

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

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

**Smt Chandra Kali**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Nandlal, Grandson of Smt Chandra Kali, and Shri Arun Kumar Sahu, Learned counsel for the respondents.</p> <p>On call of the case, Shri Nandlal, Grandson of applicant appears and prays for four weeks' further time to file reply to objection on the substitution application. Time prays for is granted.</p> <p>List this case on <b>09.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 213 of 2016**

**Suresh Singh Chauhan**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri OP Kushwaha holding brief of Shri K.K. Mishra, learned counsel for the applicant and Shri Kaushik Chaterji, Learned counsel for the respondents.</p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p>Pleadings have been exchanged.</p> <p>List this case on <b>21.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. (A)/192 of 2014 with M.A. No 141 of 2017 & M.A. No 696 of 2017**

**Brijesh Kumar**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R.P. Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, Learned counsel for the respondents.</p> <p><b><u>M.A. No 141 of 2017</u></b></p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p><b><u>M.A. No 696 of 2017</u></b></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>From perusal of record, it transpires that affidavit filed by learned counsel for the applicant has not been initialed on certain amended portions. He prays for and is granted 10 days time to remove the defects.</p> <p>List this case on <b>15.09.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>ukt/-</p>

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

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

**M.A. No. 1447 of 2017 with M.A.No.1449 of 2017**  
**(Inre O.A. No. 122 of 2014)**

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

**Applicants**

Versus

**Ambika Tiwari & Others**  
By Legal Practitioner for Respondents

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yogesh Kesarwani, learned counsel for the applicants alongwith Maj Soma John, Departmental Representative.</p> <p><b><u>M.A. No. 1447 of 2017</u></b></p> <p>This is an application for condonation of delay in moving the application under section 31(2) of the Armed Forces Tribunal Act 2007 for grant of leave to appeal against the judgment and order dated 18.11.2015 passed by this Court in O.A. No. 122 of 2014.</p> <p>As per stamp reporter's report, there is delay of 01 year, 08 months and 13 days in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <b>shall</b> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in <b>Office of the Chief Post Master General and others vs Living Media India Ltd and another</b> reported in <b>2012 STPL (LE) 46200 SC</b> in which the Hon'ble Supreme Court has observed as under:</p> <p><i>“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology</i></p>

*of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”*

The Hon’ble Supreme Court further observed as under :

*“Since the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation .....They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”.*

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 1449 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.

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

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

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. 2562 of 2016 with M.A.No.2563 of 2016  
(Inre M.A.No.831 of 2015)**

**Chakradhar Prasad Yadav**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant, Shri Siddharth Dhaon, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Reply to the objection on the application for condonation of delay filed by the learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file better affidavit in support of the application for condonation of delay in filing the restoration application.</p> <p>List this case on <b>19.09.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P.Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

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

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

**M.A. No. 1168 of 2017 with M.A.No.1169 of 2017**  
**(Inre T.A. No. 515 of 2010)**

**Shyam Sunder**  
By Legal Practitioner for Applicant

**Petitioner**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner, Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Reply to the objection on the application for condonation of delay filed by the learned counsel for the respondents is taken on record.</p> <p><b><u>M.A. Nos. 1168 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the recall application.</p> <p>It has been submitted by the learned counsel for the petitioner that on account of prolong illness of his brother, he could not file the recall application within time.</p> <p>The ground mentioned in the affidavit filed in support of the application for condonation of delay appears to be sufficient.</p> <p>Accordingly, the application is allowed and the delay in filing the recall application is hereby condoned.</p> <p><b><u>M.A.No.1169 of 2017</u></b></p> <p>This is an application for recall of the order dated 24.11.2015 passed by the Tribunal dismissing the T.A. for non-prosecution.</p> <p>The ground mentioned in the affidavit filed in support of the recall application appears to be justified.</p> <p>Accordingly, the application is allowed and the order dated 24.11.2015 passed by the Tribunal dismissing the T.A. for non-prosecution is hereby recalled, subject to payment of Rs.1000/- as cost, which shall be remitted to the Bar Association, AFT, Lucknow within a week.</p>

Let the T.A. be restored to its original number.

List this case on **22.09.2017** for hearing.

On the date fixed, parties shall file chart of events and compilation of case law.

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

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

**Chand Pati**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>04.09.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Dharmesh Sinha, learned counsel for the applicant, Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>It has been submitted by the learned counsel for the parties that the parties have failed to enter into compromise.</p> <p>List this case peremptorily on <b>21.09.2017</b> for hearing.</p> <p>On the date fixed, parties shall file chart of events and compilation of case law.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P.Singh)</b> <b>Member (J)</b></p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 36 of 2017**  
**(Inre O.A. No. Nil of 2017)**

**Smt Kamil Nisa**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Objection to the application for condonation of delay and reply to the objection have already been exchanged by learned counsel for the parties.</p> <p><b><u>M.A. No. 36 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the Original Application, which as per office report, is delayed by 01 year and 08 days.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be sufficient.</p> <p>Accordingly, the application is allowed and the delay in filing the Original Application is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission</p> <p><b>Admit.</b></p> <p>Let the case be registered as O.A.</p> <p>The applicant Smt. Kamil Nisha claims to be the second wife of the deceased Irshad Ali and is claiming family pension after death of her husband.</p> <p>Learned counsel for the applicant has nowhere mentioned in the O.A. the dates of two marriages of Late Irshad Ali. He has submitted that first wife died, but no death certificate of the first wife has been filed, only date of death has been mentioned. It has also been</p>

mentioned in the O.A. that the divorce of the first wife had taken place on 09<sup>th</sup> April 1970, but the copy of the decree of divorce has not been filed.

As such, learned counsel for the applicant shall bring on record by way of supplementary affidavit the decree of divorce and death certificate of the first wife of Late Irshad Ali within four weeks.

List this case on **09.10.2017** for orders.

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

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

PKG

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 116 of 2017**

**Smt Sadhana Sharma**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri AN Tripathi, 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' time to search out the case law in support of his argument.</p> <p>Learned counsel for the respondents is directed to bring on record the typed copy of the Court of Inquiry by means of affidavit by the next date.</p> <p>List this case on <b>18.09.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 231 of 2015**

**Guptesh Kumar**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri S Chandra, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Lt Cdr Nilaksh Sharma, Dy JA, Naval Headquarters, New Delhi.</p> <p>Learned counsel for the respondents submits that Re-Survey Medical Board has been conducted on 27.07.2017 and the report has been sent for approval. He prays for and is granted six weeks' time to file the same and also the status of grant of disability pension.</p> <p>List this case on <b>30.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 181 of 2016**

**Deepak Kumar Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted three weeks' time to prepare the case.</p> <p>List this case on <b>26.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>PKG</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 39 of 2017**

**Govind Singh Negi**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri VPS Vats, Advocate, on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Anand Yadav, Advocate, holding brief of Shri SG Singh, learned counsel for the petitioner and Shri VPS Vats, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri Anand Yadav, holding brief of Shri SG Singh, learned counsel for the petitioner submits that this case will be argued by his senior after two weeks.</p> <p>Accordingly, this case is adjourned for the day.</p> <p>List this case on <b>19.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 56 of 2014**

**Smt Shyama Devi**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KK Misra, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>After perusal of records, we find that pleadings are completed and the case is ripe for hearing.</p> <p>List this case on <b>13.09.2017</b> for hearing.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 08 of 2016**

**Keshar Bahadur Tamang**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KK Mishra, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>In compliance of the Court order dated 24.07.2017, Shri KK Mishra, learned counsel for the applicant submits that the applicant is living in Nepal and he could not be able to contact him. He prays for and is granted four weeks' further time to file rejoinder affidavit.</p> <p>List this case on <b>30.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

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

**Shobha Devi**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KKS Bisht Mishra, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Dr Shesh Narain Pandey, learned counsel for the respondents prays for and is granted four weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>24.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 303 of 2016**

**Rajiv Tondon**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>01.09.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri KK Misra, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents and Lt Cdr Nilaksh Sharma, Dy JA, Naval Headquarters, New Delhi.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**M.A. No. 1426 of 2017**  
**(Inre : O.A. No. Nil of 2017)**

**Smt Prabhawati**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate, on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</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><b><u>M.A. No. 1426 of 2017</u></b></p> <p>This is an application for condonation of delay in filing the Original Application which as per office report is delayed by 07 years and 02 days.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents prays for and is granted two weeks' time to file objection against the application for condonation delay. Replication to the objection, if any, may be filed by the learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>09.10.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2776 of 2016 with M.A. No. 528 of 2017**  
**(Inre : O.A. No. Nil of 2016)**

**Ram Pyare Kushwaha**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Dharmesh Sinha, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri Dharmesh Sinha, learned counsel for the applicant prays for and is granted a week's time for better preparation of the case.</p> <p>List this case on <b>11.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 221 of 2015**

**Smt Moti Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri RP Singh Kuruvanshi, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>In compliance of the Court order dated 01.08.2017, learned counsel for the respondents has filed Copy of PCDA (P), Allahabad Circular No 527 dated 25.04.2014 regarding grant of service element of disability pension which is taken on record.</p> <p>Copy of the aforesaid Circular has been served upon learned counsel for the applicant who prays for and is granted two weeks' time to go through it.</p> <p>On the date fixed, concerned officer from the CDA (P), Allahabad shall remain present to assist the Tribunal.</p> <p>List this case on <b>20.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 134 of 2017**

**Shyam Babu Tiwari**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri VPS Vats, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted further four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on <b>24.10.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 1279 of 2010**

**Naresh Kumar**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri PN Chaturvedi, learned counsel for the petitioner submits that he is not aware whether the amendment application No. M.A. 846 of 2013 is allowed or not. He prays for and is granted a week's time to go through the file and better preparation of the case.</p> <p>List this case on <b>14.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 107 of 2011**

**Lekh Raj Singh**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Shri Md Zafar Khan, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Shri Md Zafar Khan, learned counsel for the respondents submits that he shall file supplementary counter affidavit to the amended portion of T.A. during course of the day.</p> <p>Shri Yash Pal Singh, learned counsel for the petitioner prays for and is granted three weeks' time to file supplementary rejoinder affidavit.</p> <p>List this case on <b>22.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 155 of 2014**

**Sita Ram**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R Chandra, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>In compliance of the Court order dated 16.08.2017, Maj Santosh Singh of the ASC Records, Bangalore, who has brought the original record, is present.</p> <p>Learned counsel for the respondents is directed to bring on record in the form of affidavit all the Medical Board Proceedings from the date of discharge with assessed period of disability alongwith reasons for change, if any, on the date fixed.</p> <p>List this case on <b>21.09.2017</b> for further hearing.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 349 of 2010**

**Ramayan Mishra**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virat Anand Singh, learned counsel for the petitioner and Shri Anurag Mishra, learned counsel for the respondents.</p> <p>In terms of order dated 17.08.2017 of this Tribunal, Capt Saleem Pasha from ASC Records, Bangalore is present. He has produced Option Certificate given by the individual before the Court.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file affidavit bringing the same on record alongwith both old and new policy pertaining to colour service &amp; reserve service as applicable in the case. A copy of the same will be given to learned counsel for the applicant.</p> <p>List this case on <b>18.09.2017</b> for further hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 83 of 2013 with M.A. No. 963 of 2017**

**Uma Shankar Pandey**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R. Chandra, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Santosh Singh, Record Officer from ASC Records, Bangalore.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 60 of 2014**

**Awadhesh Kumar**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Shri Ashutosh Kumar Srivastava, Advocate for respondent No. 4.</p> <p>Learned counsel for the respondents has raised preliminary objection on the maintainability of the Original Application. The matter pertains to rounding off of disability pension and also payment of AGI benefits. He submits that similar matter is pending before the Hon'ble Apex Court hence the case be adjourned till the case is decided by Hon'ble The Apex Court. Accordingly, the case is adjourned.</p> <p>List this case on <b>31.10.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 174 of 2015**

**Jageshwar Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents prays for adjournment of the case on the ground that he wants to submit certain case laws on the subject. Accordingly, the case is adjourned.</p> <p>List this case on <b>11.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 209 of 2015**

**Ram Niwas**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Akhilesh Pandey, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the respondents submits that original documents pertaining to case are not available today and prays for adjournment of the case. Accordingly, the case is adjourned.</p> <p>List this case on <b>05.10.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 329 of 2015**

**Lt Col Ram Raj Singh (Retd)**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Col Y.R. Sharma (Retd), learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Order reserved.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>SB</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 178 of 2016 with M.A. No. 1261 of 2017 & M.A. No. 1445 of 2017**  
**Kushal Yadav** **Applicant**  
By Legal Practitioner for Applicant

Versus

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

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Satendra Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><b><u>M.A. No. 1445 of 2017</u></b></p> <p>Rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Pleadings have been exchanged.</p> <p>List this case on <b>26.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 303 of 2016**

**Rajiv Tandon**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>On call of the case, learned counsel for the applicant submits that rejoinder affidavit is ready and he will be filing the same in the registry during the course of day.</p> <p>List this case on <b>01.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 87 of 2013**

**Mahindra Singh Bisht**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>31.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Alam Singh, learned counsel for the petitioner and Shri Ashish Kumar Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>Learned counsel for the applicant submits that he does not intend to press the prayer for grant of discharge and he restricts his prayer only to the extent for grant of disability pension.</p> <p>Learned counsel for the respondents is directed to file circular on the subject clarifying whether undesirable soldier is entitled for pension/disability pension or not.</p> <p>List this case on <b>27.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 335 of 2017**

**Tomy Barghese**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Asheesh Agnihotri, Advocate, on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Birendra Prasad Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Having heard learned counsel for the parties, we find that it is a fit case for admission.</p> <p><b>Admit.</b></p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks', thereafter.</p> <p>List this case on <b>23.10.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 28 of 2017**

**Smt Rajesh Tyagi**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Namit Sharma, Advocate, on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Dinesh Kumar, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>By means of this Transferred Application, petitioner has made his prayer to issue an order or direction in the nature of mandamus commanding the respondent to comply the order dated 28.01.2008 passed by Hon'ble the High Court of Allahabad in C.M.W.P. No. 36104 of 1996.</p> <p>Shri Namit Sharma, learned counsel for the respondents prays for and is granted four weeks' time to seek instruction that the aforesaid order preferred by the petitioner has been carried out by the competent authority or not.</p> <p>List this case on <b>10.10.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 42 of 2017**

**Col Mukul Singhal**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr Chet Narayan Singh, Advocate, on behalf of the respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri R Chandra, learned counsel for the petitioner and Dr Chet Narayan Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Shri R Chandra, learned counsel for the petitioner submits that this Petition has been received on transfer from AFT, Regional Bench, Calcutta. He prays for and is granted a week's time to go through the complete file and prepare the case.</p> <p>In the mean time, learned counsel for the petitioner shall supply copy of the aforesaid petition on learned counsel for the respondents.</p> <p>List this case on <b>13.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 121 of 2015 with M.A. No. 589 of 2016**

**Smt Priyanka Mishra**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Bhasker Pratap Dubey, learned counsel for the applicant, Dr Shailendra Sharma Atal, learned counsel for the respondent Nos. 1 to 4 alongwith Wg Cdr Sardul Singh, Departmental Representative and Shri Shailendra Kumar Singh, learned counsel for the respondent Nos 5 and 6.</p> <p>Today, this case is fixed for filing the counter affidavit on behalf of the respondent No 6.</p> <p>Shri Shailendra Kumar Singh, appearing for respondent Nos 5 and 6 submits that Smt Lovelesh Shukla, who is residing with her husband at Chandigarh and because of the cancellation of Trains, she could not come and sign the counter affidavit, hence counter affidavit could not be filed. He prays for and is granted four weeks' further time to file the same.</p> <p>List this case on <b>09.10.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 310 of 2015**

**Pratap Singh Chauhan**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Bachchan Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Supplementary rejoinder affidavit filed by Shri Bachchan Singh, learned counsel for the applicant, in Court, today is taken on record.</p> <p>In compliance of the Court order dated 16.08.2017, today, this case is fixed for bringing on record the relevant circular about the Medical Board by the counsel for the respondents but the same could not be filed.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents prays for and is granted four weeks' further time to bring on record the aforesaid circular. On the date fixed, dealing officer from the PCDA (P), Allahabad shall remain present alongwith a copy of said circular and other relevant documents, if any.</p> <p>Let a copy of this order be given to the learned counsel for the respondents free of cost.</p> <p>List this case on <b>14.09.2017</b> for orders</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>RPM/-</p>



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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 249 of 2015**

**J.C. Pandey**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>O.A. No. 249 of 2015, J.C. Pandey vs. Union of India and others is allowed.</p> <p>For order, see our order of date passed on separate sheets.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 117 of 2016**

**Smt. Rekha Nagarkoti**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Mohd Zafar Khan, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file paper books of the case in terms of earlier order dated 23.05.2017. Registry shall verify the genuineness of the paper book from the original record.</p> <p>List this case on <b>14.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**T.A. No. 63 of 2012**

**Sanjay Singh**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Today case was listed for final hearing.</p> <p>On call of the case, Departmental Representative submits that original documents are not available today and prays for adjournment of the case. Learned counsel for the peitioner has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>05.10.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. No. 2 of 2017 Alongwith O.A. No. 254 of 2016**

**Rashid Ali**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Dr. S.K. Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>On call of the case, Shri V.P. Pandey submits that Shri K.K.S. Bisht has not come to the Court and prays for adjournment of the case. Learned counsel for the applicant has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>12.09.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**Court No. 2**

**O.A. (A) No. 279 of 2013**

**Manoj Kumar Sharma**  
By Legal Practitioner for Applicant

**Applicant**

Versus

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

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Singh Bisht, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>On 24.10.2016, order was passed to learned counsel for the parties to argue the case on the ground of maintainability. Learned counsel for the respondents was ordered to produce original documents.</p> <p>Today, learned counsel for the respondents has informed that original documents have been destroyed by burning as per rule on the subject but this fact was not brought on record while filing the counter affidavit.</p> <p>Learned counsel for the respondents prays for and is granted a week's time to file affidavit to the effect that the original documents have been destroyed by burning.</p> <p>List this case on <b>07.09.2017</b> for hearing on the ground of maintainability.</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>999</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. 70 of 2012**

**Smt. Omvati Devi**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>30.08.2017</u></b> <b><u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Virat Anand Singh, learned counsel for the petitioner and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Today case was listed for final hearing.</p> <p>On call of the case, Departmental Representative submits that original documents are not available today and prays for adjournment of the case. Learned counsel for the petitioner has no objection. Accordingly, the case is adjourned.</p> <p>List this case on <b>05.10.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice S.V.S. Rathore)</b> <b>Member (J)</b></p> <p>ukt/-</p>