

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 267 of 2013 with M.A. No. 76 of 2017

Kitab Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri O.P. Kushwaha, Advocate holding brief of Shri K.K. Mishra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri O.P. Kushwaha submits that Shri K.K. Mishra, learned counsel for the applicant is out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 25.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 179 of 2016 with M.A. No. 2338 of 2016

Anil Kumar Tiwari

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p><u>M.A. No. 2338 of 2016</u></p> <p>Counter affidavit, filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p><u>M.A. No. 817 of 2017</u></p> <p>Rejoinder affidavit, filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Pleadings have been exchanged.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

O.A. No. 225 of 2016

Prem Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file rejoinder affidavit.</p> <p>List this case on 18.07.2017 for hearing showing the name of Shri Ashish Kumar Singh as learned counsel for the respondents in place of Shri Virendra Kumar Singh.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

O.A. No. 269 of 2016

Rejendra Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

O.A. No. 301 of 2016

Smt. Radha Devi W/o Late Sub Pratap Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri D.C. Lohumi, learned counsel appearing for the Bank.</p> <p>On call of the case, Maj Piyush Thakran, Departmental Representative submits that Shri Anurag Mishra, learned counsel for the respondents is out of station and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on 23.05.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

T.A. No. 218 of 2010

Rajesh Pandey

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the petitioner and Shri D.K. Pandey, learned counsel for the respondents.</p> <p>As prayed, list this case on 29.05.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record including medical documents at the time of enrolment of the petitioner for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

T.A. No. 760 of 2010

Radhey Ram

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, Maj Piyush Thakran, Departmental Representative submits that Dr. Shailendra Sharma Atal, learned counsel for the respondents is out of station and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on 07.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench in terms of earlier order dated 20.04.2017.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

	SB
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Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 24 of 2012

Yogendra Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
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11.05.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

Present: Shri Ratnesh Chandra, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.

As prayed, list this case on **26.05.2017** for hearing to enable learned counsel for the parties to submit synopsis and compilation of case laws pertaining to the case for perusal of the Bench.

(Lt Gen Gyan Bhushan)
Member (A)

SB

(Justice D.P. Singh)
Member (J)

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 12 of 2014

Sumont Gupta

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Veer Raghav Chaubey, Advocate holding brief of Shri Abhishek Singh, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri Veer Raghav Chaubey submits that Shri Abhishek Singh, learned counsel for the petitioner is out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 29.05.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 172 of 2010 with M.A. No. 1446 of 2016

Kapil Dev Mishra

Petitioner

By Legal Practitioner for Petitioner

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>While dictating the judgment, we felt that the controversy in question requires rehearing, since the attention of the Tribunal was not drawn to certain material facts.</p> <p>Accordingly, list this case on 30.05.2017 for rehearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 785 of 2017

Inre: O.A. No. Nil of 2017

Kamlesh Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Mohd Zafar Khan, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri RN Tripathi, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 785 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 01 years, 08 months and 24 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 05.04.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 18.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 800 of 2017
Inre: O.A. No. Nil of 2017

Raj Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Dr Shesh Narain Pandey, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 800 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 13 years, 09 months and 15 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 09.05.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 23.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 801 of 2017

Inre: O.A. No. Nil of 2017

Hom Bahadur Chhetri

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A. No. 801 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 05 years, 09 months and 04 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 09.05.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 25.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 806 of 2017

Inre: O.A. No. Nil of 2017

Vijay Bahadur Rai

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Ashish Saxena, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri BB Tripathi, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p><u>M.A. No. 806 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 10 years, 10 months and 06 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 09.05.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted six weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 11.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 79 of 2017

Inre: M.A. No. 995 of 2016

Parshu Ram

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Kaushik Chatterji, Advocate is taken on record. His name be shown as learned counsel for the respondents.</p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p><u>EX-A. No. 79 of 2017</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 10th August 2016 passed in M.A. No. 995 of 2016 Inre: O.A. No. Nil of 2016.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 362 of 2017

Inre: O.A. No. Nil of 2017

Smt Janki Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>Objection to the delay condonation application filed by Shri Kaushik Chatterji, learned counsel for the respondents is taken on record.</p> <p>Shri KKS Bisht, learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by learned counsel for the respondents.</p> <p>List this case on 12.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 797 of 2017 With M.A. No. 798 of 2017

Inre: O.A. No. 445 of 2012

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Man Singh

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yogesh Kesarwani, learned counsel for the applicant alongwith Maj Piyush Thakran, Departmental Representative.</p> <p><u>MA. No. 797 of 2017</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 08.03.2017 passed by this Court in O.A. No. 445 of 2012.</p> <p>As per stamp reporter's report, there is delay of 28 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments”</i> and since <i>“the claim on</i></p>

account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”

The Hon’ble Supreme Court further observed as under :

“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitationThey cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.

In view of the decision of the Hon’ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is hereby rejected.

M.A. No 798 of 2017

This is an application under section 31 (1) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal, having been moved by the applicant beyond the period of 30 days. Since the application for condonation of delay in moving this application has been rejected, in consequence thereof, this application is also liable to be rejected.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice D.P. Singh)
Member (J)

RS/-

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 1780 of 2016 With M.A. No. 794 of 2017

Inre: O.A. No. Nil of 2016

Bhagwat Prasad Lal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Arun Kumar Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 794 of 2017</u></p> <p>Objection to the delay condonation application filed by Shri Ashish Kumar Singh, learned counsel for the respondents is taken on record.</p> <p>Shri Arun Kumar Pandey, learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by learned counsel for the respondents.</p> <p>List this case on 26.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4
[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 155 of 2014

Sita Ram

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Judgment is not ready. List for re-hearing on 23.05.2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>rpm/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 25 of 2017

Inre: T.A. No. 1473 of 2010

Nand Lal Gupta

By Legal Practitioner for Petitione

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri DC Lohumi, Advocate on behalf of the Bank, respondent no.5 is taken on record. His name be shown as learned counsel for the respondent no.5, when the case is next listed.</p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner, Shri Sunil Sharma and Shri DC Lohumi, learned counsel for the respondents.</p> <p><u>EX-A. No. 25 of 2017</u></p> <p>It has been submitted and pleaded by the learned counsel for the respondents that the petitioner is being paid disability pension, but the arrears has not been paid by the bank, though the PPO has been communicated to the Branch Manager concerned.</p> <p>Shri Sunil Sharma, learned counsel for the Union of India has produced the copy of the order dated 3rd October 2016 which indicates that the copy of the PPO has also been sent to the Branch Manager of the Bank i.e. respondent no.5, hence there appears no justification to pay the disability pension, but deny the arrears of disability pension, more so admittedly since it is mentioned in PPO issued to the respondent no.5.</p> <p>In view of the above, we direct the Branch Manager, State Bank of India, Rajdhani District Gorakhpur, respondent no.5 to pay the interest @10% from Ist February 2017 till date the arrears of disability pension is paid to the petitioner. We are passing this order keeping in view the various pronouncements of the Hon'ble Apex Court, where Their Lordship held that in the event of delay in payment of pension, the petitioner shall be entitled to get interest. In the present case, inspite of the communication of the PPO to the Bank, respondent no.5, the Bank has not paid the arrears of disability pension to the petitioner.</p> <p>Accordingly, whatever has been paid to the petitioner in pursuance</p>

of the PPO, in addition to it, 10% interest shall be paid by the respondent Bank to the petitioner w.e.f. 1st February 2017 till the arrears is actually paid to the petitioner. It shall be open to the Chief General Manager of State Bank of India to recover the interest from the officer of the respondent Bank, because of whose fault, the arrears has not been paid to the petitioner.

List this case on **30.06.2017** for orders.

Shri DC Lohumi, learned counsel for the respondent Bank shall submit the status report by the next date.

Let a copy of this order be given to the learned counsel for the parties within 48 hours.

Let the present order be sent to the Chairman, State Bank of India, Mumbai for compliance by the Registrar of the Tribunal.

(Lt Gen Gyan Bhushan)
Member (A)

(Justice D.P. Singh)
Member (J)

PKG

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 31 of 2017
Inre: T.A. No. 11 of 2014

Ayodhya Prasad
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri RK Dixit, learned counsel for the petitioner¹ and Shri Namit Sharma, learned counsel for the respondents.</p> <p>As prayed by Shri Namit Sharma, learned counsel for the respondents, list this case on 25.05.2017 for orders to enable him to submit the compliance report.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 986 of 2013

Smt Meera Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri OP Kushwaha, Advocate holding brief of Shri Ashok Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Shri OP Kushwaha, Advocate submits that Shri Ashok Kumar, learned counsel for the applicant has not come to the Court as he is sick and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on 19.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 1884 of 2014

Smt Mithilesh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SSL Srivastava, learned counsel for the applicant and Shri Amit Jaiswal, Advocate holding brief of Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri Amit Jaiswal, Advocate submits that Dr Shailendra Sharma Atal, learned counsel for the respondents is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on 25.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 2066 of 2015 With M.A. Nos. 1257, 2220 & 2723 of 2016

Chandra Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant Shri Amit Jaiswal, Advocate holding brief of Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri Amit Jaiswal, Advocate submits that Dr Shailendra Sharma Atal, learned counsel for the respondents is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on 20.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 9 of 2016 With M.A. Nos. 604, 730 of 2016
and M.A. No. 57 of 2017**

Rajendra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Bachchan Singh, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' further time to file objection to the application for condonation of delay. Replication, if any, to the objection may be filed by the learned counsel for the applicant within two weeks thereafter.</p> <p>List this case on 11.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 1432 of 2016 With M.A. No. 1931 of 2016

Inre: O.A. No. Nil of 2016

Tejbir Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 1432 of 2016</u></p> <p>Controversy relates to payment of the disability pension to the applicant, though the delay is about 33 years, but keeping the fact that it itself is a recurring cause of action and in view of the Apex Court judgement, payment may be paid preceding three years of filing of the Original Application.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the Original Application is hereby condoned.</p> <p>Having hearing the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p>List this case on 26.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 2212 of 2016 with M.A. No. 03 of 2017
(Inre: O.A. No. Nil of 2016)**

Smt Maha Kali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Srivastava, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p><u>M.A. No. 2212 of 2016</u></p> <p>The delay in filing the Original Application seems to be reasonably explained.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned and the objection raised by the learned counsel for the respondents is rejected.</p> <p>The controversy relates to payment of family pension, which inhibits recurring cause of action.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time for filing counter affidavit. Rejoinder affidavit, if any, may be filed within four weeks', thereafter.</p> <p>List this case on 08.08.2017 for hearing.</p> <p>On the date fixed, the parties shall submit compilation of case law and chart of events.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 2357 of 2016 with M.A. No. 161 of 2017
(Inre: O.A. No. Nil of 2016)**

Anil

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Shri VK Pandey, learned counsel for the applicant prays for and is granted four weeks' further time to file reply to the objection on condonation of delay filed by learned counsel for the respondents.</p> <p>List this case on 18.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 618 of 2017
(Inre: O.A. No. Nil of 2017)

Ramapati Upadhya
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri JN Mishra, learned counsel for the applicant and Ms Appoli Shrivastava, learned counsel for the respondents.</p> <p><u>M.A. No. 618 of 2017</u></p> <p>Fresh application for condonation of delay filed by Shri JN Mishra, learned counsel for the applicant is taken on record.</p> <p>Ms Appoli Shrivastava, learned counsel for the respondents prays for and is granted four weeks' time to file objection against the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 14.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 805 of 2017
(Inre: O.A. No. 43 of 2016)

Narendra Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col AK Srivastava(Retd), learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 805 of 2017</u></p> <p>This is an application for correction of date of discharge moved by Col AK Srivastava(Retd), learned counsel for the applicant in Para 12 of order dated 13.04.2017 passed by this Tribunal in Original Application No. 43 of 2016.</p> <p>After hearing the learned counsel for the parties, we allow the amendment application. Let the date of discharge in para 12 of aforesaid order be corrected as 31 December 2012 instead of 31 December 2007. Shri Rajiv Pandey, learned counsel for the respondents has no objection.</p> <p>Accordingly, the aforesaid application is disposed of.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 307 of 2015 with M.A. No. 2659 of 2016

Amit Kumar Pandey
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VR Chaubey, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p><u>M.A. No. 2659 of 2016</u></p> <p>This is an application for amendment in prayer clause as well as deletion of respondents no. 6 from the array of the respondents in original application.</p> <p>After hearing the learned counsel for the parties, we allow the amendment application. Let the necessary amendment be carryout within a week from today. Ms Deepti P Bajpai, learned counsel for the respondents has no objection.</p> <p>List this case on 18.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 245 of 2016

Dhirendra Nath Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Anand Saran, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents.</p> <p>Shri AK Sahu, learned counsel for the respondents prays for and is granted six weeks' and no more time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant with two week', thereafter.</p> <p>List this case on 28.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 35 of 2017

Riyasat Ali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents.</p> <p>Mrs Anju Singh, learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant with four week', thereafter.</p> <p>List this case on 10.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 65 of 2017

Ghanshyam

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VR Chaubey, learned counsel for the applicant and Ms Deepti P Bajpai, learned counsel for the respondents.</p> <p>Ms Deepti P Bajpai, learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 2389 of 2015 with M.A. No. 2390 of 2015
(Inre: T.A. No. 1163 of 2010)**

Ramdeo Singh Yadav
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SK Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents prays for and is granted six weeks' time to produce the entire records including service records and long roll. Let the Bench Copy be completed by learned counsel for the applicant before next date of hearing.</p> <p>List this case on 10.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 401 of 2017 with R.A. No. 7 of 2017

Inre: O.A. No. 15 of 2016(Connected with EX.A. No. 4 of 2017)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Zile Singh

By Legal Practitioner for Respondents

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>11.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Amit Jaiswal, Advocate, holding brief of Dr. Shailendra Sharma Atal, learned counsel for the respondents. Shri KK Mishra, learned counsel for the applicant is not present.</p> <p>On call of the case, Shri Amit Jaiswal, Advocate, submits that Dr. Shailendra Sharma Atal, learned counsel for the respondents has not come to the Court being out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on 17.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 2099 of 2016 With M.A. Nos. 224 & 780 of 2017

Inre: O.A. No. Nil of 2016

Rohit Kumar Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Pushp Raj Singh, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 2099 of 2016</u></p> <p>The delay in filing the Original Application seems to be reasonably explained.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned and the objection raised by the learned counsel for the respondents is rejected.</p> <p>The controversy relates to the grant of payment of disability pension, which suffers from recurring cause of action.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time for filing counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 28.07.2017 for hearing.</p> <p>On the date fixed, the parties shall submit compilation of case law and chart of events.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 359 of 2017
Inre: O.A. No. Nil of 2017

Ram Kripal & Another
By Legal Practitioner for Applicants

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents.</p> <p>Shri RKS Chauhan, learned counsel for the respondents prays for and is granted four weeks' further time to file objection to the application for condonation of delay. Replication to the objection may be filed by the learned counsel for the applicant within four weeks thereafter.</p> <p>List this case on 10.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 222 of 2016
Inre O.A. No. 80 of 2016

Dhan Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p><u>EX-A. No. 222 of 2016</u></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 02.03.2016 passed in O.A. No. 80 of 2016 which relates to the grant of Liberalised Family Pension with arrears within the stipulated time.</p> <p>At the threshold of the arguments, learned counsel for the respondents states that in compliance of the order of the Tribunal, necessary PPO has already been issued, hence the order of the Tribunal seems to be complied with.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of communication/presentation of a certified copy of this order.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**EX-A. No. 24 of 2017
Inre T.A. No. 93 of 2010**

Prayag Singh Parihar
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PK Shukla, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>EX-A No. 24 of 2017</u></p> <p>As prayed by Dr Shailendra Sharma Atal, learned counsel for the respondents, four weeks' further time is granted to show cause as to why the order dated 06.04.2016 passed by the Tribunal in T.A.No.93 of 2010 has not been complied with.</p> <p>List this case on 27.07.2017 for orders.</p> <p>The instant case is a Navy matter. The Registry shall ensure and indicate in the cause list accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 1113 of 2016 With M.A. No. 2414 of 2016

Inre O.A. No. Nil of 2016

Smt Soni Sharma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Shri Ashok Kumar, learned counsel for the applicant prays for and is granted a week's further time to file reply to the objection on the application for condonation of delay filed by the learned counsel for the respondents. .</p> <p>List this case on 27.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**M.A. No. 1149 of 2016 With M.A. Nos. 1766 & 2135 of 2016
and M.A. No. 419 of 2017**

Harendra Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents prays for and is granted four weeks' further time to file reply to the better affidavit filed by the learned counsel for the applicant.</p> <p>List this case on 30.06.2017 for orders, as agreed by the learned counsel for the parties.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 1923 of 2016 With M.As. No. 1924, 2341 & 2783 of 2016

Inre: O.A. No. Nil of 2016

Ram Sagar Singh & Others

By Legal Practitioner for Applicants

Applicants

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Virendra Kumar Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1924 of 2016</u></p> <p>The delay in filing the Original Application seems to be reasonably explained.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned and the objection raised by the learned counsel for the respondents is rejected.</p> <p>The controversy relates to the grant of notional promotion of the applicant to the rank of Naib/Subedar, which suffers from recurring cause of action.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time for filing counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on 30.06.2017 for orders, as agreed by learned counsel for the parties.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 228 of 2015 with M.A. No. 260 of 2016

Ramesh Chandra Dixit

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ramesh Chandra Dixit, applicant in person and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Reply to objection against the application for condonation of delay filed by Shri Ramesh Chandra Dixit, applicant, in Court today is taken on record.</p> <p>As prayed by Shri Ramesh Chandra Dixit, applicant, list this case on 20.07.2017 for orders.</p> <p>Learned counsel for the respondents has no objection.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 163 of 2016

Laxman Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Counter affidavit filed by Dr Shailendra Sharma Atal, learned counsel for the respondents, in Court, today is taken on record.</p> <p>Shri KKS Bisht, learned counsel for the applicant prays for and is granted a week's time to file rejoinder affidavit.</p> <p>List this case on 28.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 106 of 2017

Narender Pal Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Counter affidavit filed by Shri Bhanu Pratap Singh, learned counsel for the respondents, in Court, today is taken on record.</p> <p>Shri R Chandra, learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 121 of 2017

Bishwanath Mishra

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Shri Rajiv Pandey, learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by Shri Vinay Pandey, learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 11.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

**O.A. No. 524 of 2012 Alongwith O.A. No. 168 of 2012(Decided) with
M.A. Nos. 2280, 2700 of 2016 and M.A. No. 83 of 2017**

Km Basanti

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>As prayed by Shri VK Pandey, learned counsel for the applicant, list this case on 12.07.2017 for further hearing.</p> <p>On the next date fixed, learned counsel for the applicant shall produce Regulations for the Army, 1961 published from the Government Printing Press to verify the authenticity of regulation 219 relied upon by learned counsel for the applicant.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 249 of 2015

JC Pandey

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, Advocate, holding brief of Shri Ved Prakash Pandey, learned counsel for the applicant. Learned counsel for the respondents is not present.</p> <p>On call of the case, Shri KKS Bisht appeared on behalf of the applicant submits that Shri Ved Prakash Pandey, learned counsel for the applicant has not come to the Court being ill and prays for adjournment.</p> <p>Departmental representative have no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on 27.07.2017 for further hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 2090 of 2016
Inre: O.A. No. 329 of 2015

Smt Pyari Gurung
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>Progress report filed by learned counsel for the respondents is taken on record.</p> <p>As agreed by the learned counsel for the parties, list this case on 30.06.2017 for orders in terms of the earlier order.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 2274 of 2016 With M.A. No. 2544 of 2016

Inre: O.A. No Nil of 2016

Bhanu Pratap Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri OP Kushwaha, Advocate holding brief of Shri Ashok Kumar, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p><u>M.A. No. 2544 of 2016</u></p> <p>Objection on the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication to the objection filed by the respondents.</p> <p>List this case on 05.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 2762 of 2016
Inre O.A. No. Nil of 2016

Biresh Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Pankaj Kumar Shukla, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents.</p> <p>Reply to the objection on the application for condonation of delay filed by learned counsel for the applicant is taken on record.</p> <p>Controversy relates to payment the disability pension to the applicant, which itself is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly</p> <p>Having hearing the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 37 of 2017

Inre O.A. No. Nil of 2017

Jevanand

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>Reply to the objection on the application for condonation of delay filed by learned counsel for the applicant is taken on record.</p> <p>Controversy relates to payment the disability pension to the applicant, which itself is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of the delay seems to be justified. Accordingly, the application is allowed and delay in filing the Original Application is hereby condoned. Objection raised by the respondents is rejected. M.A. aforesaid are disposed off accordingly</p> <p>Having hearing the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks' thereafter.</p> <p>With the consent of learned counsel for the parties, list this case on 30.06.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 297 of 2017
Inre O.A. No. Nil of 2017

Kuber Singh Shakya
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay filed by learned counsel for the applicant. Replication to the objection if any, may be filed within two weeks, thereafter.</p> <p>List this case on 11.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 367 of 2017 With M.A. No. 368 of 2017

Inre: DY-No. 551 of 2015

Satya Prakash

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Ashish Saxena, learned counsel for the respondents.</p> <p>Shri Ashish Saxena, learned counsel for the respondents prays for and is granted four weeks' time to file objection on application for condonation of delay filed by learned counsel for the applicant. Replication to the objection if any, may be filed within two weeks, thereafter.</p> <p>List this case on 27.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 204 of 2015

Rajendra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri P.K. Shukla, learned counsel for the applicant states that Shri Vinod Kumar, an Advocate from Allahabad wants to argue this case and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 28.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 266 of 2016

Brig N.D. Prasad (Retd)

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col Y.R. Sharma (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>As agreed by learned counsel for the parties, list this case on 28.06.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 287 of 2016

Mohan Chand

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>As agreed by learned counsel for the parties, list this case on 30.06.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 172 of 2010 with M.A. No. 1446 of 2016

Kapil Dev Mishra

Petitioner

By Legal Practitioner for Petitioner

Versus

Chief of Army Staff & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Vakalatnama filed by Shri P.N. Chaturvedi on behalf of the petitioner is taken on record.</p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the petitioner and Mrs. Anju Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties. Learned counsel for the petitioner submits that his prayer is restricted to payment of disability pension which has not been opposed by learned counsel for the respondents.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

T.A. No. 349 of 2010

Ramayan Mishra

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri P.K. Shukla, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>List this case on 22.05.2017 for hearing to enable learned counsel for the respondents to provide policy for Time Scale (TS) Naik.</p> <p>(Lt Gen Gyan Bhushan) Member (A) SB</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

T.A. No. 30 of 2012 with M.A. No. 779 of 2017

V.S. Malik

Petitioner

By Legal Practitioner for Petitioner

Versus

PCDA (P) Allahabad

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri S.K. Bajpai, learned counsel for the petitioner and Shri Kaushik Chattarji, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the petitioner, list this case on 24.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

T.A. No. 50 of 2013

G.C. Agarwal

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.05.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra, holding brief of Shri Yash Pal Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On call of the case, Shri R. Chandra, Advocate submits that Shri Yash Pal Singh, learned counsel for the petitioner is out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 12.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>