Inre O.A. No. 526 of 2019

Ram Chander

Applicant

By Legal Practitioner for the Applicant : Shri Anand Yadav, Advocate

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>23.02.2024</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 GS Sikarwar, Ld. Counsel for the respondents is present in Court. Learned counsel for the applicant is not present.</p> <p>2. Affidavit of compliance filed on behalf of the respondents is taken on record.</p> <p>3. Objection, if any, may be filed by learned counsel for the applicant within two weeks.</p> <p>4. List on 09.05.2024.</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><i>rathore</i></p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 (Ser 3)
Ex-A/350 of 2023 Inre O.A. (A) No 509 of 2021

Hav Anil Kumar Mishra

Appellant

By Legal Practitioner for the Appellant : Shri Virat Anand Singh, 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>23.02.2024</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 Virat Anand Singh, Ld. Counsel for the appellant is present in Court and Shri Yogesh Kesarwani, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. This execution application has been filed by the appellant on 25.09.2023 for implementation of order dated 20.04.2023 passed in O.A. (A) No 509 of 2021. By order dated dated 20.04.2023, this O.A. (A) was allowed and impugned orders passed by the respondents were set aside. The respondents were directed to grant promotion to the appellant at par with his batch mates with other consequential benefits in accordance with rules within a period of four months from the date of the order.</p> <p>3. Respondents were granted time to seek instructions and file affidavit of compliance but, compliance affidavit has not been filed.</p> <p>4. Appellant has filed supplementary affidavit which is taken on record.</p> <p>5. Respondents have filed progress report and present status of the execution case, which is taken on record.</p> <p>6. Heard learned counsel for the parties and perused the record.</p> <p>7. Learned counsel for the appellant submits that respondents are causing delay in implementation of the order and applicant will be discharged from service w.e.f. 31.05.2024 (AN).</p> <p>8. Learned counsel for the respondents submits that after taking legal advice, respondents had filed leave to appeal which has been dismissed by order dated 03.07.2023. Learned counsel for the respondents further submits that since respondents are in process of filing appeal in the Hon'ble Supreme Court against order of this Tribunal, therefore order cannot be implemented.</p> <p>9. Learned counsel for the respondents prays for and is granted two weeks further time to file affidavit of compliance on payment of cost of Rs 10,000/- or stay order, if any.</p> <p>10. 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><i>rathore</i></p>

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

Court No. 2 (Ser 4)

O.A. No. 510 of 2023 with M.A. No. 609 of 2023
and M.A. No. 610 of 2023

Nb Sub Birendra Singh Applicant
By Legal Practitioner for the Applicants : Shri DS Kauntae, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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, Dr. Shailendra Sharma Atal, learned counsel for the respondents is present through virtual mode. Learned counsel for the applicant is not present. There is no mention or prayer for adjournment on behalf of the applicant's counsel.</p> <p>2. The record shows that applicant was also not present on previous date.</p> <p>3. In view of the above, the case is dismissed in default.</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><i>rathore</i></p>

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

Court No. 2 (Ser 5)

O.A. No. 574 of 2023

Mrs Devaki Maya Gurung

W/o late Ex Rfn Dhan Bahadur Gurung

Applicant

By Legal Practitioner for the Applicant : Col AK Srivastava (Retd), Shri Dharam Raj Singh and Shri Amrenndu Srivastava, 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>23.02.2024</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 is present in Court and Shri Asheesh Agnihotri, 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 on 16.05.2024 for hearing.</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><i>rathore</i></p>

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

O.A. No. 610 of 2023

Nb Sub (Opr) Pradeep Kumar Singh Applicant
By Legal Practitioner for the Applicant : Shri Manoj Kumar Awasthi and Shri Anshuman
Srivastava, 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>23.02.2024</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 Veer Raghav Chaubey, Advocate holding brief for Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>2. Rejoinder affidavit has not been filed.</p> <p>3. On request of brief holder two weeks further time is allowed for filing rejoinder affidavit, otherwise opportunity to file rejoinder affidavit shall be closed.</p> <p>4. List on 16.05.2024 for hearing.</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><i>rathore</i></p>

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

Court No. 2 (Ser 7)

O.A. No. 703 of 2023

Ex Sub Maj (RT) Krishan Baldev Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Yashpal Singh, Advocate

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>23.02.2024</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 respondents and Shri GS Sikarwar, Ld. Counsel for the respondents are present.</p> <p>2. Rejoinder affidavit has not been filed on behalf of the applicant.</p> <p>3. Learned counsel for the applicant prays for and is allowed three weeks further time as last opportunity to file rejoinder affidavit.</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: right;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p>

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

Court No. 2 (Ser 8)

O.A. No. 754 of 2023

Ex Sgt Ravi Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Dheeraj Kumar and Shri Rahul Pal, Advocates
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>23.02.2024</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 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 to file counter affidavit on payment of cost of Rs 500/-.</p> <p>4. List on 17.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 9)

O.A. No. 771 of 2023

Smt Salochana Devi W/o Ex Hav
(late) Lakshman Singh

Applicant

By Legal Practitioner for the Applicant :Lt Col Nidhikant Dhyani (Retd), Ms Upasna Mishra
and Shri Raj Kumar Mishra, 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>23.02.2024</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 applicant is present through virtual mode and Shri RC Shukla, Ld. counsel for the respondents is present in Court.</p> <p>2. Today is the last opportunity for filing rejoinder affidavit but, rejoinder affidavit has not been filed, therefore, opportunity to file rejoinder affidavit is hereby closed.</p> <p>3. List on 17.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 10)

O.A. No. 997 of 2023

Ex Sub Durga Shanker Pathak

Applicant

By Legal Practitioner for the Applicant : Shri Tatsat Shukla, Shri Dhiraj Kumar and Shri Rahul Pal, 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>23.02.2024</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">1. Heard Shri Rahul Pal, Ld. Counsel for the applicant who is present through virtual mode and Mrs Deepti P Bajpai, Ld. Counsel for the respondents who is present in Court.2. Counter affidavit has not been filed even after granting several opportunities.3. Learned counsel for the respondents submits that she will file counter affidavit during course of the day.4. Learned counsel for the respondents is directed to file counter affidavit by today positively.5. Order reserved. <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A)</p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p>

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

Court No. 2 (Ser 11)

O.A. No. 1292 of 2023

Rajesh Kumar W/o Sep (late) Narender Singh Applicant
By Legal Practitioner for the Applicant : Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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, learned counsel for the applicant is present in Court and Shri Rajiv Pandey, learned counsel for the respondents is present through virtual mode.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents submits that parawise comments have not been received. He prays for and is allowed four weeks further time to file counter affidavit.</p> <p>4. Registry is directed to correct name of the applicant in the next cause list.</p> <p>5. List on 17.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 12)

O.A. No. 1341 of 2023

Hav (PTA) Brajesh Kumar Pandey Applicant
By Legal Practitioner for the Applicant : Shri NM Tiwari, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Rajiv Pandey, learned counsel for the respondents is present through virtual mode. Ld. Counsel for the applicant is not present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents submits that parawise comments have not been received. He prays for and is allowed four weeks further time to file counter affidavit.</p> <p>4. List on 17.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 13)

O.A. No. 1445 of 2023 with M.A. No. 2093 of 2023

Nb Sub Achhai Kumar Rai

Applicant

By Legal Practitioner for the Applicant : Shri Vinay Pandey and Shri Sunil Kumar Singh, 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>23.02.2024</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 Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 2093 of 2023</u></p> <p>2. There is delay of 04 years, 09 months and 25 days in filing Original Application. Learned counsel for the applicant has moved application for condonation of delay.</p> <p>3. 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>4. Per contra, learned counsel for the respondents submits that cause shown by the applicant is not sufficient.</p> <p>5. Heard learned counsel for the parties on delay condonation application and perused the record.</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. 1445 of 2023</u></p> <p>8. Matter being related to pay fixation 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 this case on 17.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 14)

O.A. No. 1454 of 2023 with M.A. No. 2104 of 2023

Ex Hony Nb Sub Om Prakash Mishra

Applicant

By Legal Practitioner for the Applicant : Shri Ashok Kumar, 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>23.02.2024</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 Ashok Kumar, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present through virtual mode.</p> <p><u>M.A. No. 2104 of 2023</u></p> <p>2. There is delay of 03 years, 09 months and 27 days in filing Original Application. Learned counsel for the applicant has moved application for condonation of delay.</p> <p>3. Submission of learned counsel for the applicant is that delay in filing of Original Application is not deliberate, but on account of reasons stated in affidavit filed in support of application.</p> <p>4. Per contra, learned counsel for the respondents submits that cause shown for the delay is not sufficient.</p> <p>5. Heard learned counsel for the parties on delay condonation application and perused the record.</p> <p>6. Considering the facts and circumstances of the case, we find that cause shown is sufficient.</p> <p>7. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 1454 of 2023</u></p> <p>8. Matter being related to grant of retiral 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 this case on 21.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 15)

O.A. No. 1455 of 2023 with M.A. No. 2105 of 2023

Ex Hav Yadunath Singh

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>23.02.2024</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 Ashok Kumar, Ld. Counsel for the applicant is present through virtual mode and Shri Rajeev Pandey, Advocate holding brief for Shri Anurag Mishra, Ld. Counsel for the respondents is present in Court.</p> <p>2. On request of brief holder the case is passed over for the day.</p> <p>3. List on 21.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 16)

O.A. No. 1456 of 2023

Dharmendra Kumar Mishra

Applicant

By Legal Practitioner for the Applicant : Shri Hemant Tripathi and Shri Vinay Pandey, 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>23.02.2024</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 Vinay 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, the proceedings could not be held.</p> <p>3. List on 03.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 17)

O.A. No. 1460 of 2023

Ex Hav Shiv Bahadur Gurung

Applicant

By Legal Practitioner for the Applicant : Shri Prakhar Kankan and Shri KKS Bisht, Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Ms Prerna Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 KKS Bisht, Ld. Counsel for the applicant and Ms Prerna Singh, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 18.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 18)

O.A. No. 1463 of 2023

Smt Ranu W/o Nb/Ris Sarder Singh Applicant
By Legal Practitioner for the Applicant : Shri KK Misra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Adesh Kumar Gupta, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Misra, Ld. Counsel for the applicant and Shri Adesh Kumar Gupta, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, the proceedings could not be held.</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: right;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p>

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

Court No. 2 (Ser 20)

O.A. No. 1466 of 2023 with M.A. No. 2125 of 2023

Ram Narayan Yadav F/o Late Sep Ram Bilas Applicant
By Legal Practitioner for the Applicant : Shri R Chandra and Ms Supriya Srivastava,
Advocates

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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, R Chandra, Ld. Counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents are present.</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 16.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 21)

O.A. No. 14 of 2024 with M.A. No. 17 of 2024

Smt Vimla Devi W/o Late Gnr Ganga Singh Applicant
By Legal Practitioner for the Applicant : Shri Shailendra Kumar Singh and Shri Shubham Singh, 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>23.02.2024</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 for Shri Shailendra Kumar Singh, Ld. Counsel for the applicant is present in Court and Shri Asheesh Agnihotri, Ld. Counsel for the respondents is present through virtual mode.</p> <p>2. On request of brief holder, the case is passed over for the day.</p> <p>3. List on 16.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 22)

O.A. No. 75 of 2024 with M.A. No. 89 of 2024

Hony Sub Maj Diwan Singh (Retd)

Applicant

By Legal Practitioner for the Applicant: Shri KKS Bisht, 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>23.02.2024</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 KKS Bisht, 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, the proceedings could not be held.</p> <p>3. List on 18.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 23)

O.A. No. 3 of 2022

Ex Nb Sub Ramesh Kumar

Applicant

By Legal Practitioner for the Applicant : Shri Virat Anand Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Jai Narayan Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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 Virat Anand Singh, Ld. Counsel for the applicant and Shri Jai Narayan Mishra, Ld. Counsel for the respondents are present.</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 30.04.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 24)

O.A. (A) No. 549 of 2017 with M.A. No. 237 of 2024

Om Prakash

Appellant

By Legal Practitioner for the Appellant : Shri Yashpal Singh, Advocate and Appellant in person.

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>23.02.2024</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 appellant is present in Court and Shri Asheesh Agnihotri, Ld. Counsel for the respondents is present through virtual mode..</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 09.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 25)

R.A. No. 19 of 2019 with M.A. No. 211 of 2021 Inre T.A. No. 1257 of 2010

Ex Hav RD Tripathi

Petitioner

By Legal Practitioner for the Petitioner: Shri Yashpal Singh and Shri Shiv Kant Pandey, 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>23.02.2024</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 petitioner is present in Court and Shri Namit Sharma, learned counsel for the respondents is present through virtual mode.</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 28.05.2024.</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><i>rathore</i></p>

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

Court No. 2 (Ser 26)

T.A. No. 55 of 2017

Sgt AK Das

Petitioner

By Legal Practitioner for the Petitioner : Ms Nisha Pandey and Shri Shiv Kant Pandey,
Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2024</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, Ld. Counsel for the petitioner and Shri Rajiv Pandey, Ld. Counsel for the respondents are present through virtual mode.</p> <p>2. Due to paucity of time, the proceedings could not be held.</p> <p>3. List on 28.05.2024.</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><i>rathore</i></p>