

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

Court No. 2(Supl. No. 1)

O.A. No. 184 of 2024 with M.A. No. 232 of 2024

Hav (DMT) Dinesh Chandra (Retd) 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 Sunil Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of Appearance filed by Shri Sunil Sharma, 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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. counsel for the respondents and perused the record.</p> <p><u>M.A. No. 232 of 2024</u></p> <p>3. There is delay of 02 years, 06 months and 04 days in filing Original Application. The applicant has moved application for condoning the delay.</p> <p>4. This O.A. has been filed for refixation/revision of band pay and pay matrix and also payment of arrears of retiral benefits alongwith suitable rate of interest.</p> <p>5. 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>6. 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. 184 of 2024</u></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 24.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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(Supl. No. 2)

O.A. No. 185 of 2024 with M.A. No. 233 of 2024

Hav (DMT) Ravinder Singh Dhanola (Retd) 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: Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, 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 as counsel for the said respondents when the case is listed next.</p> <p>2. Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. counsel for the respondents and perused the record.</p> <p><u>M.A. No. 233 of 2024</u></p> <p>3. There is delay of 02 years, 06 months and 04 days in filing Original Application. The applicant has moved application for condoning the delay.</p> <p>4. This O.A. has been filed for refixation/revision of band pay and pay matrix and also payment of arrears of retiral benefits alongwith suitable rate of interest.</p> <p>5. 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>6. 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. 185 of 2024</u></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 24.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Supl. No. 3)

T.A. No. 2 of 2024

Ex Cpl Subhash Chand Petitioner
By Legal Practitioner for the Petitioner : Shri Shubham Yadav, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, 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 respondents when the case is listed next.</p> <p>2. Vakalatnama filed by Shri Ravi Kumar Yadav and Shri Shubham Yadav on behalf of the applicant is taken on record.</p> <p>3. On the case being taken up for hearing, Shri Shubham Yadav, Ld. Counsel for the petitioner and Shri Ashish Kumar Singh, Ld. counsel for the respondents are present.</p> <p>4. On request of learned counsel for the parties, list this case on 24.05.2024.</p> <div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB</p>

Court No. 2(Sl. No. 1)

Smt Kanti Agnihotri, M/O Late Ex AC Mayank Agnihotri Applicant
By Legal Practitioner for the Applicant : **Wg Cdr Ajit Kakkar (Retd), Advocate**

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

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Wg Cdr Ajit Kakkar (Retd), Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Preliminary objection on recall application filed by the respondents is taken on record.</p> <p>3. List on 08.04.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 2)

EX. A. No. 134 of 2018 Inre O.A. No. 123 of 2010

Smt Durgawati Singh

Applicant

By Legal Practitioner for the Applicant : Shri Virat Anand 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>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri NK Mishra, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Objection against compliance report filed by the applicant is taken on record.</p> <p>3. List on 13.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 3)

EX. A. No. 111 of 2022 Inre O.A. No. 38 of 2021

Swamy Nath, S/o Late Ex Nk Bagedu Singh

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Manu Kumar Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. counsel for the respondents are present.</p> <p>2. Reply to objection on compliance report has not been filed by the respondents.</p> <p>3. Learned counsel for the respondents prays for and is granted two weeks time, as last opportunity, to file reply, if any.</p> <p>4. List on 13.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 4)

M. A. No. 2141 of 2023 Inre O.A. No. 394 of 2017

Naresh Devrao Jadhav

Applicant

By Legal Practitioner for the Applicant : Shri Vinay Pandey, 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>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, 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>2. Learned counsel for the applicant submits that he has deposited cost of Rs. 5000/- in compliance of the order dated 05.02.2024.</p> <p>3. List this case on 26.03.2024 with report of Registry regarding deposition of cost as submitted by learned counsel for the applicant.</p> <p>4. Name of Shri Ashish Kumar Singh, learned counsel for the respondents is not printed in the cause list. Registry is directed to show name of Shri Ashish Kumar Singh as learned counsel for the respondents in the cause list.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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Court No. 2(SI. No. 5)

O.A. No. 239 of 2023 with M.A. No. 249 of 2023, M.A. No. 250 of 2023
and M.A. No. 251 of 2023

Nb Sub Vijay Pal
By Legal Practitioner for the Applicant : Shri DS Kauntae, Advocate

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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, the applicant in person and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Objection against maintainability of O.A. has already been filed by the respondents.</p> <p>3. Today, learned counsel for the applicant is not present. Applicant is present in person and submits that he wants to change his counsel. He prays for and is granted three weeks time to change his counsel, if required.</p> <p>4. List on 26.03.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 7)

O.A. No. 613 of 2023

Nb Sub Rajeev Kumar Applicant
By Legal Practitioner for the Applicant : Shri Parijaat Belaura, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, none is present for the applicant. Shri Ashish Kumar Singh, Ld. counsel for the respondents is present.</p> <p>2. Applicant was directed to take step for issuance of notice to respondent No. 6 but it is reported by the Registry that notice could not be issued for want of step.</p> <p>3. Applicant is directed to take step within two weeks.</p> <p>4. List on 16.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 8)

O.A. No. 708 of 2023

Ex Sub Jitendra Kumar 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: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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 16.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 718 of 2023

Ex Nk Shiv Kishor Gupta Applicant
By Legal Practitioner for the Applicant : Shri Dhiraj Kumar, Shri Tatsat Shukla,
and Shri Rahul Pal, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. counsel for the respondents are present.</p> <p>2. Counter affidavit filed by the respondents is taken on record.</p> <p>3. Applicant is not inclined to file rejoinder affidavit.</p> <p>4. List for hearing on 16.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 10)

O.A. No. 811 of 2023

Hav Sharda Prasad Tiwari Applicant
By Legal Practitioner for the Applicant : Shri Rahul Pal, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Applicant was granted time to file rejoinder affidavit but rejoinder affidavit has not been filed.</p> <p>3. Learned counsel for the applicant prays for and is granted two weeks further time, as last opportunity, to file rejoinder affidavit.</p> <p>4. List on 25.04.2024.</p> <div><div>(Vice Admiral Atul Kumar Jain) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB</p>

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

Court No. 2(Sl. No. 11)

O.A. No. 812 of 2023

Ex Hav (OPR) Suresh Applicant
By Legal Practitioner for the Applicant : Shri Rahul Pal, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Shri JN Mishra, Ld. counsel for the respondents 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 two weeks.</p> <p>4. List on 16.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 12)

O.A. No. 828 of 2023

Ex Hav Kumar Vikaram Gurung Applicant
By Legal Practitioner for the Applicant : Shri VP Pandey and Shri RK Singh, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri VP Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Reply to objection filed by the applicant is taken on record.</p> <p>3. It is submitted by learned counsel for the applicant that applicant is permanent resident of Nepal. He has served in the Indian Army and thereafter, he was re-enrolled in the Defence Security Corps (DSV) and is in receipt of service pension for the first service of Army from respondent No. 4, i.e. PCDA (P) Prayagraj which is within the jurisdiction of this Tribunal.</p> <p>4. It is further submitted that this Tribunal has earlier adjudicated similar applications for the residents of Nepal and pension sanctioning authority, PCDA (P) Prayagraj is the nearest place from his residential place, hence, case of the applicant falls within the territorial jurisdiction of this Tribunal.</p> <p>5. Respondents in their objection against maintainability has submitted that applicant is not original habitant of the Uttar Pradesh and record office of DSC is located at Cannanore (Kannur), hence, this application is not maintainable.</p> <p>6. We have heard learned counsel for the parties and perused the record including objection and reply filed by the parties.</p> <p>7. We are of the view that it is pensionary matter and similar matters of resident of Nepal have been adjudicated by this Tribunal, therefore, objection raised by the respondents against maintainability is hereby rejected.</p> <p>8. Matter needs adjudication.</p> <p>9. Admit.</p> <p>10. 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>11. List on 21.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 13)

O.A. No. 834 of 2023

Ex Nb Sub (PA) AK Tiwari

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri JN Mishra, Advocate

Notes of the Registry	<p>Orders of the Tribunal</p> <p><u>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, 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 JN Mishra, Ld. counsel for the respondents 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 two weeks.</p> <p>4. List on 21.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>
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Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2(Sl. No. 14)

O.A. No. 940 of 2023

Ex Nk Yeshpal Sharma 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Counter affidavit filed on behalf of the respondents is taken on record. 2. Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. counsel for the respondents. 3. For orders, see our order placed on separate sheets.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 15)

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

Ex Nk Dvr Arvind Singh Applicant
By Legal Practitioner for the Applicant : Shri Birendra Kumar Gautam and
Shri Suhel Ahmad Azmi, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Ziauddin Khan, Advocate holding brief of Shri Suhel Ahmad Azmi, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents, through virtual mode, are present.</p> <p>2. Reply to objection on delay filed by the applicant is taken on record.</p> <p>3. On request of brief holder of the applicant, the case is adjourned.</p> <p>4. List on 15.04.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 16)

O.A. No.1012 of 2023 with M.A. No. 1350 of 2023

Smt Rupali G Shinde W/o Late Sep Shinde Ghanashyam Ramchandra 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: Dr. Shailendra Sharma Atal, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u></p> <p><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></p> <p><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Manoj Kumar Awasthi , Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, 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 submits that counter affidavit is under preparation. He prays for and is granted four weeks further time to file counter affidavit.</p> <p>4. List on 24.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 17)

O.A. No. 1212 of 2023

Ex WO (HFO) Brij Bhushan Sharma Applicant
By Legal Practitioner for the Applicant : Shri Keshav Sharma and
Shri Pradeep Kumar 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Keshav Sharma, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. counsel for the respondents are present through virtual mode.</p> <p>2. Learned counsel for the respondents prays for and is granted two weeks further time, as last opportunity, to file supplementary affidavit.</p> <p>3. List on 24.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>

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

Court No. 2(Sl. No. 18)

O.A. No. 1453 of 2023 with M.A. No. 2103 of 2023

Hav (MACP Nb Sub) Dharam Singh (Retd) Applicant
By Legal Practitioner for the Applicant : Dr. Amit Asthana, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Dr. Amit Asthana, Ld. Counsel for the applicant and Ms. Kavita Mishra, Ld. counsel for the respondents.</p> <p><u>M.A. No. 2103 of 2023</u></p> <p>2. There is delay of 11 months and 12 days in filing Original Application. The applicant has moved application for condoning the delay.</p> <p>3. 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>4. 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. 1453 of 2023</u></p> <p>5. This O.A. has been filed for grant of notional increment.</p> <p>6. Matter needs adjudication.</p> <p>7. Admit.</p> <p>8. 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>9. List on 24.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 19)

O.A. No. 106 of 2013 with M.A. No. 464 of 2020

Mahabir Singh
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Kishore Rai, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents are present through virtual mode.</p> <p>2. Amicus Curie, Shri Kishore Rai, learned counsel for the applicant has prayed that this case may be listed at Circuit Bench, Nainital as the applicant is detained in Dehradun.</p> <p>3. List this matter before Circuit Bench, Nainital on 11.03.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 20)

O.A. No. 415 of 2021

Smt Poonam Singh Wife of Sep (Late) Ajay Kumar Singh 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, Shri Amit Jaiswal, Shri Bhanu Pratap Singh Chauhan and Shri JN Mishra, Advocates

Notes of the Registry	Orders of the Tribunal
	<p><u>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. counsel for the respondents No. 1 to 5, Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the respondents No. 6 & 7 and Shri JN Mishra, Ld. Counsel for the respondent No. 8 are present.</p> <p>2. Counter affidavit has already been filed on behalf of the respondents No. 1 to 5.</p> <p>3. Respondent No. 8, i.e. The New India Assurance Co. Ltd., Mumbai LCBO-II, New India Centre, Ground Floor, 17 Cooperage Road, Mumbai – 400039 has denied that any claim intimation or claim documents with regard to payment of personal accident death claim of the applicant's husband has been received by the Insurance company.</p> <p>4. Respondent No. 8, The New India Assurance Co. Ltd. also denied that photocopy of claim rejection letter (page 28), attached as Annexure to counter affidavit filed by the respondents No. 1 to 5 and submitted that no such letter has been sent to Axis Bank Ltd., PB Marg, Worli, Mumbai by the New India Assurance Co. Ltd. Mumbai.</p> <p>5. Respondent No. 8 is directed to file affidavit denying receipt of documents of personal accident death claim and its rejection letter as mentioned in Annexure (Page 28) of counter affidavit filed by the respondents No. 1 to 5 within two weeks.</p> <p>6. Counter affidavit has not been filed on behalf of the respondents No. 6 & 7. In this regard, learned counsel for the respondents No. 6 & 7 submits that despite sending several letters to the Bank and also intimation given</p>

	<p>telephonically, Bank is not responding to file counter affidavit.</p> <p>7. Branch Managers of Axis Bank of Kapurthala and Mumbai, i.e. respondents No. 6 & 7 are directed to appear before the Bench on the next date fixed to clarify the facts, otherwise adverse inference may be drawn regarding sending of claim of applicant by them to the concerned Insurance Company, i.e. respondent No. 8 for payment of personal accident insurance death claim of DSP account of husband of the applicant.</p> <p>8. List on 03.05.2024.</p> <p>9. Copy of order be provided to learned counsel of the respondents No. 6 & 7 in usual way.</p> <div><div>(Vice Admiral Atul Kumar Jain) 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. 634 of 2023

Ex Sep Anurag Applicant
By Legal Practitioner for the Applicant : Shri Ashok Kumar and
Shri Pramod Kumar Tripathi, Advocates

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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Anurag Mishra, Ld. counsel for the respondents through virtual mode.</p> <p>2. For orders, see our order placed on separate sheets.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 22)

O.A. No. 861 of 2023

Ex Hav (ACP NB Sub) Santosh Kumar

Applicant

By Legal Practitioner for the Applicant : Shri KP Datta, 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>26.02.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri KP Datta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. counsel for the respondents are present.</p> <p>2. Due to paucity of time, case could not be taken up for hearing.</p> <p>3. List on 06.05.2024.</p> <p>(Vice Admiral Atul Kumar Jain) 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. 23)

O.A. (A). No. 3 of 2013

Shyambir Singh Appellant
By Legal Practitioner for the Appellant : Shri DS Kauntae, 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>26.02.2024</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, none is present for the appellant. Dr. Shailendra Sharma Atal, Ld. counsel for the respondents is present through virtual mode.</p> <p>2. Due to paucity of time, case could not be taken up for hearing.</p> <p>3. List on 29.04.2024.</p> <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB</p>