

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**

**Shankar 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>20.11.2017</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 V.P. Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 2038 of 2017</u></b></p> <p>Better affidavit in support of application for condonation of delay, filed by learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the respondents prays for time to go through it and to file reply. As prayed, two weeks' time is granted for the same.</p> <p>List this case on <b>01.12.2017</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**

**M.A. No. 362 of 2017 with M.A. No. 2002 of 2017 Inre O.A. No. Nil of 2017**

**Smt. Janki Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 Kaushik Chatterjee, learned counsel for the respondents.</p> <p><b><u>M.A. No. 362 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the original application for grant of special family pension to the applicant. As per office report, there is delay of 07 years, 06 months and 03 days in filing the application. Reasons given in the affidavit, filed in support of the application for condonation of delay seem to be sufficient. Accordingly, application is allowed and the delay in filing the original application is condoned. Objections raised by learned counsel for the respondents is rejected.</p> <p>Having heard, learned counsel for the parties, we find 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 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>SB</p>

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2****M.A. No. 1155 of 2017 with M.A. No. 1156 of 2017 Inre M.A. No. 1604 of 2016 ,  
M.A. No. 1605 of 2016 Inre T.A. No. 1285 of 2010****Rakesh Kumar 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>20.11.2017</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 petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 2039 of 2017</u></b></p> <p>Objection on the application for condonation of delay in filing the recall application, filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the petitioner prays for and is granted two weeks' time to file replication for the same.</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. 8 of 2017**

**Smt. Nandrani Yadav**

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>20.11.2017</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 Satendra Kumar Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the petitioner prays for and is granted two weeks' time to file supplementary rejoinder affidavit.</p> <p>List this case on <b>07.12.2017</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>ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 159 of 2014**

**Krishna Nand Rai**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 applicant and Shri Amit Jaiswal, learned counsel for the respondents.</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>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 241 of 2016**

**Ranjeet Kumar**

Applicant

By Legal Practitioner for Applicant

Versus

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 Shri Amit Jaiswal, learned counsel for the respondents.</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. 70 of 2012**

**Smt. Omvati 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>20.11.2017</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 Ravi Pratap Tripathi, Advocate, holding brief of Shri Virat Anand Singh, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a week's time to file supplementary counter affidavit. Supplementary rejoinder affidavit, if any, may be filed by learned counsel for the petitioner, within a week, thereafter.</p> <p>List this case on <b>01.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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  
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**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**

**Shankar Dutt Bhatt**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 V.P. Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 2038 of 2017</u></b></p> <p>Better affidavit in support of application for condonation of delay, filed by learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the respondents prays for time to go through it and to file reply. As prayed, two weeks' time is granted for the same.</p> <p>List this case on <b>01.12.2017</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>



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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 362 of 2017 with M.A. No. 2002 of 2017 Inre O.A. No. Nil of 2017**

**Smt. Janki Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 Kaushik Chatterjee, learned counsel for the respondents.</p> <p><b><u>M.A. No. 362 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the original application for grant of special family pension to the applicant. As per office report, there is delay of 07 years, 06 months and 03 days in filing the application. Reasons given in the affidavit, filed in support of the application for condonation of delay seem to be sufficient. Accordingly, application is allowed and the delay in filing the original application is condoned. Objections raised by learned counsel for the respondents is rejected.</p> <p>Having heard, learned counsel for the parties, we find 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 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>SB</p>

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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1155 of 2017 with M.A. No. 1156 of 2017 Inre M.A. No. 1604 of 2016 ,  
M.A. No. 1605 of 2016 Inre T.A. No. 1285 of 2010**

**Rakesh Kumar 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>20.11.2017</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 petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 2039 of 2017</u></b></p> <p>Objection on the application for condonation of delay in filing the recall application, filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the petitioner prays for and is granted two weeks' time to file replication for the same.</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  
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**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

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

**Smt. Nandrani Yadav**

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>20.11.2017</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 Satendra Kumar Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the petitioner prays for and is granted two weeks' time to file supplementary rejoinder affidavit.</p> <p>List this case on <b>07.12.2017</b> for orders.</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. 159 of 2014**

**Krishna Nand Rai**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u><b>20.11.2017</b></u> <u><b>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</b></u> <u><b>Hon'ble Lt Gen Gyan Bhushan, Member (A)</b></u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</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>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 241 of 2016**

**Ranjeet Kumar**

Applicant

By Legal Practitioner for Applicant

Versus

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>20.11.2017</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 Shri Amit Jaiswal, learned counsel for the respondents.</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. 70 of 2012**

**Smt. Omvati 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>20.11.2017</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 Ravi Pratap Tripathi, Advocate, holding brief of Shri Virat Anand Singh, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a week's time to file supplementary counter affidavit. Supplementary rejoinder affidavit, if any, may be filed by learned counsel for the petitioner, within a week, thereafter.</p> <p>List this case on <b>01.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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

**M.A.No.1787 of 2017 with M.A.No.1788 of 2017  
inre M.A.No.454 of 2015 & M.A.No.34 of 2015**

**Ratan Maity**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Commanding Officer & others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.11.2017</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><b>Present</b> : Shri Indra Prasad Yadav, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.1787 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the recall application, which as per office report is delayed by 01 year, 06 months and 26 days.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file the objection on the application for condonation of delay in filing the recall application.</p> <p>List this case on <b>19.12.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> Member (A) PKG</p> <p><b>(Justice S.V.S.Rathore)</b> Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**Ex. A.No.26 of 2017**  
**inre O.A.No.239 of 2015**

**Santosh Kumar Tiwari**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.11.2017</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><b>Present :</b> Shri Sudhir Kumar Singh, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Lt Commodore Seema Chaudhary, Departmental Representative.</p> <p><b><u>Ex. A.No.26 of 2017</u></b></p> <p>Learned counsel for the respondents submits that the Government has already accorded sanction and necessary PPO will be issued shortly.</p> <p>He prays for and is granted four weeks' time to file the copy of the PPO.</p> <p>List this case on <b>22.12.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> Member (A) PKG</p> <p><b>(Justice S.V.S.Rathore)</b> Member (J)</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A.No.989 of 2017**  
**inre O.A.No. (Nil) of 2017**

**Lal Singh**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.11.2017</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><b>Present</b> : Shri PN Chaturvedi, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>Better affidavit in support of the application for condonation of delay filed today by the learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the applicant prays for adjournment of the case.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on <b>19.12.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> Member (A) PKG</p> <p><b>(Justice S.V.S.Rathore)</b> Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A.No. 267 of 2013**  
**With M.A.No.76 of 2017**

**Kitab Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>20.11.2017</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><b>Present</b> : Shri KK Misra, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>Objection on the application for condonation of delay filed today by the learned counsel for the respondents is taken on record and a copy of the same has already been provided to the learned counsel for the applicant, who prays for time to go through it and file replication.</p> <p>List this case on <b>16.01.2018</b> for orders.</p> <p>In the mean time, replication may be filed.</p> <p><b>(Lt Gen Gyan Bhushan)</b> Member (A) PKG</p> <p><b>(Justice S.V.S.Rathore)</b> Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**T.A.No.595 of 2010**

**Vijay Keshav Singh**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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>T.A. No.595 of 2010 (Vijay Keshav Singh vs. Union of India &amp; others) is allowed in part.</p> <p>For orders, see our order of date passed on the separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A.No.1789 of 2017**  
**Inre O.A.(Nil) of 2017**

**Dilip 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>17.11.2017</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 Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present : Shri Virendra Kumar Gupta, learned counsel for the applicant, Shri Amit Jaiswal, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.1789 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report is delayed by 06 months and 22 days.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file the objection on the application for condonation of delay. Replication to the objection may be filed by the learned counsel for the applicant within two weeks thereafter.</p> <p>List this case on <b>21.12.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

Court No. 2

**M.A.No.1891 of 2017 with M.A.No.1892 of 2017**  
**Inre O.A.No.117 of 2016**

**Union of India & others**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Smt Rekha Nagarkoti**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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 Zafar Khan, learned counsel for the applicant, Shri Shailendra Kumar Singh, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.1891 of 2017</u></b></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 12.09.2017 passed by this Court in O.A. No. 117 of 2016.</p> <p>As per stamp reporter's report, there is delay of 02 months and 07 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b><u>shall</u></b> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p> <p>The Hon'ble Supreme Court further observed as under :</p> <p><i>“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation .....They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.</i></p> <p>In view of the decision of the Hon'ble Supreme Court in the aforesaid case, the application for condonation of delay cannot be entertained and it is</p>

hereby rejected.

**M.A.No.1892 of 2017**

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

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

(Lt Gen Gyan Bhushan)  
Member (A)  
PKG

(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

**M.A.No.2244 of 2016 with M.A.No.198 of 2017**  
**Inre O.A.(A) No.Nil of 2016**

**Om Prakash**

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>17.11.2017</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, Shri Asheesh Agnihotri, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>On the last date, learned counsel for the respondents was granted six weeks' further time to file the present status of the petition/representation preferred before the Chief of the Army Staff, which is pending before him from 12.09.2015, but despite several opportunities, the respondents have failed to file the present status of the petition/representation.</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 two weeks' thereafter.</p> <p>List this case on <b>18.01.2018</b> for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents today free of cost.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

**Court No. 2**

**M.A.No.2566 of 2016 with M.A.No.1390 of 2017**  
**Inre O.A.No.(Nil) of 2016**

**Smt Kalash Kumari**  
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>17.11.2017</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 VK Pandey, learned counsel for the applicant, Ms Amrita Chakraborty, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>Reply to the objection filed today by the learned counsel for the applicant is taken on record.</p> <p><b><u>M.A.No.2566 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be genuine and also in view of the pronouncement of the Hon'ble Apex Court in the case of <b>Shiv Dass Vs Union of India reported in 2007 (3) SLR 445</b> wherein 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 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.”</i></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 be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List this case on <b>22.01.2018</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice S.V.S.Rathore) Member (J)</p>



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

**Court No. 2**

**M.A.No.978 of 2017**  
**Inre O.A.No. 538 of 2017**

**Smt Asgari**  
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>17.11.2017</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 Sharad Kumar Shukla, Advocate on behalf of the respondent nos.4,5 and 6 is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present : Shri BB Tripathi, learned counsel for the applicant, Shri Mohd Zafar Khan and Shri Sharad Kumar Shukla, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.978 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be genuine.</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 be registered as O.A.No.538 of 2017.</p> <p><b><u>ORDER (ORAL)</u></b></p> <p>Heard learned counsel for the parties and perused the record and with their consent, this O.A. is being finally disposed of.</p> <p>By means of this O.A., the applicant has made the following prayers:</p> <p><i>“(a) issue an order, direction and command to the respondents particularly respondents nos.2,4,5 and 6 to pay the rate of Liberalized Family pension to the applicant alongwith arrears thereof with interest as per RBI guidelines pursuant to order dated 22.03.2017 issued from the office of respondent no.2, contained in Annexure No.10 w.e.f. 01.01.06.</i></p> <p><i>(b) issue an order, direction and command to the respondents to consider and decide the representation to consider and decide the representation of the applicant dated 15.04.2017 contained in Annexure No.12, copy marked to respondent nos.2 to 6 by passing a reasoned and speaking order in accordance with law within a time to be fixed by this Hon'ble Tribunal.</i></p> <p><i>(c) issue such other order/direction which may be deemed just and proper in the circumstances of the case.</i></p> <p><i>(d) allow the Original Application with cost against the respondents in view of the facts and circumstances, legal provisions and Grounds raised in the Application.”</i></p>

It is submitted by the applicant that during the pendency of this O.A., Liberalised Family pension has been paid to the applicant, but now his claim is only to the interest on the delayed payment. He has submitted that in pursuance of Para 34(1) of the Circular issued by the RBI in July 2014, applicant is entitled to interest on the delayed payment. For this purpose, he has already submitted a representation on 15<sup>th</sup> April 2017, but no action has been taken on the said representation.

Therefore, with the consent of the learned counsel for the parties, we consider it appropriate to dispose of this O.A. finally with the directions to the respondents to dispose of the pending representation of the applicant within a period of three months from the date of a certified copy of this order is produced before the respondents.

With the aforesaid directions, the O.A. is finally disposed of.

(Lt Gen Gyan Bhushan)  
Member (A)  
PKG

(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

**M.A.No.1676 of 2017 with M.A.No.1677 of 2017**  
**Inre T.A.(A) No. 174 of 2010**

**Radhey Shyam Yadav**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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 Sudhir Kumar Singh, learned counsel for the applicant, Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.1676 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the recall application.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the recall application is hereby condoned.</p> <p><b><u>M.A.No.1677 of 2017</u></b></p> <p>This is an application for recall of the order dated 21.09.2010.</p> <p>The grounds shown in the affidavit filed in support of the recall application seem to be genuine.</p> <p>Accordingly, the application is allowed and the aforesaid order is hereby recalled.</p> <p><b><u>ORDER (ORAL)</u></b></p> <p>Heard learned counsel for the parties and perused the record and with their consent, this T.A. is being finally disposed of.</p> <p>Initially Writ Petition No.49855 of 2003 was filed before the Hon'ble High Court of Judicature at Allahabad and vide order dated 19<sup>th</sup> March 2010, it was transferred to this Bench and registered as T.A.No.174 of 2010.</p> <p>By means of this T.A., the applicant has made the following prayers:</p> <p><i>“(i) order the respondents to provide documents sought for/mentioned in para 2 of this writ petition, reproduced in Annexure-1 filed with this writ petition within time frame to be fixed by this Hon'ble Court, preferably two weeks.</i> <i>(ii) issue any other writ, order or direction which this Hon'ble Court deem fit and proper in the circumstances of the case.</i> <i>(iii) Award cost of the petition to the petitioner.”</i></p>

Under the rule, the petitioner is entitled for the copy of the SCM proceedings after conclusion of the SCM proceedings. We do not find any good reason to keep this T.A. pending, as it relates to the year of 2010 and the petitioner is entitled to get the copy of the SCM proceedings.

Accordingly, we hereby direct the respondents to provide the copy of the SCM proceedings to the petitioner within four months from the date a certified copy of this order is produced before them, provided it has not been weeded out..

With the aforesaid directions, the T.A. is finally disposed of.

(Lt Gen Gyan Bhushan)  
Member (A)  
PKG

(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.(A)No. 311 of 2017**  
**With M.A.No.2016 of 2017 & M.A.No.1812 of 2017**

**Smt Alka Mishra W/o Vimal Kumar Mishra**  
By Legal Practitioner for Appellant

**Appellant**

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>17.11.2017</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 appellant, Shri Bhanu Pratap Singh, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A.No.1812 of 2017</u></b></p> <p>This is an application moved by the wife of Ex Hav Vimal Kumar Mishra for releasing her husband on bail during the pendency of the present O.A.(A).</p> <p>We have heard learned counsel for the parties on this application for suspension of sentence and for grant of bail during pendency of the O.A.(A).</p> <p>Notice in this application for bail was also given to the learned counsel for the respondents and they have also filed their objection on the application.</p> <p>The charge against Ex Hav Vimal Kumar Mishra, the husband of the appellant is that by using the ATM card of other, he had withdrawn the money from the account of such card holder at different time. The SCM, after his trial, inflicted punishment of dismissal from service and with Rigorous Imprisonment for a period of one year by his confinement in civil prison.</p> <p>The submission of learned counsel for the appellant is that Ex Hav Vimal Kumar Mishra has been dismissed from service and is under confinement since 24<sup>th</sup> July 2017 and thereby he has already served almost half of the sentence inflicted on him. Learned counsel for the appellant has submitted that keeping in view the nature of offence and the period of sentence awarded to Ex Hav Vimal Kumar Mishra, he deserves to be released on bail. Learned counsel for the appellant has submitted that her husband has a family to maintain and he is suffering an irreparable loss because of his custody during pendency of this O.A.(A), in which he has full hope of success. The husband of the appellant has a fixed place of abode and there are no chances of his absconding. As per the record, there</p>

is no other criminal history of Ex Hav Vimal Kumar Mishra and his character has been reported to be exemplary except this incident.

The bail application is opposed by the respondents. However, the facts situation, narrated above, has been admitted.

Keeping an overall view of the matter, we are of the considered view that the execution of sentence of Ex Hav Vimal Kumar Mishra deserves to be suspended during pendency of this O.A.(A) and he deserves to be released on bail.

Accordingly, this application is allowed and the execution of sentence awarded to Ex Hav Vimal Kumar Mishra is hereby suspended.

Ex Hav Vimal Kumar Mishra shall be released on bail on his furnishing a personal bond of Rs.50,000/- (Fifty Thousand) with two sureties each in the like amount to the satisfaction of the Registrar of this Tribunal. On furnishing sureties, as stated above, Registrar shall then issue the release order, which in turn will be conveyed to the concerned Jail Superintendent, wherein Ex Hav Vimal Kumar Mishra is presently confined serving out his sentences.

After the release of Ex Hav Vimal Kumar Mishra, the bail bonds furnished for his release, shall be kept on record with the main record.

M.A. aforesaid stands disposed of accordingly.

List this case on **03.01.2018** for orders.

(Lt Gen Gyan Bhushan)  
Member (A)  
PKG

(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

**M.A.No. 1898 of 2017 with M.A. No. 1899 of 2017**  
**Inre O.A. (A). No. 327 of 2015**

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

**Applicants**

Versus

**Arun Kumar Singh**  
By Legal Practitioner for Respondent

**Respondent**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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 Anurag Mishra, learned counsel for the applicant, Shri Rohit Kumar, learned counsel for the respondents assisted by Major Piyush Thakran, Departmental Representative.</p> <p><b><u>M.A.No.1898 of 2017</u></b></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 21.08.2017, passed by this Court in O.A. No. 327 of 2015.</p> <p>As per stamp reporter’s report, there is delay of 10 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b><u>shall</u></b> be made for approaching Hon’ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon’ble Supreme Court in <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> in which the Hon’ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”</i></p> <p>The Hon’ble Supreme Court further observed as under :</p> <p><i>“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation ... ..They cannot claim that they have a separate period of limitation</i></p>

*when the Department was possessed with competent persons familiar with court proceedings”.*

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

**M.A. No. 1899 of 2017**

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

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

(Lt Gen Gyan Bhushan)  
Member (A)  
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. 141 of 2012**

**Smt Rekha**

By Legal Practitioner for Applicants

**Applicants**

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>17.11.2017</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 Nishant Verma, learned counsel for the applicant, Shri Asheesh Agnihotri, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>In pursuance of the Court order dated 17.08.2017, amended copy of the original application has been filed by learned counsel for the applicant, in Court today, is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection to the amended portion of the Original Application.</p> <p>List this case on <b>20.12.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 152 of 2016**

**Arbind Kumar Dubey**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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 Nishant Verma, learned counsel for the applicant, Shri Asheesh Agnihotri, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p>Shri Asheesh Agnihotri, learned counsel for the respondents prays for and is granted three 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>19.12.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 207 of 2016 with M.A. No. 22 of 2017 & M.A. No. 48 of 2017**

**Sushila Kumari**

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>17.11.2017</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 applicant and Ms Appoli Shrivastava, Shri Sharad Kumar Shukla, learned counsel for the respondents assisted by Major Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A. No. 2021 of 2017</u></b></p> <p>Supplementary affidavit filed by learned counsel for the applicant, in Court today, is taken on record.</p> <p><b><u>M.A. No. 2022 of 2017</u></b></p> <p>Objection against the application for impleadment has been filed by learned counsel for the applicant, in Court today, is taken on record.</p> <p>Learned counsel for the respondents submitted that copy of the affidavits filed by learned counsel for the applicant as well as application for impleadment moved by the proposed respondents have not been provided to them.</p> <p>Learned counsel for the applicant is hereby directed to provide copy of the aforesaid applications upon learned counsel for the respondents during course of the day.</p> <p>Learned counsel for the proposed respondent, who moved the application for impleadment is also directed to provide copy of the same upon learned counsel for the respondents during course of the day.</p> <p>List this case on <b>18.12.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 94 of 2017**

**Smt Sanju 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>17.11.2017</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 Paandey, learned counsel for the applicant, Shri Rajiv Pandey, learned counsel for the respondent No. assisted by Major Rajshri Nigam, 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 by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>05.01.2018</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S.Rathore) Member (J)</p>

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 R.D.Singh (Retd), learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>We have heard arguments advanced by learned counsel for the parties on the interim relief application.</p> <p>While hearing learned counsel for the parties on the prayer for interim relief, it is informed by learned counsel for the respondents that the applicant has filed case under Section 24 of the Hindu Marriage Act wherein she is getting maintenance pendente lite vide order dated 06.08.2015 and a decree under Section 9 of the Hindu Marriage Act has also been passed.</p> <p>Learned counsel for the applicant denied this fact initially, but subsequently he has agreed that order has been passed. However, he stated that this order is with regard to expenses of litigation.</p> <p>Before proceeding further, we feel it appropriate that the order passed by the Civil Court be brought on record by the learned counsel for the parties.</p> <p>Hence, we hereby direct learned counsel for the parties to bring on record said order passed under the Hindu Marriage Act by means of affidavit.</p> <p>It is submitted by learned counsel for the applicant that in compliance of said order, no maintenance allowance is being paid to the applicant by respondent no. 5. Hence, we direct that this fact be also mentioned in the affidavit that no maintenance as directed by the Civil Court is being paid by respondent no. 5.</p> <p>List this case on <b>22.11.2017</b> for further 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>Anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 298 of 2017**

**Gyan Prakash Gupta**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 Rajeev Pandey, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Two weeks' further time as prayed for by learned counsel for the respondents is granted to file counter affidavit. Two weeks' time thereafter is granted to learned counsel for the applicant to file rejoinder affidavit.</p> <p>List the case on <b>08.01.2018</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 355 of 2017**

**Pratap Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 Prabhav Srivastava, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents may file counter affidavit within two weeks. Applicant shall have two weeks' thereafter to file rejoinder affidavit.</p> <p>List the case again on <b>08.01.2018</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 381 of 2017**

**Smt. Kamil Nisa**

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>17.11.2017</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 Dr. Shailendra Sharma Atal, 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 weeks' further time to file affidavit in terms of earlier order dated 01.09.2017 of the Tribunal.</p> <p>List the 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>anb</p>



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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 R.D. Singh (Retd), learned counsel for the petitioner and Ms. Appoli Srivastava, learned counsel for the respondents.</p> <p>Learned counsel for the parties are present.</p> <p>This case was transferred to Armed Forces Tribunal, Jabalpur Bench and as per submission of learned counsel for both the parties, counter affidavit was filed but copy of the same has not been provided to the learned counsel for the applicant and it is also not with learned counsel for the respondents.</p> <p>Hence, we direct the Registry to provide photostat copy of the counter affidavit to both the learned counsel for the parties.</p> <p>We have perused the counter affidavit. By amendment, paras 4.79 and onwards were added and amendment has also been incorporated in the T.A. Counter affidavit to the said amended portion of the T.A. has not been filed by the respondents. Hence, we permit the respondents to file supplementary counter affidavit if they so desire on the amended portion of the T.A.</p> <p>List this case on <b>28.11.2017</b> for hearing on bail application.</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 18 of 2014**

**Gokula Nand Pandey**  
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 Ms. Anju Singh, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents has submitted that the issue involved in this case is sub judice before the Hon'ble Supreme Court and the matter is likely to come up for hearing in the Hon'ble Supreme Court in the next week. Hence, we consider it appropriate to postpone the hearing of the case.</p> <p>List this case on <b>20.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 248 of 2015 with M.A. No. 1983 of 2017  
alongwith T.A. No. 121 of 2011 (Deceased)**

**Smt. Malti Devi**

By Legal Practitioner for Petitioner

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>17.11.2017</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 V.K. Pandey, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On the request of learned counsel for the applicant, hearing of the case is adjourned.</p> <p>Since the matter is very old, hence, list this case on <b>30.11.2017</b> for further hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>Anb</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 153 of 2016**

**Vrajesh Kumar Shankhdhar**  
By Legal Practitioner for Petitioner

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>17.11.2017</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 petitioner and Mohd Zafar Khan, learned counsel for the respondents.</p> <p>Learned counsel for the applicant has submitted that in pursuance of earlier orders dated 18.08.2017 and 23.10.2017, he does not intend to file reply to the affidavit filed on behalf of the respondents.</p> <p>List this case on <b>04.01.2018</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>anb</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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.11.2017</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 Rao Narendra Singh, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents.</p> <p><i>Vakalatnama</i> filed by Shri Yash Pal Singh, Advocate on behalf of respondent no. 5 is taken on record. His name shall be shown in the cause list as counsel for respondent no. 5.</p> <p>It is submitted by Shri Yash Pal Singh that he has received copy of the rejoinder affidavit and he prays for time to go through it and reply, if so required.</p> <p>List this case on <b>08.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 136 of 2017**

**Jyoti 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>17.11.2017</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 Onkar Pandey, learned counsel for the applicant and Shri G.S. Sikarwar, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</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>03.01.2018</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 531 of 2010**

**Sultan Ram**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Secy Govt of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.11.2017</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 Shri D.K. Pandey, learned counsel for the respondents.</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>SB</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**

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>17.11.2017</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>The case pertains to the year 2010. Vide order dated 18.09.2017, learned counsel for the respondents was directed to produce original documents pertaining to the case for perusal of the Bench but the same have not yet been produced and prays for adjournment of the case.</p> <p>Keeping in view the request made by learned counsel for the respondents, we hereby direct that on the next date, original documents shall be produced before the Tribunal, failing which the respondents shall have to pay a cost of Rs. 10,000/- to the applicant.</p> <p>List this case on <b>07.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>SB</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 38 of 2012**

**Subhash Chandra 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>17.11.2017</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 Mohd Zafar Khan, learned counsel for the respondents.</p> <p>On the request of the learned counsel for the applicant, hearing is adjourned for the day.</p> <p>List this case on <b>28.11.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 84 of 2012**

**Narendra Kumar Rana**  
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>17.11.2017</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 Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties. Main question involved in this case is whether a FIR was lodged or not.</p> <p>Learned counsel for the respondents prays for time to verify the facts that whether FIR was lodged or not and to go through the judgment dated 18.04.2017 passed in <b>T.A. No. 1288 of 2010, Chandra Bhushan Yadav vs. Union of India &amp; others</b> to which learned counsel for the applicant has placed reliance.</p> <p>List this case on <b>17.01.2018</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 518 of 2017**

**Ansh Narayan Tripathi (under detention)**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2017</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 Yogesh Kesarwani, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents assisted by Wg Cdr Sardul Singh, Departmental Representative.</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><b><u>ORDER (Oral)</u></b></p> <p>Heard learned counsel for the parties and perused the record and with their consent, this O.A. is being disposed of finally at the admission stage.</p> <p>By means of this O.A., the applicant has made the following prayers :</p> <p>“(i) <i>To direct the respondents to decide the CONFIRMATION pending with confirming authority within 15 days.</i></p> <p>(ii) <i>To pass orders to the respondents to ensure no third degree treatment be done with the Applicant son while in detention and daily medical check-up be done.</i></p> <p>(iii) <i>To pass orders which their lordships may deem fit and proper in the existing facts and circumstances of the case.</i></p> <p>(iv) <i>Allow this application with cost.”</i></p> <p>The applicant has been confined in pursuance of the punishment awarded to the applicant by the DCM on 04<sup>th</sup> July 2017. Thereafter, the applicant has preferred O.A.No.1111 of 2017 before the AFT, Principal Bench, New Delhi, which was disposed on 14.07.2017. The relevant</p>

paragraph nos.4, 5 and 6 are reproduced as under :

*“4. Learned counsel for the applicant states that the applicant may be provided with necessary facilities by way of papers, pen etc. enabling him to make representation as presently the applicant is in custody.*

*5. Learned counsel for the respondents assured that needful will be done for providing necessary facilities by way of papers, pen etc. enabling the applicant to make representation to the confirming authority.*

*6. With these directions that learned counsel for the respondents will supply aforesaid documents and provide necessary facilities to the applicant for the purpose of making representation to the confirming authority as expeditiously as possible, the OA is disposed of.”*

The submission of the learned counsel for the applicant is that the applicant is suffering from high blood pressure and he is not being provided with proper medical treatment by the respondents. His vital organs may get damaged due to high blood pressure. Learned counsel for the applicant further submits that the respondents may be directed to provide proper treatment to the applicant.

Keeping in view the submissions of the learned counsel for the applicant, we hereby direct the respondents to conclude the confirmation proceedings of the DCM within 15 days from the date a certified copy of this order is produced before them and further direct that he shall be medically checked up daily. The concerned authority shall ensure safety and proper medical treatment of the applicant and also ensure the confirmation of the DCM proceedings, as directed by us. The respondents must ensure that the applicant is not ill treated.

O.A. stands disposed of accordingly.

Let a copy of this order be given to the learned counsel for the parties today free of cost.

**(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.1384 of 2016**  
**Inre O.A. (Nil) of 2016**

**Smt Laxmi 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>16.11.2017</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, Dr Shailendra Sharma Atal, 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 and no more time to file objection on the application for condonation of delay.</p> <p>List this case on <b>04.12.2017</b> for orders.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 2636 of 2016 with M.A. No. 1799 of 2017**

**Inre O.A. (Nil) of 2016**

**Dinesh 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>16.11.2017</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: Smt Navita Sharma and Shri R Chandra, learned counsel for the applicant, Dr Shesh Narain Pandey, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p><b><u>M.A. No. 1799 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>The grounds shown in the affidavit filed in support of the application for condonation of delay seem to be sufficient.</p> <p>Accordingly, application is allowed and the delay in filing the application is hereby condoned.</p> <p><b><u>M.A. No. 2636 of 2016</u></b></p> <p>This is an amendment application for amending the prayer clause.</p> <p>The grounds appear to be sufficient.</p> <p>Accordingly, the application is allowed. Let necessary amendments be carried out during course of the day.</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 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>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A.No.23 of 2017**

**Rajendra Pal Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2017</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, Shri Shyam Singh, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</p> <p>Rejoinder affidavit filed by the learned counsel for the respondents today is taken on record and a copy of the same has been provided to the learned counsel for the applicant.</p> <p>It is submitted on behalf of the applicant that in pursuance of the order of the Tribunal dated 31.01.2017, the applicant is continuing in service, but his salary is not being paid by the respondents.</p> <p>Learned counsel for the respondents prays for and is granted time till the date fixed to seek instructions whether the salary is being paid to the applicant and if not, reason therefor.</p> <p>List this case on <b>18.12.2017</b> for hearing.</p> <p>Learned counsel for the respondents shall produce the original records on the date fixed.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 266 of 2011**

**Chand Pati**

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>16.11.2017</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 Yogendra Singh, Advocate, holding brief of Shri Pradeep Tiwari, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p>Shri Yogendra Singh, Advocate submits that Shri Pradeep Tiwari, learned counsel for the applicant has not come to the Court due to illness and he prays for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on <b>21.12.017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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**

**O.A. No. 21 of 2015 with M.A. No. 1011 of 2017 & M.A. No. 1243 of 2017**

**Maj Saurabh Dutt**

In Person

**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>16.11.2017</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 Saurabh Dutt, in person, Dr Shailendra Sharma Atal, learned counsel for the respondent Nos 1 to 5 and Shri RP Verma, learned counsel for the respondent No 7 assisted by Maj Piyush Thakran, departmental representative.</p> <p><b><u>M.A. No. 2008 of 2017</u></b></p> <p>In pursuance of the Court order dated 13.10.2017, Shri RP Verma, learned counsel for the respondent No 7 has filed details of bank account from 2009 to till date, in Court today, after serving a copy to the applicant, which is taken on record.</p> <p><b><u>M.A. No. 2009 of 2017</u></b></p> <p>Maj Saurabh Dutt, applicant has filed supplementary affidavit to affidavit dated 01.06.2017 and 17.07.2017 regarding various correspondence exchanged between the applicant and respondent No. 6, in Court today, after serving a copy upon learned counsel for the respondents, the same is taken on record. Parties may file reply to the aforesaid affidavits by next date fixed.</p> <p>List this case on <b>23.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt. Gen. Gyan Bhushan) Member (A)</p> <p>(Justice 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**

**O.A. No. 355 of 2015**

**Smt Rama 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>16.11.2017</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 VK Singh, Advocate, holding brief of Shri KK Misra, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p><b><u>M.A. No. 2010 of 2017</u></b></p> <p>Supplementary rejoinder affidavit filed by Shri VK Singh, today, in Court is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to go through it.</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 documents pertaining to the 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>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1671 of 2017 Inre O.A. No. Nil of 2017**

**Anupama Mishra**

By Legal Practitioner for Applicant

Applicant

Versus

**Managing Director AGI & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.11.2017</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 Kumar Gupta, 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' time to file objection on the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within a week, thereafter.</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 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. 162 of 2016**

**Tomy Varghese**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.11.2017</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 B.P. Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</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**

**O.A. No. 418 of 2017**

**Vidyawati Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2017</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents has filed a preliminary objection on the point of maintainability of the case, today in the Court.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to file replication of the objection.</p> <p>List this case on <b>08.01.2018</b> for orders on the point of maintainability.</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. 129 of 2013**

**Rajendra 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>16.11.2017</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 V.P. Pandey and Shri R.P. Shukla, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>Vide order dated 14.09.2017 of this Tribunal, learned counsel for the applicant was directed to submit synopsis/written argument of the case but he has not yet filed the same and prays for adjournment of the case. As prayed, the case is adjourned for the day.</p> <p>List this case on <b>10.01.2018</b> for hearing.</p> <p>On the date fixed, learned counsel for the applicant shall submit synopsis/written argument of the case for the perusal of the Bench, providing a copy of the same to learned counsel for the respondents also.</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. 200 of 2013**

**Dinesh 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><b>16.11.2017</b></u> <u><b>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</b></u> <u><b>Hon'ble Lt Gen Gyan Bhushan, Member (A)</b></u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</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>SB</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 264 of 2015**

**Natha Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2017</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: Mohd Shariq Khan, holding brief of Shri S.G. Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</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>SB</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 251 of 2016**

**Smt. Kanta Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>16.11.2017</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 Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Supplementary affidavit, dated 11.10.2017, filed by learned counsel for the respondents indicates that necessary directions have been issued to PCDA (P), Allahabad for notional fixation of pension as applicable to Hony Nb Subedar vide order dated 12.07.2017. This order has been issued by the respondents in terms of order passed by Principal Bench in the earlier O.A. No. 320 of 2012, filed on behalf of applicant's husband.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' time to seek instructions from his client whether the applicant has received the payment in pursuance to the aforesaid order or not.</p> <p>List this case on <b>22.12.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the applicant shall also file order passed by the Principal Bench in earlier O.A.</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. 116 of 2017**

**Smt. Sadhana 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>16.11.2017</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 A.N. Tripathi, learned counsel for the respondents.</p> <p>Learned counsel for the applicant has filed a copy of the judgment of Regional Bench, Jabalpur in support of his submission. A copy of the same has been served upon to learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to go through it and file his response.</p> <p>List this case on <b>22.12.2017</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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**

**T.A. No. 1224 of 2010**

**Ravindra Nath Sharma**  
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>16.11.2017</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 Manoj Kumar Singh, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents and Shri Abhay Kumar, learned counsel for the Bank concerned and Shri Meraj Khalid Khan, Assistant Treasury Officer, District Mau.</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. 82 of 2012**

**Mahavir Singh Rawat**  
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>16.11.2017</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 Shri R.K.S. Chauhan, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on <b>18.12.2017</b> for hearing to enable him to produce certified copy of the documents.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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>Anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 36 of 2013**

**Man 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>16.11.2017</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 Rakesh Johri (Retd), learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Learned counsel for the petitioner had provided copy of synopsis to learned counsel for the respondents in pursuance of our order dated 03.10.2017.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to go through it and file response.</p> <p>List this case on <b>19.12.2017</b> for hearing showing the name of Col Rakesh Johri (Retd), in addition to Lt Col A.K. Saxena (Retd), as learned counsel for the petitioner.</p> <p>On the next date, learned counsel for the respondents shall produce the original records pertaining to the 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**

**T.A. No. 66 of 2013 with M.A. No. 1886 of 2016**

**Pitambar Dutt Uniyal & Another**  
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>16.11.2017</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 petitioner and Shri Sunil Sharma, learned counsel for the respondents.</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**

**O.A. No. 195 of 2010**

**Anil Kumar Arya**

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>15.11.2017</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 Lalit Kumar, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p>Heard learned counsel for the parties on the amendment application moved by the respondents with prayer for carrying out certain amendments in their counter affidavit.</p> <p>By means of this amendment application dated 13.01.2012, respondents has made prayer to substitute Para 6 and insert new Para 6(a) in their counter affidavit. In support of the amendment application, it is submitted by the learned counsel for the respondents that in facts of this case the applicant was punished twice and because of certain mistakes mentioned in the facts of the counter affidavit. Therefore, this amendment application is necessary to bring on record the correct facts.</p> <p>Learned counsel for the applicant vehemently opposed this application and submitted that in view of Rule 17 of the Code of Civil Procedure, amendment application which has been moved with considerable delay and by means of this amendment application, respondents want to insert new Para which should not be allowed.</p> <p>At this juncture, we would like to quote Rule 17 of the Code of Civil Procedure:-</p> <p><i>“17. Amendment of pleadings.- The Court may at any stage of the proceedings allow either party to alter or amend his pleadings in such manner and on such terms as may be just, and all such amendments shall be made as may be necessary for the purpose of determining the real questions in controversy between the parties:</i></p> <p><i>Provided that no application for amendment shall be allowed after the trial has commenced, unless the Court comes to the conclusion that in spite of due diligence, the party could not have raised the matter before the commencement of trial.”</i></p> <p>We are looking at this provision which makes abundantly clear</p>

that any amendment which is necessary for the correct decision of the case must be allowed. By means of this amendment application, the respondents simply want to bring certain correct facts on record. During course of arguments, it has been argued by the respondents that mistakes occurred only because the two punishments were awarded at different dates and in connection with different offences committed by the applicant.

In this case the hearing has not yet commenced and the case still in the stage of pleadings. It is necessary to bring on record the correct facts. Therefore, we are of the view that this amendment application deserves to be allowed.

Accordingly, aforesaid amendment application is hereby allowed and leave granted to the respondents to amend the counter affidavit within the period of 7 days from today.

Learned counsel for the applicant may, if he so wish, file his rejoinder affidavit to the amended portion of the counter affidavit within a period of 7 days, thereafter.

List this case on **30.11.2017** for orders.

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

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

RPM/-



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 109 of 2014 with M.A. No. 1949 of 2017**

**Mukesh 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>15.11.2017</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 Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p><b><u>M.A. No. 1949 of 2017</u></b></p> <p>Learned counsel for the applicant does not intend to press this amendment application with a liberty to file a fresh.</p> <p>Accordingly, aforesaid application is hereby rejected with liberty to file a fresh.</p> <p>List this case on <b>30.11.2017</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**

**O.A. No. 263 of 2017**

**Anurag Yadav**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.11.2017</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 Satendra Kumar Singh, learned counsel for the applicant and Shri Ramesh Chandra Shukla, learned counsel for the respondents assisted by Wg Cdr Sardul Singh, departmental representative.</p> <p>Prayer has been made on behalf of the respondents to grant time to file counter affidavit. It is submitted that the applicant has already been released on bail and proceedings of the Court Martial has not yet been finalised due to his absence. Learned counsel for the applicant has raised apprehension that in case the applicant is directed to appear before the competent authority for the finalisation of the proceedings, then he may be ill-treated by the Air Force Authorities.</p> <p>We consider that the DCM Proceedings must be finalised before proceeding with the case.</p> <p>We hereby direct the learned counsel for the applicant to produce the applicant before the concerned Air Force Authorities within one month. The respondents are directed to get him medically examined at the time of his surrendering before the respondents. After finalisation of the DCM proceedings applicant shall again be medically examined. Both the medical examination reports shall be filed before this Tribunal on or before the next date fixed. Respondents shall ensure full safety of the applicant during the period he remains in their custody till the finalisation of the DCM Proceedings.</p> <p>List this case on <b>18.01.2018</b> for orders.</p> <p>Let a copy of this order be given to the learned counsels for the parties today free of cost.</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**

**O.A. No. 399 of 2017 with M.A. No. 2000 of 2017**

**Khamesh 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>15.11.2017</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 VK Singh, holding brief of Shri KK Misra, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p><b><u>M.A. No. 2000 of 2017</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents in Court today 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>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. 692 of 2010 with M.A. No. 427 of 2016**

**Suresh Kumar Soni**

In Person

**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>15.11.2017</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 Suresh Kumar Soni, petitioner in person, Mrs Laxmi Soni, respondent No. 5 and Dr Shailendra Sharma Atal, learned counsel for the respondents Nos. 1 to 4 assisted by Wg Cdr Sardul Singh, departmental representative.</p> <p>Heard.</p> <p>Arguments concluded.</p> <p>Orders 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

**Court No. 2**

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

**Bhupendra Singh Bhadauria**  
By Legal Practitioner for Applicant

**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>15.11.2017</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 Sigh(Retd), learned counsel for the petitioner and Ms Appoli Shrivastava, learned counsel for the respondents assisted by Maj Piyush Thakran, departmental representative.</p> <p>With consent of learned counsel for the parties, list this case on <b>17.11.2017</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**

**T.A. No. 20 of 2017**

**Dhananjay Kumar**

By Legal Practitioner for Applicant

**Petitioners**

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>15.11.2017</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 YR Sharma, learned counsel for the petitioner and Shri Kaushik Chattarjee, learned counsel for the respondents assisted by Wg Cdr Sardul Singh, departmental representative.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to produce the entire original records for perusal of the Bench. The connected Writ Petition No. 18113 was initially filed in 1997 in the Hon'ble High Court of Judicature at Allahabad. Since the matter pertains to 1997, no further adjournment shall be granted to the respondents.</p> <p>Let a copy of this order be given to the learned counsel for the respondents today free of cost.</p> <p>List this case on <b>20.12.2017</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

**O.A. No. 64 of 2013**

**Chandra Ballabh Bhatt (Deceased)**  
**through Smt. Madhuri Bhatt and another**  
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.11.2017</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 Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Case called out. Learned counsel for the parties are present.</p> <p>On the previous date, we had passed the following order :-</p> <p><i>“No representative of the Navy is present. From perusal of the order sheets, it transpire that for the last several dates, no representative of the Navy is appearing to attend the Court. Since the representative of Navy is not coming to the Court, therefore, original documents which are necessary for perusal of the Court are not available. Such negligence on the part of Naval authorities, is unnecessarily delaying the matter which relates to the year 2013.</i></p> <p><i>In these circumstances, we hereby impose a cost of Rs. 10,000/- on the respondents to be deposited by the next date in the Registry and the same shall be released in favour of the applicant.</i></p> <p><i>List this case on 15.11.2017 for orders.</i></p> <p><i>On the date fixed, learned counsel for the respondents shall ensure appearance of Naval authorities with original documents pertaining to the case for perusal of the Bench. Let a copy of this order be provided to learned counsel for the respondents free of cost.”</i></p> <p>As per report of the Registry, cost of Rs. 10,000/- imposed by order dated 30.10.2017 has not been deposited and the Naval Authorities, as directed, are also not present alongwith original records. It appears that the Naval Authorities are not obeying the directions of the Tribunal and for last several dates no representative of Navy is appearing to attend the Court causing the delay in disposal of the case which relates to the year 2013. It reflects casual attitude of the concerned Officers.</p> <p>In these circumstances, we consider it appropriate to bring</p>

this fact to the notice of the Chief of Naval Staff who shall issue necessary directions to the concerned Naval Authorities to ensure compliance of the order of the Tribunal.

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

We hope and expect that on the next date of listing, directions issued on 30.10.2017 shall be complied with by the authorities concerned in letter and spirit and the JAG Navy shall personally be present in Court on the next date fixed in this case.

Registrar is directed to send a copy of this order to the Chief of Naval Staff for information and to issue necessary directions for compliance of orders of the Tribunal.

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

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

anb



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**

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>15.11.2017</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 Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the petitioner prays for and is granted a week's time to file amended copy of the petition.</p> <p>List this case on <b>28.11.2017</b> for orders.</p> <p>Since the matter relates to the year 2010, no further adjournment shall be granted to the learned counsel for the petitioner.</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. 28 of 2017 Alongwith M.A. No. 1998 of 2017**

**Smt. Rajesh Tyagi**

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>15.11.2017</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 Dinesh Kumar, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1998 of 2017</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. Copy thereof has been supplied to learned counsel for the petitioner in Court. M.A. aforesaid is <b>disposed of</b> accordingly.</p> <p><b><u>T.A. No. 28 of 2017</u></b></p> <p>Learned counsel for the petitioner prays for and is granted two weeks' time to file rejoinder affidavit.</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 184 of 2017**

**Pradeep 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>15.11.2017</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 Lalit Kumar, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents assisted by Maj Piyush Thakran, Departmental Representative.</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 264 of 2015**

**Natha Yadav**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>15.11.2017</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: Mohd Shariq Khan, Advocate holding brief of Shri S.G. Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On request made by Mohd Shariq Khan, the case is passed over for the day.</p> <p>As prayed, list this case on <b>16.11.2017</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><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. 311 of 2015 with M.A. No. 154 of 2016**

**Nirma 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>15.11.2017</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 applicant and Shri Kaushik Chatterjee, learned counsel for the respondents and Shri Anurodh Srivastava, learned counsel for respondent No. 6.</p> <p>Heard learned counsel for the parties.</p> <p>A preliminary objection has been raised by learned counsel for the respondents regarding maintainability of the present O.A. By means of this O.A., the following prayer has been made :-</p> <p><i>“(1) It is therefore respectfully prayed that the order dated 14.03.2011 of GOC NC may kindly be executed against pensionary benefits of opp. Party no. 6 i.e., Ex Nk Brijesh Kumar and maintenance and arrears of maintenance w.e.f. 14.11.2014 may kindly be paid at an early date to the applicant in her S.B. Account No. 30703857099 at Lalganj RBLy IFSC Code no.</i></p> <p><i>(2) It is further prayed that the proportionate payment of gratuity paid to the said opp. Part no. 6 may also be paid to the applicant as may be admissible under the rule.</i></p> <p><i>(3) That the hon'ble tribunal may kindly be pleased to pass suitable any other order or direction which is deemed just, fit and proper in the circumstances of the case in favour of the petitioner in the interest of justice.”</i></p> <p>It is admitted to learned counsel for the parties that respondent No. 6 Ex Naik Brijesh Kumar has retired and is getting pension. Objection of learned counsel for the respondents is that maintenance allowance cannot be granted to the wife from the pension amount since relationship of employer and employee between respondent No. 6 and official respondents ceased to exist on the date of retirement of respondent No. 6.</p> <p>Learned counsel for the applicant was asked to show</p>

provisions of the Act, rules framed there under and Regulations on which he has placed his claim. Learned counsel for the applicant placed reliance on Regulation 8 (a) & 9 (a) of Pension Regulations for the Army 2008 (Part I ). For convenience sake, Regulation 8 (a) and 9 (a) are reproduced as under :-

“8(a) Future good conduct shall be an implied condition for every grant of pension or allowance and its continuous under these Regulations.

9(a) In circumstances to be determined by the competent authority or as may be specified in these Regulations, the pension including the commuted value thereof which has not been paid or gratuity to be granted to an individual, or any portion of it, may be withheld, suspended or discontinued. In exceptional cases payment of part or whole of the pension, allowance gratuity withheld or suspended may, by an order of the competent authority be made to the wife or other dependent(s) of the pensioner.”

A bare perusal of the above quoted provisions of the Regulations (supra) clearly show that these provisions do not cover the controversy involved in this case.

After arguing at some length, learned counsel for the applicant conceded that case of the applicant is not maintainable before this Tribunal and prayed that he may be granted liberty to approach the Civil Court having jurisdiction for redressal of his grievances.

Accordingly, the present O.A. is hereby **dismissed** with liberty to the applicant to seek redressal of his grievances before the competent Civil Court.

No order as to costs.

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

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

anb

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 284 of 2016**

**Rajendra Prasad 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>15.11.2017</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 Rakesh Johri, learned counsel for the applicant and Dr. Shesh Narain Pandey, learned counsel for the respondents assisted by Wg Cdr Sardul Singh, Departmental Representative.</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 1 of 2014**

**Sarbeswar Pattanaik**  
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>15.11.2017</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.P. Verma, learned counsel for the petitioner and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Adjournment has been prayed for by learned counsel for the petitioner.</p> <p>The matter pertains to the year 2006. Petitioner is himself responsible for delay in disposal of the case.</p> <p>List this case on 20.12.2017 for orders.</p> <p>It is clarified that the case may be heard and dispose of on the next date of listing.</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. 42 of 2017**

**Col Mukul Singhal**  
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>15.11.2017</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 Mohan Kumar, learned counsel for the petitioner and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record.</p> <p>List this case on <b>23.01.2018</b> for hearing.</p> <p>On the next date, learned counsel for the respondents shall positively produce the original records for perusal of the Bench.</p> <p>Meanwhile, applicant may file rejoinder affidavit, if he so wishes.</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. 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**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.11.2017</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 alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A. No. 1762 of 2017</u></b></p> <p>Objection against application for condonation of delay has been filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted a week's time to file replication to the aforesaid objection filed by learned counsel for the respondents.</p> <p>List this case on <b>30.11.2017</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**

**O.A. (A) No. 311 of 2017 with M.A. No. 1812 of 2017**

**Smt Alka Mishra W/o Vimal Kumar Mishra**  
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>14.11.2017</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 Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A. No. 1812 of 2017</u></b></p> <p>Bail application filed by learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted two days time to file objection on bail application filed by learned counsel for the applicant.</p> <p>Counter affidavit has not been filed by learned counsel for the respondents in terms of this Hon'ble Court earlier orders dated 18.08.2017 and 03.10.2017. Therefore, counter affidavit be filed within two days.</p> <p>List this case on <b>17.11.2017</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. 77 of 2016**

**Ashok 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>14.11.2017</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, Advocate holding brief of Shri KKS Bisht, learned counsel for the petitioner and Dr Shesh Narain Pandey, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Shri VP Pandey, Advocate learned counsel appearing for the learned counsel for the petitioner states that Shri KKS Bisht, learned counsel for the petitioner is out of station and he prays for adjournment of the case. Accordingly the case is adjourned for the day.</p> <p>Rejoinder affidavit shall be filed by the learned counsel for the petitioner on or before the case is listed next.</p> <p>List this case on <b>04.12.2017</b> for order.</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. 349 of 2016 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>14.11.2017</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 Virat Anand Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the petitioner prays for and is granted four days time to prepare the case.</p> <p>List this case on <b>20.11.2017</b> for further 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><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. 692 of 2010 with M.A. No. 427 of 2016**

**Suresh Kumar Soni**

In Person

**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>14.11.2017</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 Suresh Kumar Soni, in person and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Wg Cdr Sardul Singh.</p> <p><b><u>M.A. No. 427 of 2016</u></b></p> <p>None is present on behalf of the petitioner.</p> <p>On 19.10.2016, Shri R Chandra, Advocate was nominated as Amicus Curiae on behalf of Smt. Laxmi Soni to assist the Court. Accordingly, he has moved an Impleadment Application.</p> <p>On 17.08.2017, Smt. Laxmi Soni informed the Court that she does not require services of Shri R Chandra, Advocate, detailed as amicus curiae and she would conduct her case personally. Therefore, appointment of Shri R Chandra, as her amicus curiae, was recalled.</p> <p>Today, she appeared in person. Services of amicus curiae were offered to her but she declined to take services of amicus curiae.</p> <p>In compliance of the Court order dated 27.10.2017, no objection on impleadment application has been filed by the petitioner. There is no dispute that Smt. Laxmi Soni is legally wedded wife of the petitioner. Therefore, aforesaid impleadment application is hereby allowed as she is a proper party. Applicant is hereby directed to implead her name as respondent No. 5 in the array of the parties during course of the day.</p> <p>List this case on <b>15.11.2017</b> for orders.</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**

**T.A. No. 85 of 2016**

**Daya Chand**

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>14.11.2017</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: Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>None is present on behalf of the petitioner. Notices were sent to the petitioner twice, but the same have not been received back served or unserved. More than 30 days have elapsed from the date of issue of notice to the petitioner. Therefore, in view of the Rule 24(3) of AFT (Practice) Rules, 2009, service of notice to the petitioner is hereby deemed to be sufficient</p> <p>Since none is present on behalf of the petitioner, T.A. No. 85 of 2016 is hereby 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>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 692 of 2010 with M.A. No. 427 of 2016**

**Suresh Kumar Soni**

In Person

**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>14.11.2017</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 Suresh Kumar Soni, in person and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Wg Cdr Sardul Singh.</p> <p><b><u>M.A. No. 427 of 2016</u></b></p> <p>None is present on behalf of the petitioner.</p> <p>On 19.10.2016, Shri R Chandra, Advocate was nominated as Amicus Curiae on behalf of Smt. Laxmi Soni to assist the Court. Accordingly, he has moved an Impleadment Application.</p> <p>On 17.08.2017, Smt. Laxmi Soni informed the Court that she does not require services of Shri R Chandra, Advocate, detailed as amicus curiae and she would conduct her case personally. Therefore, appointment of Shri R Chandra, as her amicus curiae, was recalled.</p> <p>Today, she appeared in person. Services of amicus curiae were offered to her but she declined to take services of amicus curiae.</p> <p>In compliance of the Court order dated 27.10.2017, no objection on impleadment application has been filed by the petitioner. There is no dispute that Smt. Laxmi Soni is legally wedded wife of the petitioner. Therefore, aforesaid impleadment application is hereby allowed as she is a proper party. Applicant is hereby directed to implead her name as respondent No. 5 in the array of the parties during course of the day.</p> <p>List this case on <b>15.11.2017</b> for orders.</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**

**T.A. No. 85 of 2016**

**Daya Chand**

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>14.11.2017</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: Dr Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>None is present on behalf of the petitioner. Notices were sent to the petitioner twice, but the same have not been received back served or unserved. More than 30 days have elapsed from the date of issue of notice to the petitioner. Therefore, in view of the Rule 24(3) of AFT (Practice) Rules, 2009, service of notice to the petitioner is hereby deemed to be sufficient</p> <p>Since none is present on behalf of the petitioner, T.A. No. 85 of 2016 is hereby 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>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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

Inre O.A. No. Nil of 2016

**Sharad Prakash Pal**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.11.2017</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 Manish Mishra, learned counsel for the applicant and Shri R.K.S. Chauhan, 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 weeks' further time to file supplementary rejoinder affidavit.</p> <p>List this case on <b>13.12.2017</b> for orders</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

**M.A. No. 296 of 2017 with M.A. 1982 of 2017**  
**Inre O.A. No. Nil of 2017**

**Smt. Sunita Jaiswal**  
By Legal Practitioner for Applicant

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.11.2017</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 Virat Anand Singh, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><b><u>M.A. No 1982 of 2017</u></b></p> <p>Reply to objection on application for condonation of delay filed by learned counsel for the applicant is taken on record.</p> <p><b><u>M.A. No. 296 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. The issue involve relates to grant of family pension which inheres recurring cause of action. Objection filed by the learned counsel for the respondents is rejected. Application is allowed and delay is <b>condoned</b>.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents may file counter affidavit within four weeks. Rejoinder affidavit may be filed by the learned counsel for the applicant within two weeks thereafter.</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>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1043 of 2017 with with M.A. No 1981 of 2017**  
**Inre O.A. No. Nil of 2017**

**Smt Krishna Thapa**  
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>14.11.2017</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 Lalit Kumar, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1981 of 2017</u></b></p> <p>Objection on application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p><b><u>M.A. No. 1043 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. The issue involve relates to grant of family pension which inheres recurring cause of action. Objection filed by the learned counsel for the respondents is rejected. Application is allowed and delay is <b>condoned</b>.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents may file counter affidavit within four weeks. Rejoinder affidavit may be filed by the 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**

**M.A. No. 1270 of 2017**  
**Inre O.A. No. Nil of 2017**

**Sandeep 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>14.11.2017</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 VK Pandey, Advocate, holding brief of Shri K.K. Mishra, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents.</p> <p>Shri VK Pandey, Advocate states that Shri KK Mishra, learned counsel for the applicant is not available today and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>27.11.2017</b> for orders.</p> <p>In the meantime, learned counsel for the respondents may file objection on application for condonation of delay.</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. 61 of 2014**

**Sukhvir 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>14.11.2017</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 Ashok Kumar, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted a week's further time to file original documents as directed vide our order dated 30.10.2017.</p> <p>List this case on <b>24.11.2017</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>ukt</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 178 of 2016**

**Kushal Yadav**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>14.11.2017</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 Satendra Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted two weeks 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>(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. 213 of 2010**

**Shriman Narayan**

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>14.11.2017</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 Namit Sharma, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Heard Shri P. N. Chaturvedi, learned counsel for the applicant.</p> <p>Shri Namit Sharma, learned counsel for the respondents submits that for want of original record, he is unable to advance his arguments and prays for time.</p> <p>As prayed, list the case on <b>21.11.2017</b> for further hearing.</p> <p>On said date, respondents shall produce original record pertaining to the case for perusal of the Tribunal.</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. 133 of 2017**

**Hari Shankar Singh Chauhan**  
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>14.11.2017</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 Shyam Singh, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Heard learned counsel for the parties and perused the record.</p> <p>By means of this O.A. the applicant has prayed for grant of disability pension. In the documents filed by the applicant as also in the counter affidavit filed by learned counsel for the respondents, neither the percentage of disability nor duration of disability has been mentioned in the Release Medical Board. The medical documents produced by the respondents in the Court today also does not have the details. Therefore, for want of medical documents, we are unable to pass final order.</p> <p>In this back ground we are of the view that it would be proper for final disposal of this case to direct the medical examination of the applicant by the Resurvey Medical Board.</p> <p>We accordingly direct the respondents to conduct a fresh Resurvey Medical Board of the applicant within three months from today and submit the Medical Board Proceedings along with recommendations of the Board before this Tribunal on or before the date fixed.</p> <p>List this case on <b>27.02.2018</b> for orders.</p> <p>Copy of this order be provided to learned counsel for the respondents free of cost within 48 hours.</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. 147 of 2017 with M.A. No. 1273 of 2017**

**Smt. Gomati Devi Mother of Late Sanjay 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>14.11.2017</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 Amit Jaiswal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1273 of 2017</u></b></p> <p>Counter affidavit filed by the respondents has already been taken on record on 18.09.2017. Consequently, M.A. No. 1273 of 2017 stands <b>disposed of</b>.</p> <p><b><u>O.A. No. 147 of 2017</u></b></p> <p>Learned counsel for the applicant prays for and is granted a week's further time to file rejoinder affidavit.</p> <p>List this case on <b>21.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. 279 of 2013**

**Manoj Kumar Sharma**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.11.2017</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, Advocate holding brief of Shri K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Shri VP Pandey, Advocate submits that Shri KK Singh Bisht, learned counsel for the applicant is not available today and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned for the day.</p> <p>List this case on <b>22.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. 573 of 2010**

**Satyendra Prasad**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Chief of Army Staff & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>14.11.2017</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 Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for adjournment of the case. Learned counsel for the petitioner has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>21.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. (A) No. 420 of 2017 with M.A. No. 1658 of 2017**

**Mohd Meraj Khan (Through Wife Smt Tarannum Nisha)**  
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>13.11.2017</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 Mrs Appoli Srivastava, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Objection on interim bail application filed by learned counsel for the respondents, today in Court, is taken on record.</p> <p>Learned counsel for the applicant is not intend to file reply to the said objection.</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 <b>15.12.2017</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**

**T.A. No. 59 of 2011 Alongwith O.A. (A) No. 81 of 2012**

**Hayat Singh Bankoti**

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>13.11.2017</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 Lalit Kumar, learned counsel for the petitioner and Shri RC Shukla, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted a week's further time to file supplementary counter affidavit. Supplementary rejoinder affidavit, if any, may be filed by learned counsel for the petitioner within two weeks', thereafter.</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>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 80 of 2016**

**Anoop 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>13.11.2017</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 Ram Dheeraj Yadav, learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents alongwith Maj Rajshri Nigam, Depatmental Representative.</p> <p>Learned counsel for the petitioner prays for and is granted four weeks' 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>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

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

**Km Basanti**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2017</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 VK Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>It is informed by Learned counsel for the respondents that in compliance of the Court order dated 11.09.2017, Shri RK Tiwari, A.A.O. PCDA (P), Allahabad is not present today due to illness and he has not been able to verify the facts about the entitlement of the applicant as per Pension Regulations.</p> <p>Shri RK Tiwari, A.A.O. PCDA (P), Allahabad is further directed to be present before the Court on the next date fixed.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>List this case on <b>23.11.2017</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**

**MA No. 339 of 2016 with M.A. No.1222 of 2016 & M.A. No. 714 of 2017**

**In re  
OA No.NIL of 2016**

**Rati Bhan Yadav**

By Legal Practitioner for Petitioner

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>13.11.2017</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 V.P. Pandey, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file reply to the better affidavit filed by the learned counsel for the applicant in support of application for condonation of delay.</p> <p>List this case on <b>22.11.2017</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 745 of 2016 with M.A. No. 1730 of 2016**

**Munisha Devi**

Applicant

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>13.11.2017</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 O.P. Kushwaha, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents.</p> <p><b><u>M.A. No. 745 of 2016</u></b></p> <p>This is an application for condonation of delay in filing the Original Application. The issue involve relates to grant of family pension which inheres recurring cause of action. Objection filed by the learned counsel for the respondents is rejected. Application is allowed and delay is <b>condoned</b>.</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents may file counter affidavit within four weeks. Rejoinder affidavit may be filed by the learned counsel for the applicant within two weeks 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 S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>anb</p>

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2****MA No.2776 of 2016 with M.A. No. 528 of 2017****In Re****O.A. No NIL of 2016****Ram Pyare Kushwaha**

Applicant

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>13.11.2017</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 O.P. Kushwaha, Advocate holding brief of Shri Dharmesh Sinha, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Vide order dated 31.08.2017, learned counsel for the applicant had been granted time to prepare the case. However, the last four dates, learned counsel for the applicant has sought adjournments. On the last two occasions, learned counsel for the applicant was not present. Today the case was taken up in the revised list.</p> <p>Shri O.P. Kushwaha, Advocate holding brief for learned counsel for the applicant submitted that a short date may be given.</p> <p>As a matter of last opportunity, the case is adjourned.</p> <p>As prayed, list this case on <b>24.11.2017</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. 1763 of 2017**  
**In Re**  
**OA (A) 290 of 2015**

**Kaptan Singh**  
By Legal Practitioner for Petitioner

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>13.11.2017</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 S.K. Singh, learned counsel for the applicant and Shri Ashish Agnihotari, learned counsel for the respondents.</p> <p>Learned counsel for the applicant has not deposited cost of Rs. 500/- in terms of order dated 24.10.2017.</p> <p>He prays for and is granted a week's further time to deposit the same and file receipt thereof in the Registry.</p> <p>List this case on <b>29.11.2017</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1976 of 2017 along with O.A. No. 307 of 2016**

**Jagirman Rai**

Applicant

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>13.11.2017</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 Parijaat Belaura, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1976 of 2017</u></b></p> <p>Learned counsel for the applicant has filed application for condonation of delay supported by an affidavit. The same is taken on record.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on application for condonation of delay.</p> <p>Replication may be filed by the learned counsel for the applicant within a week thereafter.</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>anb</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**

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><u><b>13.11.2017</b></u> <u><b>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</b></u> <u><b>Hon'ble Lt Gen Gyan Bhushan, Member (A)</b></u></p> <p>Present: None for the petitioner. Shri Virendra Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted further three weeks' time to file reply to supplementary rejoinder affidavit</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>anb</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 164 of 2013**

**Warrant Officer Shashi Kant Chaturvedi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2017</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>On request made by learned counsel for the applicant the case is passed over for the day.</p> <p>As prayed, list the case on <b>29.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. 212 of 2016**

**Smt. Vinod**

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>13.11.2017</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 V.D. Shukla, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>During course of arguments, learned counsel for the applicant submitted that Hitesh and Km. Rashmi are son and daughter of the applicant borne out from the valid marriage of the applicant Smt Vinod with the deceased Army personnel.</p> <p>Learned counsel for the respondents submitted that as per service record, the above named two children were borne out from the wedlock of Smt. Rajvati, the second wife of deceased Sub Yogindra Singh and not from the applicant Smt. Vinod.</p> <p>It is submitted by learned counsel for the applicant that during pendency of the case. Km. Rashmi has expired and Hitesh, son of the applicant has attained majority and is presently living with the applicant.</p> <p>Learned counsel for the applicant prays for and is granted a week's time to file affidavit of Hitesh bringing on record correct facts.</p> <p>List this case on <b>27.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. 531 of 2010**

**Sultan Ram**

Petitioner

By Legal Practitioner for Petitioner

Versus

**Secy Govt of India & Others**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>13.11.2017</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 Shri D.K. Pandey, learned counsel for the respondents.</p> <p>On request made by learned counsel for the petitioner the case is passed over for the day.</p> <p>As prayed, list the case on <b>17.11.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><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. 94 of 2014**

**Gyanendra Kumar Mishra**

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>13.11.2017</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 OP Kushwaha, Advocate holding brief of Shri KK Mishra, learned counsel for the applicant and Shri Anurag Mishra, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Shri OP Kushawaha, Advocate appearing for the learned counsel for the applicant states that Shri KK Mishra, learned counsel for the applicant is out of station and he prays for adjournment of the case. Accordingly the case is adjourned for the day.</p> <p>List this case on <b>15.12.2017</b> for hearing.</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**

**O.A. No. 311 of 2015 with M.A. No. 154 of 2016**

**Nirma Devi**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2017</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 Raj Kumar Singh, Advocate holding brief of Shri Yash Pal Singh, learned counsel for the applicant and Shri Kaushik Chatterjee, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Shri Raj Kumar Singh, Advocate appearing for the learned counsel for the applicant states that Shri Yash Pal Singh, learned counsel for the applicant is busy in High Court. He prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>List this case on <b>15.11.2017</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>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 285 of 2016**

**Vijay Shankar 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>13.11.2017</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 Anurag Mishra, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>In this case, substitution application was allowed on 26.10.2017 but there after the required amendments in the array of parties have not been carried out by the applicant. In the interest of justice a week's further time is allowed to comply the earlier order.</p> <p>List this case on <b>17.01.2018</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>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**DY-No. 1572 of 2017**

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

**Ravinder 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>13.11.2017</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 Shri Kaushik Chatterjee, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents has submitted that he shall file objection to the bail application during course of the day.</p> <p>Learned counsel for the applicant prays for and is granted short time to file his reply to the objection.</p> <p>List this case on <b>21.11.2017</b> for orders.</p> <p>In the mean time, learned counsel for the applicant shall amend the prayer clause in the O.A. in pursuance of the order dated 13<sup>th</sup> October 2017.</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**

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

**Sep/Driver Vijay Amrit 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>13.11.2017</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 Ashish Agnihotri, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>It is informed at the Bar that Shri KK Misra, learned counsel for the applicant is out of station.</p> <p>Objection on the application for condonation of delay filed by the learned counsel for the respondents is taken on record.</p> <p>Learned counsel for applicant is granted four weeks' time to file reply to the objection.</p> <p>Learned counsel for the respondents submits that he shall file his application challenging the maintainability to the O.A.</p> <p>List this case on <b>11.12.2017</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>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 164 of 2017 with M.A. No. 1964 of 2017**

**Smt Asha 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>13.11.2017</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 Arun Kumar Sahu, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p><b><u>M.A. No. 1964 of 2017</u></b></p> <p>Counter affidavit filed by the 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>14.12.2017</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>PKG</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 331 of 2017**

**Sunita Yadav M/o Late Sigmn Subhash Kumar Yadav**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>13.11.2017</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, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the respondents submits that he shall file the counter affidavit within a week, as the same has been prepared. Time prayed for is granted.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' thereafter to file rejoinder affidavit</p> <p>List this case on <b>12.12.2017</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>PKG</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 184 of 2017**

**Pradeep 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>13.11.2017</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 Lalit Kumar, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>During the course of arguments, learned counsel for the applicant has placed reliance on some pronouncements and copies of which have been provided to the learned counsel for the respondents, who prays for time to go through it.</p> <p>List this case on <b>15.11.2017</b> for further hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original records pertaining to the case.</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**

**O.A. (A) No. 420 of 2017 with M.A.No.1658 of 2017**

**Mohd Meraj Khan (Through Wife Smt Tarannum Nisha)**  
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>13.11.2017</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 Mrs Appoli Srivastava, learned counsel for the respondents assisted by Maj Rajshri Nigam, Departmental Representative.</p> <p>Objection on interim bail application filed by learned counsel for the respondents today in Court, is taken on record.</p> <p><b><u>M.A.No.1658 of 2017</u></b></p> <p>This is a Misc. Application under Section 15 of the Armed Forces Tribunal Act, 2007 with the prayer for grant of bail to the applicant/appellant Mohd Meraj Khan, who is in custody after his conviction by DCM, whereby the applicant/appellant Mohd Meraj Khan was tried and was inflicted the following sentences : (a) to reduce to ranks, (b) to suffer Rigorous Imprisonment for two years and to be dismissed from service.</p> <p>The allegations against the applicant/appellant Mohd Meraj Khan, as transpires from the objections filed by the respondents to this bail application, are that the Punjab Police had arrested three touts in Ferozpur in the month of February 2013 and on their interrogation, the name of Naik Kuldeep Singh of 13 Sikh came into light for being a link for touts/recruitment racket. Thereafter, police approached Naik Kuldeep Singh and on his interrogation, name of Sepoy Gurnam Singh of 350 Infantry Brigade Camp came into light. A Board of Officers was detailed to carry out the questioning of Sepoy Gurnam Singh and during questioning Sepoy Gurnam Singh admitted that he was involved in the recruitment racket. During questioning, several calls on his mobile started coming and when he was asked about the calls, he told that Hav/Clerk Mohammad Meraj Khan is calling again and again for getting the balance of the touting money. He was then asked</p>

to keep his mobile phone on speaker and the conversation confirmed that he was the applicant/appellant speaking and asked Gurman Singh for payment of the balance tout money. Then it was decided by the Board of Officers to catch the accused red handed and as per the plan accused/applicant was caught red handed with the tout money of Rs.9000/-.

The submission of the learned counsel for the applicant is that as per the allegations of the prosecution, three persons namely the applicant, Kuldeep Singh and Gurnam Singh were involved in this recruitment racket. His submission is that Naik Kuldeep Singh was the master-mind behind it. Mohd. Meraj Khan, applicant used to give prior information of the result of the selection to Gurman Singh who used to pass over the same to Kuldeep Singh. Applicant used to get money from Gurman Singh. The submission of the learned counsel for the applicant is that Kuldeep Singh, who was the master-mind of the entire racket, has already been acquitted by a competent Criminal Court and Gurman Singh, who was also convicted by the DCM, has already been released on bail by the order of the Armed Forces Tribunal, Regional Bench, Chandigarh in O.A.No.327 of 2017 vide order dated 10<sup>th</sup> March 2017.

Learned counsel for the respondents has filed his written objections to this bail prayer and has argued that the role of the applicant was different. He was the person, who used to procure the prior information of the select list and for that he used to get money from Gurnam Singh. It is admitted that Gurman Singh has already been granted bail and Kuldeep Singh has already been acquitted by the court of competent jurisdiction. On the basis of the records, learned counsel for the respondents has informed that on 31<sup>st</sup> December 2016, the DCM has mentioned in its order that the applicant was in custody for the last 78 days, therefore, it is also admitted that the applicant is in continuous custody for more than one year.

It is argued on behalf of the applicant that the applicant has agricultural land and has a fixed place of abode. He has also to look after his family, therefore, there are no chances of his absconding. On this point, in the objections to bail application filed by the respondents, no apprehension has been raised by the respondents that applicant may abscond.

Without expressing any opinion on the merits of the case, keeping in view the fact that Gurnam Singh has already been granted bail by the Armed Forces Tribunal, Regional Bench, Chandigarh and

the applicant has already served more than half of the period of sentence imposed by the DCM, we find it to be sufficient ground to suspend the execution of the sentence during the pendency of the instant appeal and to release him on bail.

Accordingly, this application is allowed and the execution of sentence is hereby suspended.

The applicant/appellant shall be released on bail on his furnishing a personal bond of Rs.50,000/- (Fifty Thousand) with two sureties each in the like amount to the satisfaction of the Registrar of this Tribunal. On furnishing sureties, as stated above, Registrar shall then issue the release order, which in turn will be conveyed to the concerned Jail Superintendent, wherein the applicant/appellant is presently confined serving out his sentences.

After the release of the applicant/appellant, the bail bonds furnished for his release, shall be kept on record with the main record.

M.A. aforesaid stands disposed of accordingly.

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 the learned counsel for the applicant within two weeks' thereafter.

List this case on **15.12.2017** for orders.

**(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

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

**M.A. No. 1931 of 2017 with M.A. No. 1932 of 2017**

**Inre: O.A. No. 189 of 2010**

**Union of India & Others**

By Legal Practitioner for Applicant

**Respondents-Applicant**

Versus

**Shiv Kumar Joshi**

By Legal Practitioner for Respondents

**Applicant-Respondent**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>10.11.2017</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 Kaushik Charttaerji, learned counsel for the applicant-respondents.</p> <p><b><u>M.A. No 1931 of 2017</u></b></p> <p>This is an application for condonation of delay in filing application for grant of leave to appeal in O.A. No 189 of 2010. Admittedly the application has been moved beyond the statutory period and is time barred. The Tribunal lacks jurisdiction to condone the delay under the Armed Forces Tribunal Act 2007. It is well settled proposition of law that the Tribunal is not in power to condone the delay in moving the application for leave to appeal. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is <b>rejected</b>.</p> <p><b><u>M.A. No 1932 of 2017</u></b></p> <p>This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected.</p> <p>In consequence thereof, the application for leave to appeal is also <b>rejected</b>.</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>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**DY-No. 829 of 2017**

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

**Prabhat 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>10.11.2017</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 Sarvesh Kumar Pandey, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>A week's further time as prayed for by learned counsel for the respondents is granted for filing objection on application for condonation of delay.</p> <p>Applicant shall have a week's time thereafter to file replication.</p> <p>List this case on <b>11.12.2017</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>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>10.11.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.R. Chaubey, Advocate holding brief of Shri Hari Anuj Bahdur Sinha, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Order dated 21.08.2017 dismissing the O.A. for non prosecution is recalled subject to payment of cost of Rs. 300/- to be deposited by the applicant within a week. The cost so deposited shall be remitted to the Bar Association, Armed Forces Tribunal, Regional Bench, Lucknow. The case shall be restored to its original number on production of receipt.</p> <p>List this case on <b>12.12.2017</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>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**M.A. 1678 of 2017**

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

**Smt Vinita 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>10.11.2017</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 Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</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.</p> <p>Applicant shall have one week thereafter to file replication.</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>ukt/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**OA No 169 of 2017 with M.A. No 1744 of 2017**

**Lt Col Bhupendra Dhapade**

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>10.11.2017</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 B.P.S. Chauhan, Advocate holding brief of Shri Harshvardhan, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents along with Maj Rajshri Nigam, Departmental Representative.</p> <p>As prayed for by learned counsel for the applicant, two weeks' further time is granted to file rejoinder affidavit.</p> <p>List this case on <b>10.01.2018</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><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**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>10.11.2017</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 Naresh Kumar, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents along with Maj Rajshri Nigam, Departmental Representative.</p> <p>List before the appropriate Bench on <b>27.11.2017</b> for further 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><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

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

**Subhash 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>10.11.2017</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 along with Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant submits that he is not prepared with the case and prays for adjournment.</p> <p>Shri G.S. Sikarwar, learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List on <b>05.12.2017</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><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**O.A. No. 212 of 2016**

**Smt Vinod**

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>10.11.2017</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 VD Shukla, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant submits that he is not prepared with the case and prays for adjournment.</p> <p>Dr. Shailendra Sharma Atal, learned counsel for the respondents has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List on <b>13.11.2017</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><b>(Lt. Gen. Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>