

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. 515 of 2016 with M.A. No. 1767 of 2016

Inre : O.A. No. Nil of 2016

Sharad Prakash 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><u>13.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Manish Mishra, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file supplementary rejoinder affidavit.</p> <p>List this case on 12.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

O.A. No. 203 of 2012

Smt Sandhya Rai

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents.</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 11.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

O.A. No. 172 of 2014 with M.A. Nos. 703 & 704 of 2015

Smt Chandra Kali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri PK Shukla, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two months' time to file reply to the objection against the substitution application.</p> <p>List this case on 12.02.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

T.A. No. 1376 of 2010

Shishupal 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><u>13.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal B.B.P. Sinha, Member (A)</u></p> <p>List has been revised.</p> <p>None appears for the petitioner. Shri Rajiv Pandey, learned counsel for the respondents is present.</p> <p>Accordingly, the Transferred Application is dismissed for non prosecution.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

M.A. No. 2218 of 2017

Inre: O.A. No. Nil of 2017

Lok Kumari Chitaure Rana

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Memo of appearance filed by Ms. Amrita Chakraborty, Advocate, on behalf of respondents is taken on record. Her name be shown as learned counsel for the respondents, when the case is listed next.</p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Ms. Amrita Chakraborty, learned counsel for the respondents.</p> <p><u>M.A. No. 2218 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 08 years, 09 months and 02 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 07.12.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays</p>

for and is granted four weeks' time to file objection to the delay condonation application. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.

List this case on **17.01.2018** for orders.

(Air Marshal B.B.P. Sinha)
Member (A)

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

PKG

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. 1587 of 2017

Inre: M.A. No. 707 of 2017

Zile Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri VR Chaubey, Advocate holding brief of Shri Hari Anuj Bahadur Shukla, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted a week's further time to deposit cost as directed by this Tribunal on 10.11.2017.</p> <p>List this case on 03.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A. No. 1613 of 2017

Inre: O.A. No. Nil of 2017

Rajeshwari Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri R Chandra, 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 the point of maintainability of the case. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 10.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

**O.A. No. 2 of 2017 with M.A. No. 1769 of 2017
alongwith O.A. No. 254 of 2016**

Rashid Ali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Dr SK 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 a week's time to file counter affidavit on behalf of rest of the respondents. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within a week, thereafter.</p> <p>List this case on 08.01.2018 for hearing.</p> <p>The interim order shall continue till the next date of listing.</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>(Air Marshal B.B.P. Sinha) 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

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

O.A. No. 331 of 2017

Sunita Yadav M/o Late Sigm Subhash Kumar 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><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Om Prakash, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a week's further time 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 12.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 502 of 2017

Harishanker Dwivedi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Dr SK Singh, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a week's further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within a week, thereafter.</p> <p>So far as the point of maintainability with regard to second part of prayer No. (ii) i.e. quashing SCM proceedings is concerned, it may be taken into counter affidavit by learned counsel for the respondents.</p> <p>List this case on 10.01.2018 for orders.</p> <p>(Air Marshal B.B.P. Sinha) 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

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.12.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal, B.B.P. Sinha, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri GS Sikarwar, learned counsel for the respondents.</p> <p>As prayed, list this case on 18.12.2017 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>(Air Marshal B.B.P. Sinha) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

Dy No. 829 of 2017 Inre O.A. No. Nil of 2017

Prabhat Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for orders.</p> <p>I/C Registrar</p>	

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1583 of 2017 Inre O.A. No. Nil of 2017

Sep/Driver Vijay Amrit Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for orders.</p> <p>I/C Registrar</p>	

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 1 of 2016 with M.A. No. 1868 of 2016

Shyam Sunder Mishra

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for orders.</p> <p>I/C Registrar</p>	

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 213 of 2016

Suresh Singh Chauhan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for orders.</p> <p>I/C Registrar</p>	

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 274 of 2017

Sahamatul Nisha

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for orders.</p> <p>I/C Registrar</p>	

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 173 of 2016 with M.A. No. 1594 of 2017

Mohan Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of Registry	Order of the Tribunal
<p><u>11.12.2017</u></p> <p>On account of non-availability of the Bench in Court No. 2 today, the case shall be taken up vide order No. 069/HOD-AFT-LKO-2017 dt 11.12.2017.</p> <p>List this case on 18.12.2017 for hearing.</p> <p>I/C Registrar</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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>T.A. No. 515 of 2010 (Shyam Sunder vs. Union of India & others) is dismissed.</p> <p>For orders, see our order of date passed on the separate sheets.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

OA 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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>O.A. No. 255 of 2015, Kishan Kumar vs. Union of India and others is finally disposed of.</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>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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>O.A. No. 258 of 2016, Smt Asha Singh 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>DDS</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 87 of 2013

Mahendra Singh Bisht

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>T.A. No. 87 of 2013, Mahendra Singh Bisht vs. Union of India and others is partly 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>anb</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 along with M.A. No.2216 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

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Dr. Shailendra Sharma Atal 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: Ms. Kavita Singh, Advocate holding brief of Shri VR Chaubey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No.2216 of 2017</u></p> <p>Objection on application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Ms. Kavita Singh prays for and is granted two weeks' time to file replication.</p> <p>List this on 15.01.2018 for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1528 of 2017

Inre:

O.A. No. Nil of 2017

Smt Sundari Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Ramesh Chndra Shukla, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file replication to objection on application for condonation of delay.</p> <p>List this on 16.01.2018 for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 152 of 2017 with O.A. No. 417 of 2012 (Decided)

Rajendra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></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' 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 17.01.2018 for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 476 of 2017

Madhuri Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>It has been informed at Bar that learned counsel for the applicant is out of station. In the interest of justice, the case is adjourned.</p> <p>List this case on 19.01.2018 for orders.</p> <p>In the meantime, learned counsel for the respondents shall file counter affidavit.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 292 of 2016

Shaik Shabber

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri GK Gaur, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents.</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 15.01.2018 for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 17 of 2010

Smt Suman Devi & Others
By Legal Practitioner for Petitioners

Petitioners

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioners and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the petitioners submits that all the amendments which were allowed have been incorporated in the petition.</p> <p>On the other hand, learned counsel for the respondents has refuted this fact and during course of hearing has pointed out that the amendment allowed by Hon'ble High Court, Allahabad has not been incorporated. Apart from it, some extra paragraphs have been added in the petition which are not part of the amendment application and have also been scored out after pasting in the petition by the learned counsel for the petitioner himself.</p> <p>Learned counsel for the petitioners prays for time to correct the same. In the interest of justice, we grant last opportunity to learned counsel for the petitioners to comply the directions of the Tribunal,</p>

failing which the petition will be dismissed. Since the petition pertains to the year 1990, we feel it appropriate to give a short date.

List this case on **18.12.2017** for orders.

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

anb

(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

T.A. No. 1376 of 2010

Shishupal 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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Gopal Krishna, Advocate, holding brief of Shri Adeel Ahmed, learned counsel for the petitioner and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Shri Gopal Krishna, submits that learned counsel for the petitioner is not available today and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned. Since the matter pertains to the year 2010, we consider it appropriate to fix a short date.</p> <p>List this case on 13.12.2017 for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Maj Piyush Thakran, Departmental representative for the respondents.</p> <p>Departmental representative submits that Shri Virendra Singh, learned counsel for the respondent is not available today and prays for adjournment of the case.</p> <p>List this case on 20.12.2017 for orders.</p> <p>It is clarified that since the matter pertains to the year 2008, no further adjournment shall be granted on the next date.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 573 of 2010

Satyendra Prasad

By Legal Practitioner for Petitioner

Petitioner

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, 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>Order reserved.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 293 of 2016

Prashant Kumar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virendra Singh, Advocate holding brief of Shri Rao Narendra Singh, learned counsel for the applicant and Shri Yashpal Singh and Shri V.P.S. Vats, learned counsel for the respondents.</p> <p>It is informed by the learned counsel for the respondents that original record has been received through JWO H.S. Pandit.</p> <p>The present case is outcome of matrimonial dispute, as such, we are of the view that the parties may be afforded an opportunity to reconcile their dispute through mediation.</p> <p>Accordingly it is directed that the applicant and respondent No. 5 shall remain present before the Tribunal on the next date fixed to enable them to reconcile their matrimonial dispute.</p> <p>List this case on 21.12.2017 for hearing.</p> <p>On said date the respondents shall produce the original record.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 40 of 2016

Smt Indra Kali 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><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Birendra Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>It is informed by learned counsel for the respondents that the applicant is getting family pension since September, 1990. The petitioner is claiming arrears of pension from the date of missing of the husband of the petitioner, i.e. 08.05.1981 while Writ Petition was filed in the Hon'ble High Court Allahabad on 08.01.2004.</p> <p>On the issue of delay and payment of arrears, in the case of <i>Shiv Dass Vs Union of India</i> reported in 2007 (3) SLR 445 in Para 9 of the judgment, Hon'ble the Apex Court has observed:-</p> <p><i>“9. In the case of the pension the cause of action actually continues from month to month. That</i></p>

however, cannot be a ground to overlook delay in filing the petition. It would depend upon the fact of each case. If petition is filed beyond a reasonable period say three years normally the Court would reject the same or restrict the relief which could be granted to a reasonable period of about three years. The High Court did not examine whether on merit appellant had a case. If on merits, it would have found that there was no scope for interference, it would have dismissed the writ petition on that score alone.”

(Emphasis supplied)

In view of proposition laid down by the Hon'ble Apex Court in the case of *Shiv Dass* (supra), in any case, the petitioner would legally be entitled to arrears of pension from a date three years prior to the filing of the Writ Petition, i.e. 08.01.2004. Admittedly, the petitioner is getting family pension from 05.09.1990.

At this stage, learned counsel for the petitioner submitted that he does not intent to press the T.A. and it may be dismissed as not pressed.

The T.A. is accordingly **dismissed** as not pressed.

No order as to costs.

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

(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

T.A. No. 15 of 2017

Along with M.A. No 2217 of 2017

Bhupendra Singh Bhadauria

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.12.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></p> <p>Present: Maj RD Singh (Retd), learned counsel for the petitioner and Mrs Appoli Srivastava, learned counsel for the respondents.</p> <p><u>M.A. No. 2217 of 2017</u></p> <p>Reply to objection on bail application filed by the learned counsel for the petitioner is taken on record.</p> <p>Learned counsel for the petitioner has made a prayer that the respondents be directed to produce the In and Out Vehicle Register. Learned counsel for the respondents submits that said register is part of the GCM proceedings and has been exhibited during GCM proceedings.</p> <p>Therefore, we are of the view that there is no need for the respondents to produce said register.</p> <p>As prayed by learned counsel for the parties, let the case be listed on 19.12.2017 for hearing on application for bail.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

