

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 291 of 2015**

**Hari Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 291 of 2015, Hari Singh vs. Union of India and others is allowed.</p> <p>For order, see our order of date passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A) Ukt/-</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)**

**Dy. No. 2791 of 2016 With M.A. No 305 of 2017 Inre O.A. (Nil) of 2016**

**Kameshwar Chaudhary**  
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><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the applicant and Shri Virendra Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Case called out. Neither the applicant nor his counsel is present nor there is any request to pass over the case. Learned counsel for the respondents has strongly opposed to pass over the case.</p> <p>Accordingly, the case is dismissed for non prosecution.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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 1873 of 2016 Inre T.A. No 1279 of 2010**

**Naresh Kumar**

By Legal Practitioner for Petitioner

Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Petitioner Shri Naresh Kumar in person and Shri Bhanu Pratap Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case, petitioner Shri Naresh Kumar states that his learned counsel is sick and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>30.03.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 297 of 2016**

**Jyoti Sharan Gandhi**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted four 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>List this case on <b>05.05.2017</b> for hearing.</p> <p>On the date fixed, the respondents shall produce relevant original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 445 of 2012**

**Man Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri O.P. Kushwaha, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Argument concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 190 of 2013**

**Jai Prakash Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri P.K. Shukla, holding brief of Shri V.A. Singh, learned counsel for the applicant and Shri A.N. Tripathi, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case Shri P.K. Shukla, Advocate, states that Shri V.A. Singh is not available today and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>23.03.2017</b> for hearing.</p> <p>On the date fixed, the respondents shall produce relevant original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</p> <p>(Justice D.P. Singh) Member (J)</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 259 of 2013 with M.A. No 84 of 2017**

**Chun Bahadur**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>As prayed by learned counsel for the respondents, list this case on <b>09.03.2017</b> for hearing.</p> <p>On the date fixed, the respondents shall produce relevant original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</p> <p>(Justice D.P. Singh) Member (J)</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 177 of 2015**

**Smt Gopuli Devi**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.K. Lakheda, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Argument concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</p> <p>(Justice D.P. Singh) Member (J)</p>



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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 9 of 2014 with M.A. No 1396 of 2016**

**Shashi Kant Jha**

By Legal Practitioner for Petitioner

Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar, learned counsel for the petitioner and Shri A.K. Sahu, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Argument concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</p> <p>(Justice D.P. Singh) Member (J)</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 32 of 2016**

**Ex Nk Sabbo Singh**  
By Legal Practitioner for Petitioner

Petitioner

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri P.K. Shukla, learned counsel for the petitioner and Dr. Gyan Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>As prayed by learned counsel for the parties, list this case on <b>23.02.2017</b> for hearing.</p> <p>On the date fixed, the respondents shall produce relevant original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 336 of 2017**

**In Re: O.A. No. Nil of 2017**

**Saljor Ram**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Mrs Anju Singh, learned counsel for the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri GK Pandey, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 336 of 2017</u></b></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 17 years, 01 months and 15 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 17.02.2017.</p> <p>Mrs Anju Singh, 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 <b>29.05.2017</b> 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. 346 of 2017**  
**In Re: O.A. No. Nil of 2017**

**Kamlesh Kumar Dey**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Ms Appoli Srivastava, learned counsel for the respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Col AK Srivastava (Retd), learned counsel for the applicant and Ms Appoli Srivastava, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 346 of 2017</u></b></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 02 months and 12 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 20.02.2017.</p> <p>Ms Appoli Srivastava, 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 <b>05.05.2017</b> 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)**

**DY-No. 2360 of 2016 With M.A. No. 2058 of 2016 and M.A. No. 363 of 2017  
(Inre: O.A. No. 135 of 2014)**

**Rajendra Pratap Singh**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents alongwith Maj Salen Xaxa Departmental Representative.</p> <p><b><u>M.A. No. 363 of 2017</u></b></p> <p>Detailed affidavit indicating details of payment of pension and other dues to the applicant filed on behalf of Respondent Nos. 5 &amp; 6 is taken on record. Applicant counsel may file reply to the aforesaid affidavit within two weeks.</p> <p>List this case on <b>22.05.2017</b> 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)**

**EX-A. No. 204 of 2016**  
**(Inre: T.A. No. 88 of 2011)**

**Kailash Chandra**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Chief of Army Staff & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>EX-A. No. 204 of 2016</u></b></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 18<sup>th</sup> May 2016 passed in T.A. No. 88 of 2011 which relates to grant of disability 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 this Tribunal, necessary PPO has already been issued.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of 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. 208 of 2016**  
**(Inre: O.A. No. 363 of 2011)**

**AK Sethi**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rakesh Johri, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>EX-A. No. 208 of 2017</u></b></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 13<sup>th</sup> August, 2013 passed in O.A. No. 363 of 2011 which relates to grant of disability 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 this Tribunal, necessary PPO has already been issued.</p> <p>It is directed that the Bank concerned shall release the outstanding dues to the applicant within one month from the date of 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) 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. 2038 of 2016 With M.A. No. 2039 of 2016 & M.A. No. 272 of 2017  
(Inre: T.A. No. 1366 of 2010)**

**Kamal Singh Rautela**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Applicant Shri Kamal Singh Rautela is present in person. Shri Bhanu Pratap Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 272 of 2017</u></b></p> <p>Objection to the application for condonation of delay in filing the recall application filed by the learned counsel for the respondents is taken on record. The application aforesaid is disposed of accordingly.</p> <p>Applicant, who is present in person, states that his counsel Shri PN Chaturvedi has not come to the Court as he is sick and prays for adjournment of the case. The counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>31.03.2017</b> 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)**

**O.A. No. 85 of 2016 With M.A. No. 1525 of 2016**

**Mahendra Sharma**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>As prayed by the learned counsel for the parties, list this case on <b>10.04.2017</b> 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. 2449 of 2016**  
**(Inre: O.A. No. 14 of 2015)**

**Lakhvir Singh**

By Legal Practitioner for Petitioner

**Applicant**

Versus

**Union fo India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Affidavits have been exchanged.</p> <p>List this case on <b>03.05.2017</b> for hearing.</p> <p>On the date fixed, Ld. Counsel for the Respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>Ld. Counsel for the parties may submit/exchange synopsis/written arguments, supported with law, if any by the date fixed.</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. 315 of 2011 with M.A. Nos. 1531, 2191 and 2246 of 2016 of 2016**

**Triveni Prasad Shukla**

By Legal Practitioner for Petitioner

**Applicant**

Versus

**Union fo India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>22.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case Shri Namit Sharma, learned counsel for the respondents prays for and is granted two weeks' further time to file specific reply in terms of order dated 02.01.2017.</p> <p>List this case on <b>10.03.2017</b> 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. 184 of 2016**

**Meraj Ahmed Khan**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col AK Srivastava (Retd), learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>O.A. No. 184 of 2016 is allowed.</p> <p>For orders, see our judgement and order of date passed on separate sheets.</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. 2510 of 2016 With M.A. No. 30 of 2017**

**In Re: O.A. No. Nil of 2016**

**Virupaxayya Hiremath**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Manoj Kumar Pandey, learned counsel for the applicant and Mrs Anju Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file his replication to the aforesaid objection filed by the respondents.</p> <p>List this case on <b>25.04.2017</b> 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. 2632 of 2016 In Re: O.A. No. Nil of 2016**

**Harish Chandra Dubey**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri SG Singh, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p><b><u>M.A. No. 352 Of 2017</u></b></p> <p>Objection to the application for condonation of delay filed by the respondents is taken on record. Accordingly, the aforesaid M.A. is disposed off.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file his replication to the aforesaid objection filed by the respondents</p> <p>List this case on <b>28.04.2017</b> 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)**

**T.A. No. 6 of 2016**

**Uma Shankar Bhartiya**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>As prayed by Shri Anurag Mishra, learned counsel for the respondents. List this case on <b>27.02.2017</b> 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)**

**T.A. No. 74 of 2016**

**Smt Kaushalya Devi**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Vikash Singh Chauhan, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Vakalatnama filed by Vikash Singh Chauhan, Advocate is taken on record.</p> <p>List this case on <b>20.03.2017</b> for hearing.</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. 184 of 2016**

**Meraj Ahmed Khan**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col AK Srivastava (Retd), learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>O.A. No. 184 of 2016 is allowed.</p> <p>For orders, see our judgement and order of date passed on separate sheets.</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)**

**T.A. No. 1093 of 2010**

**Prasandi Devi**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Dharmendra Kumar Singh &amp; Shri R Chandra, learned counsel for the applicant and Shri Adesh Kumar Gupta, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Judgment pronounced today, in the open Court.</p> <p>T.A. No.1093 of 2010 (Smt. Prasandi Devi vs. Union of India) is allowed.</p> <p>Judgment passed on separate sheets, has placed on record.</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)**

**O.A. No. 49 of 2017**

**Smt Kamla Wati**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Arun Kumar Sahu, learned counsel for the respondents is taken on record</p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>We have heard learned counsel for the parties and perused the record and with the consent of the learned counsel for the parties, we proceed to decide the O.A. at the admission stage.</p> <p>The applicant's husband Late Hav Ram Surat Maurya was a pensioner of Indian Army, left for heavenly abode on 30<sup>th</sup> October 2012. After the death of her husband, the applicant had applied for payment of family pension, but the matter has been kept pending by the respondents. After the death of the husband of the applicant, it was incumbent upon the Army to process the matter and pass the order for pension, in accordance with rules within a reasonable period, so that the member of the deceased family may get continuously the source of livelihood. It is not appropriate for the respondents to keep the matter pending.</p> <p>Let the application submitted by the applicant be processed in accordance with rules expeditiously say within a period of</p>

three months from the date of presentation of a certified copy of the present order alongwith the reminders submitted by the applicant.

With the aforesaid observations, we dispose of the Original Application finally at the admission stage.

(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)**

**O.A. No. 51 of 2017**

**Chandra Pal Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Virendra Singh, learned counsel for the respondents is taken on record</p> <p>Present: Smt Saraswati Rai, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>We have heard learned counsel for the parties and perused the record and with the consent of the learned counsel for the parties, we proceed to decide the O.A. at the admission stage.</p> <p>This is an application under Section 14 of the Armed Forces Tribunal Act, 2007 preferred by the applicant for a direction to the opposite party no.4 to decide the First Appeal for granting disability pension to the applicant.</p> <p>The applicant joined the Indian Army on 27.05.1978 and was discharged in 1983. However, belatedly he filed the First Appeal on 18<sup>th</sup> April 2016 for payment of disability pension. It has been submitted by the learned counsel for the applicant that the statutory First Appeal preferred by the applicant is still pending.</p> <p>However, without entering into the merit of the present controversy as well as the delay, if any, we direct the competent authority to decide the pending First Appeal expeditiously say within a period of four months from the date of presentation of a certified copy of the present order by a speaking and reasoned order, after taking into</p>

account the pleadings on record. It may be needless to say that in a settled law, the payment of pensionary benefits is recurring cause of action and that aspect of the matter shall be looked into by the authority concerned.

With the aforesaid observations, we dispose of the Original Application finally at the admission stage.

(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. 123 of 2016**  
**In Re: T.A. No. 63 of 2013**

**Girish Chandra**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>EX-A. No. 123 of 2016</u></b></p> <p>Learned counsel for the respondents states that in compliance of the order of the Tribunal dated 04.12.2015 passed in T.A. No.63 of 2013, necessary PPO has been issued, a copy of which shall be provided to the learned counsel for the applicant during course of the day.</p> <p>Accordingly, it is directed that the bank concerned shall release the outstanding dues to the applicant within one month from the date of presentation of a certified copy of this order alongwith representation.</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)**

**M.A. No. 30 of 2016 With M.A. Nos. 577, 2082 & 2083 of 2016**

**Ashok Kumar Yadav**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 30 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application against the punishment of Severe Reprimand. The applicant has been punished by an order dated 17.07.2010 and D.O. Part-II Order was published on 01.08.2010.</p> <p>According to the learned counsel for the applicant, the applicant came to know about the D.O. Part-II Order only in 2011. In paragraph no. 5 of the affidavit filed in support of the application for condonation of delay, it has been categorically stated that the impugned order was never communicated to the applicant. In reply to the averments contained in paragraph no.5 of the affidavit, the respondent has not come forward with specifically indicating therein the date of communication of the impugned order dated 17<sup>th</sup> July 2010. However, learned counsel for the applicant states that when he received the order dated 17.07.2010 under D.O. Part-II Order, he filed O.A.No.72 of 2012 which was dismissed as not maintainable and after the Division Bench judgment of the High Court, Allahabad of Lucknow Bench, he preferred the present Original Application being aggrieved with the order of Severe Reprimand.</p> <p>The facts remain that the impugned order dated 17<sup>th</sup> July 2010 was not officially communicated to the applicant. It was incumbent upon the authorities concerned while awarding order of punishment,</p>



to communicate it to the applicant. The cause shown in the affidavit filed in support of the application for condonation of delay is sufficient.

Accordingly, the delay is condoned and the application is allowed.

Let O.A. be registered.

Having heard the learned counsel for the parties, we find that it is a fit case for admission.

Admit.

Counter and rejoinder have already been exchanged.

List this case on **22.05.2017** for hearing.

(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. 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**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case Dr. Shailendra Sharma Atal, learned counsel for the respondents prays for and is granted four weeks' time to enable him to seek instructions from the competent authority as to why the order dated 06.04.2016 passed by this Tribunal in T.A. No. 93 of 2010 has not been complied with.</p> <p>List this case on 24.04.2017 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)**

**EX-A. No. 25 of 2017**

**In Re: T.A. No. 1473 of 2010**

**Nand Lal Gupta**

By Legal Practitioner for Petitioner

Petitioner

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Sachindra Pratap Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case Shri Sunil Sharma, learned counsel for the respondents prays for and is granted four weeks' time to enable him to seek instructions from the competent authority as to why the order dated 17.11.2015 passed by this Tribunal in T.A. No. 1473 of 2010 has not been complied with.</p> <p>List this case on <b>28.04.2017</b> 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)**

**EX-A. No. 26 of 2017**

**In Re: O.A. No. 239 of 2015**

**Santosh Kumar Tiwari**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Sudhir Kumar Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case Dr Shailendra Sharma Atal, learned counsel for the respondents prays for and is granted four weeks' time to enable him to seek instructions from the competent authority as to why the order dated 30.09.2016 passed by this Tribunal in O.A. No. 239 of 2015 has not been complied with.</p> <p>List this case on <b>27.04.2017</b> 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. 308 of 2017 With M.A. No. 309 of 2017**  
**(Inre: T.A. No. 1255 of 2017)**

**Union of India & Others**  
By Legal Practitioner for Applicants

Applicants

Versus

**Atul Kumar Yadav**  
By Legal Practitioner for Respondent

Respondent

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri Ashish Kumar Singh, learned counsel for the applicants and none for the respondent.</p> <p><b><u>M.A. No. 308 of 2017</u></b></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 05.012017, passed by this Court in T.A. No. 1255 of 2017.</p> <p>As per stamp reporter's report, there is delay of 07 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 <b>shall</b> 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 condoning the delay are general in nature and do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> 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” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern</i></p>

*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 limitation .....They 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 309 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.

Even otherwise also, we do not find any point of law of general public importance involved in the decision so as to grant leave to appeal. Accordingly, this application is also rejected.

(Lt Gen Gyan Bhushan)  
Member (A)

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

RPM/-

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 120 of 2014 With M.A. No. 259 of 2017**

**Jai Ram Yadav & Another**

By Legal Practitioner for applicants

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri MS Yadav, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No. 259 of 2017.</u></b></p> <p>This is an amendment application filed by Shri MS Yadav, learned counsel for the applicant for amending the prayer clause in original application.</p> <p>After hearing learned counsel for the parties, we allow the aforesaid amendment application. Let amendment be incorporated within a week.</p> <p>List this case on <b>09.03.2017</b> for hearing.</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. 239 of 2016**  
**In Re: O.A. No. 320 of 2013**

**Manoj Kumar**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case, Mrs Deepti P Bajpai, learned counsel for the respondents prays for and is granted four weeks' further time to produce the PPO in compliance to judgment and order dated 12.01.2016 passed this Tribunal in O.A. No. 320 of 2013.</p> <p>List this case on <b>30.03.2017</b> 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. 944 of 2013 With M.A. No. 698 of 2016**

**Mohd Akhtar**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>21.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Shri VP Pandey, learned counsel for the applicant prays for and is granted two weeks' further time to file replication to the objection on application for maintainability filed by the respondents.</p> <p>List this case on <b>01.03.2017</b> 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. 288 of 2017 Inre: O.A. No. Nil of 2017**

**Akash Viswakarma**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Rajiv Pandey, learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><b><u>M.A. No. 288 of 2017</u></b></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 07 months and 26 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 07.02.2017. Shri Rajiv Pandey, learned Standing Counsel appearing for the respondents prays for and is granted six weeks time to file objection. Learned counsel for the applicant prays for and is granted two weeks' time to file his response to the aforesaid objection filed by the respondents.</p> <p>List this case for orders on <b>05.05.2017</b>.</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. 296 of 2017 Inre: O.A. No. Nil of 2017**

**Smt Sunita Jaiswal**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Namit Sharma, learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Ashutosh Nigam, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No. 296 of 2017</u></b></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 months and 12 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 07.12.2016. Shri Namit Sharma, learned Standing Counsel appearing for the respondents prays for and is granted six weeks time to file objection. Learned counsel for the applicant prays for and is granted two weeks' time to file his response to the aforesaid objection filed by the respondents.</p> <p>List this case for orders on <b>08.05.2017</b>.</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. 297 of 2017 Inre: O.A. No. Nil of 2017**

**Kuber Singh Shakya**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr Shailendra Sharma Atal, learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 297 of 2017</u></b></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, 07 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 08.02.2017. Dr. Shailendra Sharma Atal, learned Standing Counsel appearing for the respondents prays for and is granted six weeks time to file objection. Learned counsel for the applicant prays for and is granted two weeks' time to file his response to the aforesaid objection filed by the respondents.</p> <p>List this case for orders on <b>09.05.2017</b>.</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)**

**EX-A. No. 22 of 2017 Inre: O.A. No. 192 of 2015**

**Rahmat Ullah Sheikh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri, learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri AK Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>EX-A. No. 22 of 2017</u></b></p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order under execution which relates to grant of disability pension with arrears within the stipulated time. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to submit the status report with regard to compliance of the aforesaid order.</p> <p>List this case on <b>25.04.2017</b> 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. 298 of 2017**

**Inre: 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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri SSL Srivastava, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 298 of 2017</u></b></p> <p>This is an application for recall of the order dated 12.01.2017 passed by the Tribunal dismissing the M.A.Nos.1884 of 2014 and 2323 of 2016 for non prosecution.</p> <p>The cause shown in the affidavit filed in support of the recall application is sufficient.</p> <p>Accordingly, the application is allowed and the order dated 12.01.2017 is hereby recalled, subject to payment of Rs.500/- as cost, which shall be remitted to the Bar Association, AFT, Lucknow within a week from today.</p> <p>List this case on <b>06.03.2017</b> for hearing.</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. 235 of 2016**  
**In Re: T.A. No. 986 of 2010**

**Rajveer Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Bhachchan Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Learned counsel for the respondents states that in compliance of the order dated 11<sup>th</sup> March 2016 passed in T.A. No. 986 of 2010, necessary PPO has been issued.</p> <p>Accordingly, it is directed that the bank concerned shall release the outstanding dues to the applicant within one month from the date of 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) 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. 156 of 2013**

**In Re: O.A. No. Nil of 2013**

**Faquir Baksh 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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Raj Kumar Singh, Advocate holding brief of Yashpal Singh, learned counsel for the applicant and AK Sahu, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>Shri Raj Kumar Singh, Advocate states that since Shri Yashpal Singh, learned counsel for the applicant has not come to the Court as he is out of station, hence the case may be adjourned. Accordingly, the case is adjourned.</p> <p>List this case on <b>24.04.2017</b> 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. 1810 of 2016 With M.A. Nos. 2176, 2489 & 2709 of 2016  
(Inre: O.A. No. Nil of 2016 )**

**Ghanshyam**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VR Chaubey, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p><b><u>M.A. No. 1810 of 2016 .</u></b></p> <p>This is an application for condonation of delay in filing the original application for rounding of the disability pension which is based on recurring cause of action.</p> <p>The cause shown in the affidavit in support of the application is sufficient.</p> <p>Accordingly, the delay in filing the original application is condoned and the application is allowed.</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 O.A. be registered.</p> <p>As prayed by respondents, four weeks' time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed by the applicant within two weeks, thereafter.</p> <p>List this case on <b>11.05.2017</b> 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. 2036 of 2016 With M.A. No. 2037 of 2016  
(Inre: O.A. No. 188 of 2011)**

**Aditya Nand Tiwari**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Sunil Sharma, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant neither there is any request to adjourn/pass over the case.</p> <p>Accordingly, M.A. No. 2036 of 2016 with M.A. No. 2037 of 2016 (Inre: O.A. No. 188 of 2011) are dismissed for non-prosecution.</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. 2306 of 2016**  
**(Inre: O.A. No. 26 of 2014)**

**Jagdamba Prasad Tiwari**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Udai Bhan Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case Shri Asheesh Agnihotri, learned counsel for the respondents states that Government sanction has been accorded to issue the PPO to the applicant and the cost of Rs 10,000/-, as directed by the Tribunal on 13.12.2016, has already been deposited in the Registry.</p> <p>Since the Government sanction has already been accorded, learned counsel for the respondents prays for and is granted four weeks time to issue the PPO to the applicant.</p> <p>Let the cost of Rs. 10,000/- be given to the applicant through cheque by the Registry.</p> <p>List this case on <b>29.03.2017</b> 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. 2698 of 2016**  
**(Inre: O.A. No. Nil of 2016)**

**Prem Prakash Chaturvedi**  
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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents along with Maj Salen Xaxa, Departmental Representative.</p> <p>On call of the case, Shri Virendra Singh, learned counsel for the respondents prays for and is granted a week's time to file objection against the condonation of delay. Replication to the objection may be filed by the applicant within four weeks', thereafter.</p> <p>List this case on <b>12.05.2017</b> 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. 46 of 2016 With M.A. No 1599 of 2016**

**Smt Munni Devi**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file amendment application.</p> <p>List this case on <b>07.03.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 151 of 2016**

**Shashi Prabha Prasad**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar holding brief of Col (Retd) Y.R. Sharma, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case Shri Rohit Kumar, Advocate, submits that Col (Retd) Y.R. Sharma is out of station today and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>27.04.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 237 of 2016 With  
M.A. No 162 of 2017 and M.A. No 340 of 2017**

**Dev Singh Bisht & another**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri J.S. Chauhan, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents and Shri R Chandra for Respondent No 4.</p> <p><b><u>M.A. No 340 of 2017</u></b></p> <p>Objection on non maintainability of the Original Application filed by Shri R Chandra, Learned counsel for Respondent No. 4 is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication for the same.</p> <p>List this case on <b>24.04.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 247 of 2016**

**Amar 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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the applicant and Shri A.K. Sahu, learned counsel for the respondents and Shri Amit Chandra, learned counsel for Respondent No 5.</p> <p>Affidavit for payment of dues to the applicant filed by Shri Amit Chandra is taken on record. He has made a statement that payment has been made to the application in terms of PPO.</p> <p>Since, payment due to the applicant has been made, this Original Application has become infructuous and is accordingly dismissed.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 324 of 2016**

**Harbans Singh Through Manmeet Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the applicant and Shri A.K. Sahu, learned counsel for the respondents.</p> <p>Case called out. Neither the applicant nor his counsel is present nor there is any request to pass over the case. Learned counsel for the respondents has strongly opposed to pass over the case.</p> <p>Accordingly, the case is dismissed for non prosecution.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 1061 of 2010 With M.A. No 1719 of 2016**

**R.N. Mishra**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Chief of Air Staff & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Case called out. Neither the petitioner nor his counsel is present nor there is any request to pass over the case. Learned counsel for the respondents has strongly opposed to pass over the case.</p> <p>Accordingly, the case is dismissed for non prosecution.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**T.A. No. 42 of 2016**

**Smt. Savitri Devi**  
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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Janardan Keshav, son of Smt. Savitri Devi in person and Shri Virendra Singh, learned counsel for the respondents.</p> <p>On call of the case a person in civil dress claiming himself Shri Janardan Keshav, son of Smt. Savitri Devi appears and states that his counsel is not available today due to illness and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>30.03.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 72 of 2016**

**Deena Nath 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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Rohit Kumar holding brief of Shri Ashwani Mishra, learned counsel for the petitioner and Shri Adesh Kumar Gupta, learned counsel for the respondents.</p> <p>On call of the case Shri Rohit Kumar, Advocate, appears and states that learned counsel for the applicant is not available today and prays for adjournment of the case. He further submits that he shall file Bench copy of the case in the Registry during the course of the day.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on <b>27.02.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 75 of 2011**

**Ashok Kumar**  
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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Bachchan Singh, learned counsel for the petitioner and Dr. Shesh Narain Pandey, learned counsel for the respondents assisted by Maj Salen Xaxa, Departmental Representative.</p> <p>On making query, learned counsel for the respondents is unable to clarify what is court of inquiry, summary of evidence and G.C.M. proceedings.</p> <p>Inspite of order passed on 16.01.2017 and 24.01.2017, neither the original records pertaining to case are available nor learned counsel for the respondents is prepared to argue the case. Today again learned counsel for the respondents prays for two weeks' time to produce the entire original records.</p> <p>Time prayed for is granted subject to payment of cost of Rs. 10,000/- which shall be deposited by the respondents in the Registry and same shall be released in favour of the applicant through cheque.</p> <p>List this case on <b>24.03.2017</b> for further hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</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. 147 of 2011**

**Satendra 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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant and Shri A.N. Tripathi, learned counsel for the respondents duly assisted by Maj Salen Xaxa, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Argument concluded.</p> <p>Order reserved.</p> <p>Learned counsel for the respondents shall submit original documents pertaining to case in the Registry in a sealed cover.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 1 (List B)**

**O.A. No. 272 of 2016 with M.A. No 341 of 2017**

**Urba Datt Joshi**

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><b><u>20.02.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><b><u>M.A. No 341 of 2017</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>List this case on <b>29.05.2017</b> for hearing.</p> <p>On the date fixed, the respondents shall produce relevant original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt/-</p> <p>(Justice D.P. Singh) Member (J)</p>