

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

Court No. 2

M.A. No. 1528 of 2017
Inre: O.A. No. Nil of 2017

Sundari Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Ramesh Chand Shukla, Advocate is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Ramesh Chand Shukla, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p><u>M.A. No. 1528 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 02 years, 01 month and 23 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 07.09.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 09.11.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(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. 398 of 2017

Smt Minakshi Bisht

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Dr Chet Narain Singh, Advocate is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant has not impleaded Smt Kalawati Bisht, mother of deceased Sep Mahendra Singh Bisht as respondent. Keeping in view the impugned order, Smt Kalawati Bisht, mother of the deceased is a necessary party.</p> <p>Learned counsel for the applicant prays for and is granted a week's time to implead Smt Kalawati Bisht as respondent No. 5.</p> <p>List this case on 27.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 988 of 2017
Inre: O.A. No. Nil of 2017

Rajender Singh
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Amit Sharma, 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 objection to the application for condonation of delay. Replication, if any, may be filed by the learned counsel for the applicant within two week's thereafter.</p> <p>List this case on 26.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 2570 of 2016 With M.A. No. 622 of 2017

Inre: O.A. No. Nil of 2016

Smt Shanti Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VK Pandey, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted two week's time to file reply to the objection against application for condonation of delay.</p> <p>List this case on 05.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 201 of 2016 With M.A. No. 1162 of 2017

Renu Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>Rejoinder affidavit filed by learned counsel for the applicant today to counter affidavit filed by respondent No. 5, is taken on record.</p> <p>Now pleadings are completed and the case is ripe for hearing.</p> <p>List this case on 27.10.2017 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. 258 of 2016

Smt Asha Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ramesh Chandra Shukla, learned counsel for the respondents alongwith Maj Rajshri Nigam, Departmental Representative.</p> <p>An adjournment application has been filed by learned counsel for the applicant for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on 06.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 117 of 2016

Smt. Rekha Nagarkoti

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><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>O.A. No. 117 of 2016, Smt. Rekha Nagarkoti vs. Union of India and others is allowed.</p> <p>For order, see our order of date passed on separate sheets.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>DDS</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 214 of 2017

Gyan Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Maj Soma John, Departmental Representative for the respondents.</p> <p>This Original Application has been filed with the prayer for endorsement of name of second wife of the applicant, Smt. Pushpa Devi in the PPO and accordingly issue of Corrigendum PPO to the applicant.</p> <p>It is a fit case for adjudication.</p> <p>Admit.</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 06.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 197 of 2015

Subham Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>List has been revised. Neither the applicant nor his counsel is present nor is there any request to pass over the case.</p> <p>From perusal of record, it transpires that since past six occasions, learned counsel for the applicant has not appeared to press this case and prayer has been made on his behalf to pass over the case. Today again, no one is present to press the case.</p> <p>Accordingly, the case is dismissed for non prosecution.</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. 48 of 2016

Pinky Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant and Maj Soma John, Departmental Representative for the respondents.</p> <p>On call of the case, Departmental Representative submits that comments have been received from Department. She prays for and is granted four weeks time to file an affidavit bringing on record Govt. of India, Ministry of Defence letter of 2011.</p> <p>List this case on 31.10.2017 for hearing.</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. 60 of 2016 with M.A. No. 1717, 2042, 2419 & 2552 of 2016
and M.A. No. 347 & 702 of 2017**

Lt Col Mukesh Baboo
In Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: The applicant, Lt Col Mukesh Baboo, in person and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>The applicant present in person submits that he will argue his case himself and the name of Shri G.K. Pandey, shown as learned counsel for the applicant be deleted. Registry is directed to delete the name of Shri G.K. Pandey, as learned counsel for the applicant.</p> <p>In compliance of order dated 26.07.2017, the applicant has provided copy of all pending applications to learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file response to all the applications.</p> <p>List this case on 25.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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

Shashi Mohan Singh

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><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents.</p> <p>Today, the case was listed for filing of counter affidavit.</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, thereafter.</p> <p>List this case on 25.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 63 of 2012

Sanjay Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>T.A. No. 63 of 2012 Sanjay Singh Vs Union of India & Others is dismissed.</p> <p>For orders, see our judgment and order passed on separate sheets.</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. 1523 of 2017 With M.A. No. 1524 of 2017

Sukhpal Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Dr Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record.</p> <p>Present: Shri Ravi Prakash Tripathi, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmenta Representative.</p> <p><u>M.A. No. 1523 of 2017</u></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 03.09.2015 passed by this Court in O.A. No.52 of 2015.</p> <p>As per stamp reporter's report, there is delay of 01 year, 11 months and 04 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC. SC, wherein the Hon'ble Supreme Court has held that the law of limitation undoubtedly binds everybody including</p>

the Government. 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 are general in nature and do not appear to be germane.

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. 1524 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.

Accordingly, this application is also rejected.

(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. 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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>On the last date, the Court had directed learned counsel for the respondents to file the present status of the post confirmation petition/representation preferred before the Chief of the Army Staff. Learned counsel for the respondents prays for and is granted one week's further time to bring the same on record.</p> <p>List this case on 27.09.2017 for orders.</p> <p>Let a copy of this order be given to the learned counsel for the respondents within 24 hours free of cost.</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
Inre: O.A. (A) No. Nil of 2016

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>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms Namita Sharma, learned counsel for the applicant and Dr SN Pandey, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Objection to the application for condonation of delay filed by the learned counsel for the respondents as well as reply to the objection filed by the learned counsel for the applicant are taken on record.</p> <p>During the course of hearing, it has come to our notice that there are certain mistakes in the prayer clause and also in the body of the Application under Section 15 of the AFT Act, 2007.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to rectify the same.</p> <p>List this case on 25.09.2017 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

O.A. No. 203 of 2012 With M.A. No. 1518 of 2016

Smt Sandhya Rai

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing counter affidavit on behalf of the respondent nos. 1 to 5 and 7, but no counter affidavit has been filed.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file counter affidavit on behalf of respondent nos. 1 to 5. Counter affidavit may also be filed by the newly impleaded respondent no.7 by the next date fixed.</p> <p>List this case on 28.09.2017 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. 1513 of 2017
Inre: O.A. No. 21 of 2015

Maj Saurabh Dutt
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Maj Saurabh Dutt, the applicant in person, and Dr. Shailendra Sharma Atal, learned counsel for the respondents and Shri RP Singh, learned counsel for respondent No 6.</p> <p><u>M.A. No 1513 of 2017</u></p> <p>This is an application for recall of order dated 24.04.2017.</p> <p>On call of the case Shri R.P. Singh, learned counsel for the Respondent No 6 submits that he does not intend to press this application.</p> <p>Accordingly, the application for recall of order is dismissed as not pressed.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 2776 of 2016 With M.A. No. 528 of 2017

Inre: O.A. No. Nil of 2016

Ram Pyare Kushwaha

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rajesh Kumar, Advocate, holding brief of Shri Dharmesh Sinha, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Shri Rajesh Kumar, Advocate submits that learned counsel for the applicant is out of station 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 03.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 413 of 2017
Inre: O.A. No. Nil of 2017

Kamlesh Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p>Reply to objection on application for condonation of delay filed by learned counsel for the applicant is taken on record.</p> <p>Heard learned counsel for the parties on application for condonation of delay.</p> <p>From perusal of record, it transpires that the representation of the applicant was rejected by GOC in C, Central Command on 08.11.2016 hence there is no delay in filing the Original Application. Objection raised by learned counsel for the respondents is rejected.</p> <p>Application for condonation of delay is allowed and delay is condoned.</p> <p>Admit.</p> <p>Let the case be registered as Original Application.</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 15.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 458 of 2017 With M.A. No. 741 of 2017
Inre: O.A. No. Nil of 2017**

Santosh Kumar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri JN Singh, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted two weeks further time to file replication to objection on application for condonation of delay.</p> <p>List this case on 06.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>Ukt /-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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 2017

And T.A. No. 1285 of 2010

Rakesh Kumar Singh

By Legal Practitioner for Petitioner

petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Om Prakash Kushwaha, 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 one week and no more time to file objection on application for condonation of delay in filing recall application.</p> <p>List this case on 04.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 241 of 2015 With M.A. No. 1474 of 2017

Arjun Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri JN Mishra, learned counsel for the applicant and Mrs Deepti P Bajpai, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 1474 of 2017</u></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Pleadings have been exchanged.</p> <p>List this case on 25.10.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice 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. 207 of 2016 With M.A. Nos. 22 & 48 of 2017

Sushila Kumari

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Mrs Appoli Srivastava, learned counsel for the respondents alongwith Shri Sharad Kumar Shukla, learned counsel for Respondent No 5.</p> <p>Shri Sharad Kumar Shukla, Advocate, submits that in compliance of the order dated 28.07.2017 of this Tribunal, enquiry has been completed. He prays for and is granted two weeks time to file affidavit in this regard.</p> <p>List this case on 05.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 37 of 2016

K.N. Dwivedi

By Legal Practitioner for petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and D.C. Lohumi, learned counsel for the respondents.</p> <p>Case called out. No one appears for the petitioner in second round after pass over.</p> <p>On 07.07.2017, petitioner was directed to produce Bench copy of the case and to engage another counsel or to make arrangement to argue the case.</p> <p>From perusal of record, it transpires that notice issued to the petitioner has not been received back served or un-served. Action of Shri Lallan Chaubey, learned counsel for the petitioner, shows that he does not intent to represent the case. Therefore, the petitioner is directed to make alternate arrangement.</p> <p>Let a fresh notice again be issued to the petitioner to engage another counsel.</p> <p>List this case on 01.11.2017 for orders.</p> <p>prosecute</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. 524 of 2012 Alongwith O.A. No. 168 of 2012 (Decided) with M.A. Nos. 2280 & 2700 of 2016 & M.A. No . 83 of 2017

Km Basanti

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Maj VK Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents, alongwith Maj Soma John, Departmental Representative.</p> <p>During the course of arguments, learned counsel for the respondents prays for and is granted a week's time 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, who is present before the Court today, is directed to be present before the court on the next date fixed.</p> <p>List this case on 27.09.2017 for further hearing.</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. 49 of 2010

Asha Devi & Others

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri DK Pandey, learned counsel for the respondents, alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for short time for better preparation of the case.</p> <p>List this case on 25.09.2017 for further hearing.</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

T.A. No. 531 of 2010

Sultan Ram

By Legal Practitioner for Petitioner

Petitioner

Versus

Secy Govt of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the Petitioner and Shri DK Pandey, learned counsel for the respondents, alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant has argued that the co-accused Rishi Pal, who was tried on basis of the same charges, has been acquitted vide judgment and order dated 15.10.2015 in T.A. No. 18 of 2012 by this Tribunal and the said order has not been challenged by the respondents.</p> <p>Learned counsel for the respondents prays for and is granted one week's time to ascertain the fact whether any appeal has been preferred or not challenging the said judgment.</p> <p>List this case on 20.09.2017 for hearing.</p> <p>On the date fixed, the parties shall file compilation of case law and chart of events.</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

T.A. No. 84 of 2012

Narendra Kumar Rana

By Legal Practitioner for Petitioner

Petitioner

Versus

Secy Govt of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.09.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the Petitioner and Shri Kaushik Chattarjee, learned counsel for the respondents, alongwith Maj Soma John, Departmental Representative.</p> <p>Leaned counsel for the respondents shall produce the original record within four weeks.</p> <p>List this case on 30.10.2017 for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>