

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 78 of 2017 with M.A. No 1351 of 2017**

**Maj K Venkateswra**  
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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 D.K. Pandey, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>List revised.</p> <p>None appeared on behalf of the applicant. Rejoinder affidavit has also not been filed by learned counsel for the applicant. However, in the interest of justice, the case is adjourned.</p> <p>List this case on <b>24.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 79 of 2017 with M.A. No 1371 of 2017**

**Sobh Nath**  
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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri J.N. Mishra, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p><b><u>M.A. No 1371 of 2017</u></b></p> <p>Counter affidavit has already been taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List this case on <b>12.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 208 of 2017**

**Sandeep Yadav**  
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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virendra Prasad, learned counsel for the applicant and Shri R.K. Chauhan, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file counter affidavit. Rejoinder affidavit may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>23.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 209 of 2017 with M.A. No 1519 of 2017**

**Upendra 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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virendra Prasad, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p><b><u>M.A. No 1519 of 2017</u></b></p> <p>Counter affidavit has already been taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List this case on <b>23.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 343 of 2017**

**Basawan 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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file copy of certain orders passed by this Tribunal covering controversy involved in this case.</p> <p>List this case on <b>22.01.2018</b> 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><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 411 of 2017 with M.A. No 2205 of 2017**

**Tribhuvan Shanker 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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p><b><u>M.A. No 2205 of 2017</u></b></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to go through it.</p> <p>List this case on <b>24.01.2018</b> 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><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 503 of 2017**

**Bishan Datt Kandpal**  
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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K.S. Bisht, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>23.01.2018</b> for orders.</p> <p>Meanwhile, learned counsel for the applicant shall file copy of the order passed by AFT, Regional Bench, Chandigarh in O.A. No 147 of 2010, Sanwat Singh &amp; Others Vs Union of India and Other, decided on 31.03.2010 since earlier O.A. filed by the applicant was decided in terms of aforesaid judgment.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 572 of 2017

**Devi Saran 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><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Adesh Kumar Gupta, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No 51 of 2016**

**Harendra Paswan**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 petitioner and Mrs Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**T.A. No 79 of 2016 with M.A. No 2167 of 2017**

**Suresh Singh**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>This case has been transferred from Court No 1.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**TA No 41 of 2016**

**Smt Shakuntla Devi**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Pranat Sharma &amp; Shri Y.R. Sharma, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>During the course of hearing, it was informed by the respondents that as per the record, Smt Brinda Rani is legally wedded wife of the deceased soldier and she is still alive and living at Jabalpur and getting family pension of the deceased soldier vide PPO issued in the year 2011.</p> <p>Learned counsel for the petitioner submits that as per his instructions, Smt Brinda Rani is a fictitious lady as held by the competent Civil Court by judicial verdict.</p> <p>Learned counsel for the petitioner submits that necessary directions be given to the respondents to provide the address of Smt Brinda Rani, so that she may be impleaded as party. Address of Smt Brinda Rani has been provided by the respondents to learned counsel for the petitioner today in the Court. Learned counsel for the petitioner shall implead Smt. Brinda Rani as Respondent No 4 in the array of parties within a week. Learned counsel for the petitioner shall take necessary steps for issue of notice to Respondent No 4 within aforesaid time.</p> <p>Registry shall thereafter send notice to Smt Brinda Rani, newly impleaded respondent No 4, returnable at an early date.</p> <p>List this case on <b>30.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**EX-A. No. 68 of 2017**

**Inre: M.A. No. 2265 of 2016**

**Akhila Nand Pandey**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Anand Yadav, Advocate holding brief of Shri SG Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>List has been revised.</p> <p>In M.A. No. 2265 of 2016, respondents were directed vide order dated 31.07.2017 to decide the second appeal of the applicant dated 04.07.2016 by a reasoned and speaking order.</p> <p><b><u>EX-A. No. 68 of 2017</u></b></p> <p>An affidavit of compliance of aforesaid order filed by learned counsel for the respondents is taken on record. Copy of the same has been served upon learned counsel for the applicant.</p> <p>Since the order dated 31.07.2017 passed in M.A. No. 2265 of 2016 has been complied with, this Execution Application has become in fructuous and is hereby dismissed as in fructuous.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1328 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Smt Veermati 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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents appears and states that the name of Shri Ashish Kumar Singh has been wrongly mentioned in the cause list. He also stated that objection on the application for condonation of delay is ready and will be filing tomorrow.</p> <p>List this case on <b>08.12.2017</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4  
[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**Court No. 2**

**M.A. No. 1469 of 2017 with M.A. No. 1762 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Prithvi Pal**  
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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Om Prakash Kushwaha, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.</p> <p>List has been revised.</p> <p><b><u>M.A. No. 2203 of 2017</u></b></p> <p>Reply to the objection on the application for condonation of delay filed by the learned counsel for the applicant is taken on record.</p> <p><b><u>M.A. No. 1469 of 2017</u></b></p> <p>The cause shown in the affidavit filed in support of the application for condonation of delay seems to be justified.</p> <p>Accordingly, the application is allowed and the delay in filing the Original Application is hereby condoned.</p> <p>Controversy involved in this Original Application has been settled by Hon'ble the Apex Court.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></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 four weeks thereafter.</p> <p>List this case on <b>11.01.2018</b> for order.</p> <p style="text-align: center;"><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 257 of 2017**

**Shobha 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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Dr Shesh Narain Pandey, learned counsel for the respondents.</p> <p><b><u>M.A. No. 2201of 2017</u></b></p> <p>Counter affidavit 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 rejoinder affidavit</p> <p>List this case on <b>09.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 307 of 2017**

**Smt Maya Thapa**

By Legal Practitioner for Applicant

**Applicant**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>In compliance of Hon'ble the Court order dated 02.11.2017 Hindi translation of Annexure No. 8 filed by learned counsel for the applicant is taken on record.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></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 four weeks thereafter.</p> <p>List this case on <b>25.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 309 of 2016 with M.A. No. 1848 of 2017**

**Gyanendra Madhukar**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Devansh Bhardwaj, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>In pursuance of earlier order dated 03.10.2017 learned counsel for the applicant has not been carried out necessary amendments in Original Application. He prays for and is granted four week's further time for the same.</p> <p>List this case on <b>12.01.2018</b> for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**TA No 41 of 2016**

**Smt Shakuntla Devi**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Pranat Sharma &amp; Shri Y.R. Sharma, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>During the course of hearing, it was informed by the respondents that as per the record, Smt Brinda Rani is legally wedded wife of the deceased soldier and she is still alive and living at Jabalpur and getting family pension of the deceased soldier vide PPO issued in the year 2011.</p> <p>Learned counsel for the petitioner submits that as per his instructions, Smt Brinda Rani is a fictitious lady as held by the competent Civil Court by judicial verdict.</p> <p>Learned counsel for the petitioner submits that necessary directions be given to the respondents to provide the address of Smt Brinda Rani, so that she may be impleaded as party. Address of Smt Brinda Rani has been provided by the respondents to learned counsel for the petitioner today in the Court. Learned counsel for the petitioner shall implead Smt. Brinda Rani as Respondent No 4 in the array of parties within a week. Learned counsel for the petitioner shall take necessary steps for issue of notice to Respondent No 4 within aforesaid time.</p> <p>Registry shall thereafter send notice to Smt Brinda Rani, newly impleaded respondent No 4, returnable at an early date.</p> <p>List this case on <b>30.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>Ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 8 of 2017**

**Smt Nandrani Yadav**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>None appears on behalf of the petitioner. In compliance of the Court order dated 20.11.2017, supplementary rejoinder affidavit has not been filed by the learned counsel for the petitioner. However, in the interest of justice, this case is adjourned for the day.</p> <p>List this case on <b>19.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 349 of 2010 with M.A. No. 1818 of 2017**

**Ramayan Mishra**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VA Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>Supplementary Rejoinder affidavit filed by Learned counsel for the petitioner, in Court today, is taken on record.</p> <p>Learned counsel for the petitioner prays for and is granted a week's time to move an amendment application in pursuance of the documents filed by learned counsel for the respondents in supplementary counter affidavit.</p> <p>List this case on <b>21.12.2017</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1201 of 2017 with M.A. No. 1202 of 2017**

**Inre: T.A. No. 775 of 2010**

**RN Pandey**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Rajiv Pandey, learned counsel for the respondents.</p> <p><b><u>Misc. Application No. 1202 of 20147</u></b></p> <p>This is an application for condoning the delay in filing Misc. Application No. 1201 of 2017 for recall of the order dated 11.01.2011, passed by the Court dismissing the Transferred Application No. 775 of 2010 for non-prosecution.</p> <p>The reasons shown in the delay condonation application seem to be genuine. Accordingly, Misc. Application No. 1202 of 2017 is allowed and the delay in filing the recall application is hereby condoned.</p> <p><b><u>Misc. Application No. 1201 of 2017.</u></b></p> <p>This is an application for recall of the order dated 11.01.2011, passed by the Court dismissing the Transferred Application No. 775 of 2010 for non-prosecution.</p> <p>Heard learned counsel for the parties.</p> <p>We have gone through the affidavit filed along with the recall application and are of the opinion that the reasons shown for recall of the order dated 11.01.2011 seem to be genuine.</p> <p>Accordingly, Misc. Application No. 1201 of 2017 is allowed and the order dated 11.01.2011, passed by the Court dismissing the Transferred Application No. 775 of 2010 is hereby recalled. The Transferred Application is hereby restored to its original number, provided the applicant deposits Rs. 1000/- as cost within two weeks from today in the Bar Association of the Armed Forces Tribunal.</p>

List this case on **21.12.2017** for hearing.

On the date fixed, learned counsel for the respondents shall produce the original documents pertaining to case for perusal of the Bench

**(Lt. Gen. Gyan Bhushan)**  
**Member (A)**

RPM/-

**(Justice S.V.S. Rathore)**  
**Member (J)**

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 1 of 2011 with Dy No. 1052 of 2016**

**Praveen Kumar Pal**

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>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>On call of the case, Ld. Counsel for the respondents submits that original records have not been received and prays some more time for the same.</p> <p>Accordingly, the case is adjourned.</p> <p>Let the original records be produced by learned counsel for the respondents by the next date for perusal of the Bench.</p> <p>List this case on <b>10.01.2018</b> for hearing.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**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**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>07.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yashpal Singh Singh, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsels for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**M.A. No. 988 of 2017**

**Inre: O.A. No. Nil of 2017**

**Rajinder Singh**

By Legal Practitioner for Applicant

**Applicant**

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>06.12.2017</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 PN Chaturvedi, learned counsel for the applicant and Major Piyush Thakran, Departmental Representative.</p> <p>Respondents may file objection to the application for condonation of delay within two weeks. Replication to the objection may be filed by the learned counsel for the applicant within one week thereafter.</p> <p>List this case on <b>09.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**M.A. No. 1489 of 2017**

**Inre: O.A. No. Nil of 2017**

**Smt Poonam 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>06.12.2017</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 Ramesh Chandra Shukla, learned counsel for the respondents.</p> <p><b><u>M.A.No. 2198 of 2017</u></b></p> <p>Reply to the objection on the application for delay filed by the learned counsel for the applicant is taken on record.</p> <p><b><u>M.A. No. 1489 of 2017</u></b></p> <p>The controversy relates to family pension, which is recurring cause of action.</p> <p>Cause shown in the affidavit filed in support of the application for condonation of delay is sufficient.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Let the case is registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>15.02.2018</b> for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record shall also be produced on the next date.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 45 of 2017**

**Smt Nisha Tomar**

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>06.12.2017</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: Smt Farha Faiz, learned counsel for the applicant and Ms Amrita Chakraborty, learned counsel for the respondents.</p> <p><b><u>M.A.No. 2197 of 2017</u></b></p> <p>Counter affidavit filed by the learned counsel for the respondent no. 6 is taken on record.</p> <p>Learned counsel for the respondent no.4 prays for and is granted two weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>12.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 257 of 2016**

**Smt Bittan 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>06.12.2017</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 Major Piyush Thakran, Departmental Representative.</p> <p>Two weeks' further time is granted to the respondents to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>17.01.2018</b> for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record shall also be produced on the next date.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 601 of 2017**

**Patve Mohasin SK Salim**

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>05.12.2017</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 Kausik Chatterjee, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is listed next.</p> <p>Present: Shri Manoj Kumar Singh, learned counsel for the applicant and Shri Kausik Chatterjee, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>Being aggrieved by the impugned order of dismissal from service, the applicant has preferred the instant O.A.</p> <p>The controversy requires hearing.</p> <p><b>Admit.</b></p> <p>Respondents shall file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed within four weeks thereafter.</p> <p>List this case on <b>13.02.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**EX-A. No. 68 of 2017**

**Inre: M.A. No. 2265 of 2016**

**Akhila Nand Pandey**

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>05.12.2017</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 Amit Jaiswal, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>On the request made by the learned counsel for the respondent, list this case on <b>07.12.2017</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**M.A. No. 255 of 2017**

**Inre: O.A. No. Nil of 2017**

**Sanjay Kumar 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>05.12.2017</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 Appoli Srivastava, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted a week's time to file reply to the objection on the application for condonation of delay.</p> <p>List this case on <b>18.12.2017</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 33 of 2016 with M.A. Nos. 836 & 2647 of 2016**

**Raghvendra 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>05.12.2017</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: Dr SK Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Learned counsel for the applicant invited our attention towards the SRO 122, a Ministry of Defence Notification dated 17<sup>th</sup> August 1960, as modified on 03<sup>rd</sup> December 1985, according to which the Government of India, while exercising powers to the provisions contained in sub-section (1) of Section 4 of Army Act 1950 applied all the provisions of the Army Act to Civil GT Coys and Independent Transport Platoons (Civ GT), being a force raised and maintained in India under the authority of the Central Government. For convenience, SRO 122 is reproduced as under :</p> <p><i>“In exercise of the powers conferred by sub-section (1) of section-4 of the Army Act 150 (XLVI of 1950) and in suppressions of the notification of the Government of India in the later War Department No.1584, dated the 29<sup>th</sup> June 1946, the Central Government is pleased to apply all the provisions of the said Act to Civil CT Coys and Independent Transport Platoons (Civ GT), being a force raised and maintained in India under the authority of the Central Government.”</i></p> <p>A perusal of the SRO 122 shows that it is a photostat copy from the book Study and Practice of Military Law written by Col GK Sharma and Col MS Jaswal (page 46).</p> <p>On the other hand, learned counsel for the respondents has argued that Personnel for Civ GT Coys are subjected to Army Act only for discipline purposes in view of provisions of Army Order 141/72 as also some other provisions which he could not recollect. Now the</p>



question involves which of the provisions shall apply.

Government of India has exercised statutory powers under sub-section (1) of Section 4 of Army Act 1950, while applying it to the Civil GT Coys and Independent Transport Platoons (Civ GT). The relevant part of the Army Order 141/72 is reproduced as under :

*“AO 141/72 Discipline-Application of the Army Order to Civil General Transport Companies and Independent Transport Platoons (Civ GT).*

*1. Gazette of India Notification No. SRO 122 dated 22 Jul 50, as amended by SRO 282 dated 17 Aug 60, is reproduced below for the information of all concerned-*

*“In exercise of the powers conferred by sub-section (1) of section 4 of the Army Act, 1950 (XLVI of 1950) and in supersession of the notification of the Government of India in the late War Department No.1584 dated the 29<sup>th</sup> June 1946, the Central Government is pleased to apply all the provisions of the said Act to Civil General Transport Companies and Independent Transport Platoons (Civ GT) being a force raised and maintained in India under the authority of the Central Government.*

*A.O.697/ 64 is HEREBY CANCELLED.”*

Maj Piyush Thakran, OIC, Legal Cell has rightly invited our attention towards the provisions contained in Army Order 141/72 that it shall apply only in case the SRO is amended.

Accordingly, there appears to be no room of doubt that SRO 122 being statutory in nature has overriding effect and shall prevail over the administrative order passed by the Chief of the Army Staff through Army Order, unless the respondents are able to produce some other order as stated earlier. The Government of India has overriding power to lay down the service condition and when such power is exercised, no subordinate authority has right to modify it.

However, respondents may seek instructions whether any amendment in SRO 122 has been done or not. They may produce SRO 122 in original or any other order/instruction/provision, which lays down that the Personnel of Civ GT Coys are governed by the Army Act only for discipline.

List this case on **14.12.2017** for orders.

**(Lt. Gen. Gyan Bhushan)**  
**Member (A)**

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

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Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 324 of 2017**

**TD Kolekar**

By Legal Practitioner for Applicant

**Applicant**

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>05.12.2017</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 applicant and Shri Kaushik Chatterjee, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</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 within two weeks thereafter.</p> <p>List this case on <b>11.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**T.A. No. 16 of 2015**

**Kamal Singh Bhadoria**

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>05.12.2017</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 petitioner and Shri Bhanu Pratap Singh, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>Petitioner may file rejoinder affidavit within two weeks.</p> <p>List this case on <b>04.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**T.A. No. 9 of 2017**

**Smt Sharda 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>05.12.2017</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 VA Singh, learned counsel for the petitioner and Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>A week's further time is granted to the learned counsel for the petitioner to take steps.</p> <p>List this case on <b>24.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 232 of 2010**

**Jagdish 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>05.12.2017</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 SK Singh, learned counsel for the applicant and Shri Shri DK Pandey, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>The stay order granted by the Allahabad High Court is still continuing.</p> <p>List this case on <b>10.01.2018</b> for orders, awaiting the order of the Allahabad High Court.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 1 of 2011 with Dy No. 1052 of 2016**

**Praveen Kumar Pal**

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>05.12.2017</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 PN Chaturvedi, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>List this case on <b>07.12.2017</b> for hearing.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**O.A. No. 266 of 2012**

**Shubhash Chand**

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>05.12.2017</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 GS Sikarwar, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>On the request made by the learned counsel for the applicant, the case is passed over for the day.</p> <p>List this case on <b>12.12.2017</b> for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record shall also be produced on the next date.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Case listed in Court No. 2 taken up in Court No. 1**

**T.A. No. 15 of 2017**

**Bhupendra Singh Bhadauria**

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>05.12.2017</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: Maj RD Singh (Retd), learned counsel for the petitioner and Mrs Appoli Srivastava, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>On the request of the learned counsel for the parties, the case is passed over for the day.</p> <p>List this case on <b>08.12.2017</b> for hearing.</p> <p>On the date fixed, parties shall file compilation of case law and chart of events. Original record shall also be produced on the next date.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>PKG</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2159 of 2017 Inre O.A. No. Nil of 2017**

**Kumari Dilmaya Somai Magar**  
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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 on behalf of respondents is taken on record. His name be shown as learned counsel for the respondents No 1,2, 3 and 6 when the case is listed next.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>This is an application filed under Section 22 of AFT Act, 2007 for condonation of delay in filling the original application. As per office report, there is delay of 21 years, 06 months &amp; 07 days in filing the original application.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on 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 <b>17.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1384 of 2016 Inre O.A. No. Nil of 2016**

**Smt. Laxmi 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><b><u>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri P.N. Chaturvedi, 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 objection on 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 <b>16.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 5 of 2017 with M.A. No. 1224 of 2017**

**Rakesh 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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Amit Sharma, learned counsel for the respondents.</p> <p>List revised.</p> <p>None appeared on behalf of the applicant. However, in the interest of justice, the case is adjourned for the day.</p> <p>List this case on <b>22.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 313 of 2017**

**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><b><u>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None 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>List this case on <b>18.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. 335 of 2017**

**Tomy Barghese**

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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Birendra Prasad Singh, learned counsel for the applicant and Shri Ashish Agnihotri, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a week's and <b>no more time</b> to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within a week, thereafter.</p> <p>List this case on <b>19.12.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>

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

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 77 of 2016**

**Ashok Kumar**

Petitioner

By Legal Practitioner for Petitioner

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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 petitioner and Dr. Shesh Narain Pandey, 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 <b>20.12.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b>                                  <b>(Justice S.V.S. Rathore)</b> <b>Member (A)</b>    <b>Member (J)</b></p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 1874 of 2016 with M.A. No. 1875 of 2016 Inre O.A. No. 294 of 2015**

**Yogendra Kumar 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><b><u>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>List revised.</p> <p>None appeared on behalf of the applicant. It transpires from perusal of the record that on 29.03.2017, this case was restored on payment of cost of Rs. 2000/- and it was further directed that the amount shall be paid from the pocket of learned counsel for the applicant and not from the litigant. After restoration of the case, again, the learned counsel for the applicant is not present before the Court, today. It appears that he does not intend to proceed with the case.</p> <p>Accordingly, the case is <b>dismissed</b> for non prosecution.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 255 of 2015**

**Kishan 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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col Ashok Kumar (Retd), learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 258 of 2016**

**Smt. Asha 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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Ramesh Chandra Shukla, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 320 of 2017**

**Smt. Saroj 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><b><u>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 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>List this case on <b>11.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. (A) No. 239 of 2016 with M.A. No. 2089 of 2016**

**Shashi Mohan 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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 R.K.S. Chauhan, 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>List this case on <b>12.01.2018</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 515 of 2010**

**Shyam Sunder**

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>04.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A.No.2211 of 2016 with M.A.No.1401 of 2017**

**Inre O.A.No.Nil of 2016**

**Shanker Dutt Bhatt**

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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Amit Jaiswal, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.2211 of 2016</u></b></p> <p>By means of this O.A. the applicant challenges the dismissal order passed by the Summary Court Martial on 07<sup>th</sup> June 1986 for alleged offence under Section 69 for committing a civil offence of theft. In the initial application for condonation of delay, the applicant has stated that he preferred a petition dated 19.11.2001 which was replied by the respondent no.3, whereby he was communicated that the summary court martial proceedings would not be available after lapse of 15 years. The applicant again preferred a petition on 08<sup>th</sup> June 2002 which was received by the Union of India on 19<sup>th</sup> June 2002. Again a petitions were sent under Article 72 of the Constitution on 08<sup>th</sup> May 2002, on 10<sup>th</sup> April 2003 and 11<sup>th</sup> June 2003, respectively, wherein he requested for pensionary benefits. Vide letter dated 23<sup>rd</sup> April 2004 it was informed that his petition has been rejected on 22<sup>nd</sup> April 2004. The said letter has also been challenged in the instant petition.</p> <p>It was also taken as a ground that due to award of punishment, the applicant's mental condition deteriorated due to fear of survival of his family and there was a certificate issued by the Village Pradhan as regard to his mental condition.</p> <p>The applicant was heard on this application on 25<sup>th</sup> July 2017 and at that time, he made a prayer for filing a better affidavit in support of his application for condonation of delay. Thereafter again an affidavit has been filed explaining the delay. However, no new ground could be raised in the supplementary affidavit to condone the delay.</p> <p>In this affidavit, he has explained that he has no record of such a long mental illness and he has preferred petitions also after 15 years of his dismissal.</p> <p>Objection has also been filed on behalf of the respondent and they</p>

have argued that in this case, all the record of the SCM has been weeded out after expiry of the period of retention, provided under the rules. It has also been argued that in absence of any document, the correctness of the SCM cannot be examined by this Tribunal, even if the delay is condoned. It has also been argued that the applicant could not explain the delay of 31 years in filing this O.A. Dismissal from service is not a continuing cause of action.

There is no dispute to the facts that the applicant has filed this application for condonation of delay after 31 years of his dismissal. For the first time after his dismissal, he moved certain petitions in the year 2001 and 2002. Thereafter again he slept and now in the year 2016, he has again come up with the same ground of mental illness. Admittedly, not even a single document supporting the ground of such long mental illness of the applicant given by any competent authority could be filed on behalf of the applicant. The certificate of Village Pradhan dated 10<sup>th</sup> January 2002 has been filed, wherein he has certified that the applicant has mental disorder from the date of his discharge from service and the reason is not known to him as to why he was discharged.

Hon'ble Apex Court in the case of **Maniben Devraj Shah v Municipal Corporation of Brihan Mumbai, (2012) 5 SCC 157 at page 168** has been pleased to hold that

*“the expression “sufficient cause” would get in the factual matrix of a given case would largely depend on bona fide nature of the explanation. If the court finds that there has been no negligence on the part of the applicant and the cause shown for the delay does not lack bonafides, then it may condone the delay. If, on the other hand, the explanation given by the applicant is found to be concocted or he is thoroughly negligent in prosecuting his cause, then it would be a legitimate exercise of discretion not to condone the delay.”*

Keeping in view the entire fact, we are of the view that the applicant has utterly failed to explain the delay of 31 years in filing the O.A. Ground of such a long mental disorder is only a concocted ground which is not supported by any medical document. Therefore, this application has no substance, deserves to be dismissed and is hereby dismissed.

Since the application for condonation of delay has been dismissed, the O.A. stands also dismissed.

**(Lt. Gen. Gyan Bhushan)**  
**Member (A)**

**(Justice S.V.S. Rathore)**  
**Member (J)**

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 2776 of 2016 with M.A. No. 528 of 2017**

**Inre: O.A. No. Nil of 2016**

**Ram Pyare Kushwaha**

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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Dharmesh Sinha, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A. No. 2776 of 2016</u></b></p> <p>By means of this application, the applicant has made the prayer to condone the delay in filing the O.A. No. Nil of 2016.</p> <p>As per the report of the Registry, there is a delay of 06 years, 11 months and 14 days in filing the O.A.</p> <p>By means of this O.A., the applicant challenges the order dated 06<sup>th</sup> July 2009 which was passed by the Chief of the Army Staff on the petition dated Nil submitted by the applicant Ram Pyare Kushwaha of 14 (Independent) Armoured Brigade Provost Unit against the finding and sentence of the Summary Court Martial. Thus, the impugned order in this O.A. is the order which has been passed on the statutory petition under Section 164(2) of the Army Act, which was preferred against the sentence passed in the SCM against the applicant.</p> <p>In the affidavit filed in support of the application for condonation of delay, it has been stated by the applicant that he had preferred another O.A. alongwith M.A. No. 2033 of 2015 challenging the order dated 18/19<sup>th</sup> June 2008 imposing the punishment of reduction in the rank from Havildar to Naik. When no decision on the petition preferred by the applicant was communicated till the month of December 2015, he consulted his earlier counsel, who advised him to prefer O.A. challenging the order dated 18/19<sup>th</sup> June 2008.</p> <p>Learned counsel for the applicant has submitted that the order of the competent authority was not received by him as the same was sent to the address of Chandigarh, whereas he is a resident of Bihar.</p> <p>On the contrary, learned counsel for the respondents has argued that the prayer of the applicant in the earlier O.A. and in the present case is</p>

substantially the same. In the earlier O.A., he has challenged the SCM proceedings and also prayed that the statutory petition under Section 164(2)(b) be decided. The said O.A. was also filed after expiry of the period of limitation and the Tribunal, while rejecting the prayer for condonation of delay, passed the following order on 08.04.2016:-

**M.A.No .2033 of 2013**

*Heard learned counsel for the applicant on this application moved by the applicant for condonation of delay in filing the O.A.*

*As per office report, there is a delay of 6 years, 10 months and 7 days in filing the O.A. The applicant intends to challenge the outcome of SCM proceedings, by means of which his rank of Havildar was reduced to Naik. He had preferred a statutory appeal under Section 164(2) of the Army Act before the Chief of the Army Staff, which was rejected on 6.7.2009. The application does not explain the each day delay in filing the O.A. As such we are not satisfied with the reasons given in the application for delay in filing the O.A. Accordingly, the application being without merit is hereby dismissed.*

*Since the application for condonation of delay has been dismissed, the O.A. which suffers from laches, is also dismissed.”*

It is pertinent to mention here that thereafter an application for review of the aforementioned order was moved and that was also dismissed vide order dated 18<sup>th</sup> May 2016 on Review Application No. 37 of 2016.

The submission of the learned counsel for the respondents is that since his statutory petition under Section 164 (2) of the Army Act has been decided was well within the knowledge of the applicant on the date when the above quoted order was passed. Thus, the only submission of the applicant to condone the delay is that the order passed by the competent authority on his statutory petition was sent on wrong address.

Learned counsel for the applicant has also filed the copy of the statutory petition which was sent by him and at the end of this statutory petition, he has given his address which is of Chandigarh. Admittedly, on the same address, the impugned order was sent which the applicant propose to challenge and is now stating that it was sent on wrong address. In that the applicant has nowhere mentioned his permanent address of Bihar. So we do not find any fault on the part of the respondents in sending the said order rejecting the statutory petition on the address mentioned in his statutory petition by the applicant himself. Now the applicant cannot take any advantage of the fact that the said order was sent at the address which he mentioned in his statutory petition. Even otherwise, the prayer in the first O.A., which has been dismissed as barred by time, was virtually the same. In the earlier petition, it was the punishment inflicted by the SCM which was challenged while in the present O.A., the applicant has challenged the order passed on his statutory appeal, whereby he has challenged the SCM proceedings in which he was punished. So virtually the prayer in both the O.As. is substantially the same and the SCM proceedings has been challenged which was held in the year 2006. Applicant has come back with the same prayer which he has raised in the earlier O.A. which stands



dismissed as barred by time.

As we have already stated that no sufficient ground was brought to our notice by the learned counsel for the applicant in explaining the delay and, therefore, we do not find any substance in this application for condonation of delay. Accordingly, the application being without merit is hereby dismissed.

Since the application for condonation of delay has been dismissed, the O.A. is also dismissed.

**(Lt. Gen. Gyan Bhushan)**  
**Member (A)**

**(Justice S.V.S. Rathore)**  
**Member (J)**

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 95 of 2017**

**Gaganjot Kaur**

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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Maj RD Singh (Retd), learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative and Shri Ram Kumar Verma, learned counsel for the respondent no.5.</p> <p>This case was reserved for orders on the prayer for grant of interim maintenance vide order dated 22.11.2017 and learned counsel for the respondent no.5 Shri Ram Kumar Verma was permitted to file his objection, if any, within three days. Prior to it, vide order dated 13.10.2017, deemed service on respondent no.5 was held sufficient and it was directed that the case shall proceed exparte. Thereafter on 17.11.2017, parties were directed to bring on record the order passed by the Family Court by means of affidavit. Thereafter on the next date, the respondent no.5 appeared and made an oral prayer for recall of the order to proceed exparte against the him, which was allowed. The applicant was heard on the application for grant of interim maintenance and the respondent no.5 was directed to file his objection on the prayer for grant of interim maintenance within three days.</p> <p>On behalf of the respondent no.5, objections have been filed, but a perusal of the same, shows that instead of filing his objection on the prayer for grant of interim maintenance, this application has been filed on 24.11.2017 to recall the order dated 13.10.2017 i.e. to proceed exparte against the respondent no.5. As stated earlier, the order to proceed exparte against the respondent no.5 has already been recalled on the oral prayer of the learned counsel for the applicant. It appears that due to some misunderstanding, the objection on the prayer for interim maintenance could not be filed and we do not consider it</p>

appropriate to pass any order without giving an opportunity to the respondent no.5 to file an objection.

Accordingly, list this case on 18.12.2017 for re-hearing.

On the date fixed, learned counsel for the parties shall be heard on the prayer for grant of interim maintenance and the respondent no.5 may file his written objection on such prayer, if he so wishes.

Registry should inform learned counsel for the parties of the date fixed.

**(Lt Gen Gyan Bhushan)**  
**Member (A)**

**(Justice S.V.S. Rathore)**  
**Member (J)**

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 264 of 2017**

**Devendra 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Mukesh Kumar, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted two week's further time to file rejoinder affidavit.</p> <p>List this case on <b>10.01.2018</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 64 of 2016**

**Surendra Vavu**

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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Mohd Shariq Khan, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>In pursuance earlier order dated 26.10.2017 learned counsel for the petitioner was directed to file bench copy and rejoinder affidavit, but the same have not been filed.</p> <p>Learned counsel for the petitioner prays for and is granted two week's further time to file bench copy and rejoinder affidavit.</p> <p>List this case on <b>18.12.2017</b> for orders.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 7 of 2017**

**Cpl Sushil 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Kaushik Chatterjee, learned counsel for the respondents and assisted by Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Initially Civil Misc. Writ Petition No. 26328 of 2002 was filed before the Hon'ble the High Court of Judicature at Allahabad and in pursuance of the order dated 25.11.2016, it has been transferred to this Tribunal and has been registered as T.A. No. 07 of 2017.</p> <p>In this case, first notice was sent to the petitioner on the address given by the petitioner, which was returned back unserved. Again second notice was sent after obtaining present address from the Air Force Record. That was also not received back served or unserved. In the interest of justice, third notice has again been sent in compliance of the order dated 13 October 2017, which has received back with remarks 'due to incomplete address'.</p> <p>The petitioner is not vigilant enough to pursue his case and all the three notices served on all the three available addresses, could not be served upon him.</p> <p>The relief claimed by the petitioner is only against the punishment of Admonition. It appears that the petitioner does not intend to pursue his case.</p> <p>Accordingly, this T.A. is dismissed for want of prosecution.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 86 of 2013**

**Smt Jai 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Naresh Kumar, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RS/*</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 213 of 2010**

**Shriman Narayan**

By Legal Practitioner for Applicant

**Applicant**

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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 213 of 2010, Shriman Narayan vs. Chief of Army Staff and others is dismissed.</p> <p>For order see our judgment passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan)                      (Justice S.V.S. Rathore) Member(A)                                      Member (J)</p> <p>SB</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 230 of 2016**

**Akhilesh 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 230 of 2016, Akhilesh Kumar vs. Union of India and others is allowed.</p> <p>For order see our judgment passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan)                      (Justice S.V.S. Rathore) Member(A)                                      Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 118 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 118 of 2011, Aditya Nand Tiwari vs. Chief of Army Staff and others is dismissed.</p> <p>For order see our judgment passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan)                      (Justice S.V.S. Rathore) Member(A)                                      Member (J)</p> <p>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2668 of 2016 Inre O.A. No. 219 of 2014**

**Chandrabhan Singh & Another**  
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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Namit Sharma and Shri Vijay Kumar Pandey, learned counsel for the respondents.</p> <p>Case was taken up in the revised list. None appeared on behalf of the applicant. Learned counsel for the respondents including private respondents No. 5, Smt Sonika Singh are present.</p> <p>The case is dismissed for non prosecution.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 18 of 2016**

**Balram 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
	<p><b><u>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Yogesh Kesarwani, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 93 of 2016 with M.A. No. 1675 & 2401 of 2016 & M.A. No. 399 of 2017**

**Smt. Shakuntala 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><b><u>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, 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 Kumar Singh, learned counsel for the respondents.</p> <p>During course of hearing, it transpires that respondent No. 5 i.e. Treasury Officer concerned has not paid Special Family Pension in pursuance to PPO issued by the other respondents in the year 1970.</p> <p>Accordingly, we direct respondent No. 5 to appear in person before this Tribunal on 12.01.2018.</p> <p>List this case on <b>12.01.2018</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p>Registrar shall inform respondent No. 5 about the date fixed.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**T.A. No. 70 of 2012 with M.A. No. 2165 of 2017**

**Smt. Omvati 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>01.12.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>The case was taken up in the revised list. None appeared on behalf of the applicant.</p> <p><b><u>M.A. No. 2165 of 2017</u></b></p> <p>Supplementary affidavit filed by the respondents today in the Court, is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p><b><u>T.A. No. 70 of 2012</u></b></p> <p>In the interest of justice, hearing is adjourned.</p> <p>List this case on <b>21.12.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case for perusal of the Bench.</p> <p>In the meantime, petitioner may file supplementary rejoinder affidavit.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>