

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

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

**M.A.No.1493 of 2017 with M.A.No.1494 of 2017
Inre O.A. No. 188 of 2013**

Wg Cdr Ashwani Kumar Handa (Retd)

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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Singh Rajawat, learned counsel for the applicant and Wg Cdr Sardul Singh, Departmental Representative.</p> <p><u>M.A.No.1493 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 26.07.2017 passed by this Court in O.A. No.188 of 2013.</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 <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 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.</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 hereby rejected.

M.A.No.1494 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 D.P.Singh)
Member (J)

PKG

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

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

M.A.No. 515 of 2016 with M.A.No. 1767 of 2016
Inre O.A. No. (Nil) of 2016

Sharad Prakash Pal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijat Belaura, Advocate holding brief of Shri Manish Mishra, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri Parijat Belaura, Advocate submits that Shri Manish Mishra, learned counsel for the applicant is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 20.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

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

M.A.No. 2172 of 2016
Inre O.A. No. 37 of 2012

Salil Chandra Jagdev
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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>A preliminary objection has been raised by Shri Asheesh Agnihotri, learned counsel for the respondents and Maj Soma John, OIC, Legal Cell that the applicant belongs to Orissa and he was dismissed from service from Signals Centre, Jabalpur.</p> <p>Objection raised by the learned counsel for the respondents seems to carry weight.</p> <p>Learned counsel for the applicant has no objection in case his case is transferred to Armed Forces Tribunal, Regional Bench, Jabalpur.</p> <p>Let the record be sent to Armed Forces Tribunal, Principal Bench, Delhi for appropriate order by the Hon'ble Chairman, so that the case may be transferred to Armed Forces Tribunal, Regional Bench, Jabalpur.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

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

**M.A.No. 358 of 2017 with M.A.No. 1395 of 2017 & M.A.No.1213 of 2017
Inre O.A. No. (Nil) of 2017**

Sudhanshu Parasari
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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Objection against the application for condonation of delay filed by the learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication to the objection.</p> <p>List this case on 05.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

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

M.A.No. 934 of 2017 with M.A.No. 935 of 2017
Inre 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><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijat Belaura, Advocate holding brief of Shri PN Chaturvedi, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri Parijat Belaura, Advocate submits that Shri PN Chaturvedi, learned counsel for the applicant is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 21.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

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

**O.A.No.228 of 2015
with M.A.No.260 of 2016**

Ramesh Chandra Dixit

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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijat Belaura, Advocate holding brief of Shri PN Chaturvedi, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Application support by affidavit filed by the learned counsel for the applicant is taken on record.</p> <p>Shri Parijat Belaura, Advocate submits that Shri PN Chaturvedi, learned counsel for the applicant is reported to be out of station and prays for adjournment of the case.</p> <p>Accordingly, the case is passed over for the day.</p> <p>List this case on 22.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice D.P.Singh) Member (J)</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 263 of 2017 with M.A. No. 1522 of 2017

Anurag 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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Satendra Kumar Singh, learned counsel for the applicant and Shri Ramesh Chandra Shukla, learned counsel for the respondents duly assisted by Wg Cdr Sardul Singh, Departmental Representative.</p> <p><u>M.A. No. 1522 of 2017</u></p> <p>Replication to objection on maintainability of the case filed by learned counsel for the applicant is taken on record.</p> <p>It is argued by learned counsel for the applicant that wife of the applicant has informed that her husband Anurag Yadav is not traceable and he is not present at home. It is also argued by learned counsel for the applicant that during DCM proceedings, her husband was seriously beaten and injured and his whereabouts are not known. It is also argued by learned counsel for the applicant that the applicant was confined in custody unlawfully about 45 days without approval of higher authorities and desertion has been shown to the applicant.</p> <p>It is submitted by OIC Legal Cell that court martial proceedings have been finalized and is pending for confirmation. The applicant has run away from the military custody and FIR has been lodged about his escape from military custody.</p> <p>In view of the submission made by learned counsel for the parties, no directions can be issued to the applicant to produce himself before Respondent No. 4 for finalisation of court martial proceedings. It is for the respondents to find out whereabouts of the applicant and proceed in accordance with law.</p> <p>Controversy requires hearing. Admit.</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.

List this case on **15.11.2017** for orders.

On the date fixed, learned counsel for the respondents shall produce original record including copy of court martial proceedings pertaining to the case for perusal of the Bench.

(Lt Gen Gyan Bhushan)
Member (A)

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

ukt

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 307 of 2017 with M.A. No. 1480 of 2017

Smt. Maya Thapa

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><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1480 of 2017</u></p> <p>Supplementary affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>On call of the case, Shri Shailendra Kumar Singh submits that Shri Rohit Kumar is out of station 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 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 17 of 2010

Smt Suman Devi & others
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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, Advocate holding brief of Shri P.N. Chaturvedi, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On call of the case, Shri Parijaat Belaura submits that Shri P.N. Chaturvedi is sick 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 10.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 189 of 2010 with M.A. No. 107 of 2012

Shiv Kumar Joshi

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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd), learned counsel for the applicant and Shri Kaushik Chatterji, learned counsel for the respondents.</p> <p>List this case on 19.09.2017 for further hearing before appropriate Bench.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 40 of 2016

Nitu 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>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra & Col R.N. Singh (Retd), learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>List this case on 19.09.2017 for further hearing before appropriate Bench.</p> <p>On the date fixed, learned counsel for the respondents shall produce original record pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

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><u>09.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra, Advocate holding brief of Shri Yashpal Singh, learned counsel for the petitioner Mohd Zafar Khan, learned counsel for the respondents.</p> <p>On call of the case, Shri R. Chandra submits that Shri Yashpal Singh 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 04.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A.No.1489 of 2017
Inre O.A. No. (Nil) of 2017

Smt Poonam Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Ramesh Chandra Shukla Advocate on behalf of learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Ramesh Chandra Shukla, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A.No.1489 of 2017</u></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report is delayed by 11 months and 06 days.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to 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 02.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

Ex-A No. 149 of 2017
Inre O.A. No. 341 of 2012

Smt Anju 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><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Sidharth Dhaon, Advocate on behalf of learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Sidharth Dhaon, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>Ex-A No. 149 of 2017</u></p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the judgment and order dated 22.09.2016 passed in O.A. No. 341 of 2012 has not been complied with.</p> <p>List this case on 25.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A.No.1490 of 2017 with M.A.No.1491 of 2017
Inre O.A. No. 157 of 2010

Lt Col Akhilesh Kumar Yadav
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, 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 learned counsel for the respondents is taken on record</p> <p>Present: Shri Pradeep Chandola, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A.No.1490 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 06.12.2012 passed by this Court in O.A. No. 157 of 2010.</p> <p>As per stamp reporter's report, there is delay of 04 years, 07 months and 28 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 1491 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 D.P.Singh)
Member (J)

PKG

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A.No. 49 of 2016
Inre O.A. No. (Nil) of 2016

Surender Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Mohd Shariq Khan, Advocate holding brief of Shri SG Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri Mohd Shariq Khan, Advocate prays for and is granted three weeks' time to file reply to the objection against the application for condonation of delay.</p> <p>List this case on 04.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A.No. 2041 of 2016
Inre O.A. No. (Nil) of 2016

Ramakar Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, 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 Ms Appoli Srivastava, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Reply to the objection filed by the learned counsel for the applicant is taken on record.</p> <p><u>M.A.No.2041 of 2016</u></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report is delayed by 01 year, 05 months and 26 days.</p> <p>Learned counsel for the applicant submitted that the statutory appeal preferred by the applicant against the order of dismissal from service after finding guilty in SCM proceedings, has not yet been decided.</p> <p>However, learned counsel for the respondents submitted that the appeal has been decided vide order dated 11th August 2016.</p> <p>Keeping the fact that the copy of order has not been served on the applicant, the cause seems to be sufficient.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Since the order dated 11th August 2016 passed in statutory appeal preferred by the applicant has already been dismissed and a copy of the same has been served on the counsel for the applicant</p> |

today in Court itself, hence the O.A. loses its efficacy.

Accordingly, the O.A. is dismissed with liberty to the applicant to challenge the impugned order, in case advised to do so.

(Lt Gen Gyan Bhushan)
Member (A)

PKG

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A. No. 203 of 2017 with M.A. No. 204 of 2017 Inre O.A. No. 203 of 2013
Pushkar 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>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents a week's further time is granted to file objection on Recall Application. Replication, if any, may be filed by learned counsel for the applicant within a week.</p> <p>List this case on 03.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) (Justice D.P. Singh) Member (A) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

M.A. No. 995 of 2017 Inre O.A. No. Nil of 2017

Laxman Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd), learned counsel for the applicant and Shri Kaushik Chattarjee, learned counsel for the respondents.</p> <p>Objection on application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication for the same.</p> <p>It is observed that copies of objection on application for condonation of delay filed by learned counsel for the respondents are not signed. Leaned counsel for the respondents submits that he will file singed copy of the objection by the next date.</p> <p>List this case on 04.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 217 of 2017

Brijesh Kumar 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><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Vinay Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</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 four weeks, thereafter.</p> <p>List this case on 03.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 15 of 2017

Bhupendra Singh Bhadauria
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Father of the applicant, Bhupendra Singh Bhadauria in person and Ms. Appoli Shrivastava, learned counsel for the respondents.</p> <p>A person in civil dress claiming himself father of the applicant submits that Maj R.D. Singh (Retd), learned counsel for the petitioner is reported out of station 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 05.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

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

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.K. Pandey, 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 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 07.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 293 of 2016 with M.A. No. 1330 of 2017 & M.A. No. 107 of 2017
Prashant Kumar 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>08.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rao Narendra Singh, learned counsel for the applicant and Shri R. Chandra, learned counsel for the respondent No. 5 and Wg Cdr Sardul Singh, Departmental Representative for the respondents.</p> <p><u>M.A. No. 1330 of 2017</u> Counter affidavit filed by learned counsel for respondent No. 5 is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p><u>M.A. No. 107 of 2017</u> Counter affidavit filed by learned counsel for the respondent No. 1 to 4 is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant submits that annexures mentioned in counter affidavit are not enclosed. Learned counsel for the respondents submits that he will provide the copy of the enclosures to learned counsel for the applicant during the course of day.</p> <p>Learned counsel for the applicant may file rejoinder affidavit, if any, within two weeks.</p> <p>List this case on 04.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) (Justice D.P. Singh) 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 taken up in Court No.1.

M.A.No.1484 of 2017
Inre O.A. No. (Nil) of 2017

Vijaypal 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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Dinesh Kumar Pandey, Advocate on behalf of learned counsel for the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri KK Misra, learned counsel for the applicant and Shri Dinesh Kumar Pandey, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A.No.1484 of 2017</u></p> <p>This is an application for condonation of delay in filing the O.A., which as per office report is delayed by 10 days.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to 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 02.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

O.A. No. 384 of 2017

Ashok Kumar
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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>This Original Application seems to suffer from certain irregularities.</p> <p>Accordingly, we dismiss the O.A. with liberty to the applicant to file a fresh.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

O.A. No. 385 of 2017

Ashok Kumar

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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>The applicant has not filed the complete copies of the judgment of Civil Misc. Writ Petition No.32573 of 2008 as well as T.A.No. 14 of 2014 relied upon in paragraphs G and H of the O.A.</p> <p>Accordingly, we dismiss the O.A. with liberty to the applicant to file a fresh with complete records.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No. 1789 of 2016

Arvind 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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R Chandra, Advocate holding brief of Shri RK Verma, learned counsel for the applicant and Shri Ashish Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file reply to the objection on the application for condonation of delay.</p> <p>List this case on 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

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

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted time to file synopsis and case law pertaining to the case on the date fixed.</p> <p>List this case on 14.09.2017 for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 688 of 2010

Smt. Kumud Mishra

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>List has been revised. Neither the petitioner nor his counsel is present nor is there any request to pass over the case.</p> <p>Petition is dismissed for non prosecution.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 248 of 2015

Smt. Malti 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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted a weeks' further time to file affidavit in terms of order dated 29.08.2017.</p> <p>List this case on 21.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 206 of 2017

Radha Devi W/o Prem Narayan @ Bhagwan Deen

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>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms. Soniya Mishra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>PCDA (Pension), Allahabad letter dated 06.09.2017 has been produced before Tribunal in compliance of our order dated 05.09.2017 and interim order of this Tribunal dated 31.05.2017. PCDA (Pension), Allahabad has directed Chief Manager, Punjab National Bank, CPPC, Lucknow to make the payment of provisional pension to widow of late Prem Narayan for the period when it was stopped till death.</p> <p>Bank concerned Respondent No 6, is directed to comply the order dated 06.09.2017 issued by PCDA (Pension), Allahabad and release provisional payment to the applicant within 15 days from the issuance of this order and file compliance report.</p> <p>List this case on 26.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. (A) No. 98 of 2014

Subhash Chandra 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><u>07.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd) and Bhanu Pratap Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the parties, list this case on 21.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 16 of 2017

SP Shukla

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>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Ramesh Chandra Shukla, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on 27.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the parties shall submit written submission/ synopsis of the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 259 of 2013 with M.A. No. 795 of 2017

Chun Bahadur

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>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 18 of 2016

Balram Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>List this case on 14.09.2017 for further hearing before the appropriate Court.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 103 of 2015

Amar Singh Baliyan

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>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashok Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents.</p> <p>Inspite of Notices issued to Respondent No 6, no one is present on her behalf to pursue the case hence we proceed ex-parte against Respondent No 6.</p> <p>List this case on 15.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

**O.A. No. 60 of 2016 with M.A. No. 1717, 2042, 2419, 2552 of 2016
with M.A. No. 347 & 702 of 2017**

Lt Col Mukesh Baboo
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>06.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>No one is present on behalf of applicant to press this case. In the interest of justice, the case is adjourned.</p> <p>List this case on 12.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.1469 of 2017
Inre O.A.No. (Nil) of 2017

Prithvi Pal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Shyam Singh, 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 Om Prakash Kushwaha, learned counsel for the applicant, Shri Shyam Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A.No.1469 of 2017</u></p> <p>This is an application for condonation of delay in filing the O.A., which as office report is delayed by 07 years, 11 months and 02 days.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection to 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 14.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.978 of 2017
Inre O.A.No. (Nil) of 2017

Smt Asgari
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>06.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri BB Tripathi, learned counsel for the applicant, Shri Mohd Zafar Khan, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Objection to the application for condonation of delay filed on behalf of the respondent nos.1 to 3 is taken on record.</p> <p>Learned counsel for the applicant may file replication to the objection by the next date fixed.</p> <p>Let a notice be issued to the respondent nos.4, 5 and 6 by registered speed post as well as normal mode of service returnable by the next date fixed, with liberty to file objection to the application for condonation of delay.</p> <p>List this case on 07.11.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.1110 of 2017 with M.A.No.1111 of 2017
Inre T.A.No.1376 of 2010

Shishupal Singh
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|----------------------------------|---|
| | <p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ravi Prakash Tripathi, Advocate holding brief of Shri VA Singh, learned counsel for the Petitioner, Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Objection filed by the learned counsel for the respondents to the application for condonation of delay in filing the recall application is taken on record.</p> <p>Replication to the objection may be filed by the learned counsel for the petitioner within three weeks.</p> <p>List this case on 26.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.1201 of 2017 with M.A.No.1202 of 2017
Inre T.A.No.775 of 2010

RN Pandey
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|----------------------------------|--|
| | <p><u>06.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ram Chandra, learned counsel for the petitioner, Shri Dinesh Kumar Pandey, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the petitioner prays for and is granted two weeks' further time to file better affidavit in support of the application for condonation of delay in filing the recall application.</p> <p>List this case on 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

T.A.No.20 of 2017

Dhananjay Kumar
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Kaushik Chatterji, 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 YR Sharma, learned counsel for the petitioner, Shri Kaushik Chatterji, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Learned counsel for the petitioner prays for and is granted one month's time to provide bench copy of the petition.</p> <p>List this case on 05.10.2017 for admission.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.296 of 2017
Inre OA 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><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ashutosh Nigam, learned counsel for the applicant, Shri Namit Sharma, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted one week's time to file reply to the objection on the application for condonation of delay.</p> <p>List this case on 15.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.495 of 2017
Inre Dy No.2791 of 2016 with MA 305 of 2017

Kameshwar Chaudhary
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant, Shri Virendra Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection/counter affidavit. Replication to the objection/counter affidavit may be filed by the learned counsel for the applicant within one week thereafter.</p> <p>List this case on 03.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

O.A.No.214 of 2016

Smt Rajni Verma
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>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant, Shri Amit Jaiswal, Advocate holding brief of Shri Himanshu Vaish, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted one week's further time to file rejoinder affidavit.</p> <p>List this case on 15.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

M.A.No.471 of 2017
Inre OA(A) No.167 of 2014

Govind Singh 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>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant, Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant is permitted to deposit the cost within three weeks.</p> <p>As prayed by the learned counsel for the respondents, four weeks' further time is granted to file counter affidavit. Rejoinder affidavit, if any, may be filed by the learned counsel for the applicant within two weeks' thereafter.</p> <p>List this case on 30.10.2017 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 D.P.Singh) Member (J)</p> <p>PKG</p> |

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 taken up in Court No.1.

O.A.No.232 of 2010

Jagdish Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SK Singh, learned counsel for the applicant and Maj Soma John, Departmental Representative.</p> <p>We have been informed that for the same matter, a writ petition is pending in the Calcutta High Court, which has been preferred by the respondents.</p> <p>List this case on 30.10.2017 to enable the learned counsel for the respondents to submit the status report.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P.Singh) Member (J)</p> <p>PKG</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 259 of 2013 with M.A. No. 795 of 2017

Chun Bahadur

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>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p><u>M.A. No. 795 of 2017</u></p> <p>Supplementary counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>As prayed by learned counsel for the applicant, list this case on <u>06.09.2017</u> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 9 of 2017 with M.A. No. 1152 of 2017

Radha 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>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 1152 of 2017</u></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List this case on 24.10.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

O.A. No. 206 of 2017

Radha Devi W/o Prem Narayan @ Bhagwan Deen

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>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Ms. Soniya Mishra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents and Shri R.K. Tiwari, Assistant Account Officer from PCDA (Pension), Allahabad.</p> <p>As prayed by Shri R.K. Tiwari, Assistant Account Officer, PCDA (Pension), Allahabad, list this case on 07.09.2017 for hearing.</p> <p>On the date fixed PCDA (Pension) representative shall explain the reasons as to why, provisional pension has not been paid to the applicant in terms of order dated 31.05.2017 of this Tribunal.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

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

T.A. No. 86 of 2013 Inre M.A. No. 1849 of 2016

Smt. Jai Devi

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>05.09.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Vikash Singh Chauhan, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p><u>M.A. No. 1849 of 2016</u></p> <p>Supplementary rejoinder affidavit filed by learned counsel for the petitioner is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Learned counsel for the petitioner submits that his senior Shri Naresh Kumar, Advocate 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 13.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p> |