

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 9 of 2017 (Inre: O.A. No. 214 of 2010)

Smt Maiser Bano

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>20.01.2017</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, learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri DK Pandey, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 10 of 2017 (Inre: O.A. No. 305 of 2013)

Dinesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri Namit Sharma, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 11 of 2017 (Inre: T.A. No. 154 of 2010)

Gyan 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>20.01.2017</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 on behalf of respondents by Shri...., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri Namit Sharma, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 111 of 2017 with M.a. No. 112 of 2017
(Inre: O.A. No. 68 of 2011)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Vinod Kumar Singh

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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 on behalf of respondents by Shri....., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 113 of 2017 with M.A. NO. 112 of 2017
(Inre: O.A. No. 92 of 2010)

A Chithambaram

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>20.01.2017</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 on behalf of respondents by Shri....., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

DY.No. 2336 of 2016 with Dy No. 2690 of 2016
(Inre: O.A. No. Nil of 2016)

Smt Sadhana Sharma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri AN Tripathi, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 55 of 2016
(Inre: O.A. No. 192 of 2010)

Surendra 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>20.01.2017</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, learned counsel for the petitioner and Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 9 of 2017 (Inre: O.A. No. 214 of 2010)

Smt Maiser Bano

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>20.01.2017</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, learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri DK Pandey, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 10 of 2017 (Inre: O.A. No. 305 of 2013)

Dinesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri Namit Sharma, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 11 of 2017 (Inre: T.A. No. 154 of 2010)

Gyan 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>20.01.2017</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 on behalf of respondents by Shri...., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri Namit Sharma, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 111 of 2017 with M.a. No. 112 of 2017
(Inre: O.A. No. 68 of 2011)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Vinod Kumar Singh

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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 on behalf of respondents by Shri....., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 113 of 2017 with M.A. NO. 112 of 2017
(Inre: O.A. No. 92 of 2010)

A Chithambaram

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>20.01.2017</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 on behalf of respondents by Shri....., Advocate 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 Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

DY.No. 2336 of 2016 with Dy No. 2690 of 2016
(Inre: O.A. No. Nil of 2016)

Smt Sadhana Sharma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri AN Tripathi, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 55 of 2016
(Inre: O.A. No. 192 of 2010)

Surendra 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>20.01.2017</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, learned counsel for the petitioner and Shri, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>List for Orders on ...2017.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 9 of 2017 (Inre: O.A. No. 214 of 2010)

Smt Maiser Bano

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>20.01.2017</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, learned counsel for the petitioner and Shri DK Pandey, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file status report with regard to the compliance of the order dated 11.8.2016 passed by the Tribunal.</p> <p>List this case on 14.03.2017 for orders in Court No.1 (List A).</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

Court No. 1 (List B)

EX-A. No. 10 of 2017 (Inre: O.A. No. 305 of 2013)

Dinesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri Namit Sharma, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file status report with regard to the compliance of the order dated 21.07.2016 passed by the Tribunal.</p> <p>List this case on 15.03.2017 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

Court No. 1 (List B)

EX-A. No. 11 of 2017 (Inre: T.A. No. 154 of 2010)

Gyan 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>20.01.2017</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 on behalf of respondents by Ms Appoli Srivastava, Advocate is taken on record. Her 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 Ms Appoli Srivastava, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>This execution application has been filed by the applicant for non implementation of the judgment and order dated 3rd March 2011 passed in TA No.154 of 2010 under execution which relates to grant of disability pension. Since the judgment and order has not been complied with, this execution application has seen the light of day.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file status report with regard to the compliance of the order dated 03.03.2011 passed by the Tribunal.</p> <p>List this case on 16.03.2017 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

Court No. 1 (List B)

M.A. No. 111 of 2017 with M.A. No. 112 of 2017
(Inre: O.A. No. 86 of 2011)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Vinod Kumar Singh

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Maj Salen Xaxa, departmental representative.</p> <p><u>M.A. No. 111 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 14.12.2015, passed by this Court in O.A. No.86 of 2011.</p> <p>As per stamp reporter's report, there is delay of 01 year and 03 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 shall 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 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”</i> and since <i>“the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern</i></p>

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 limitationThey 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 112 of 2017

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

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

(Lt Gen Gyan Bhushan)
Member (A)

PKG

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 113 of 2017 with M.A. NO. 114 of 2017
(Inre: O.A. No. 92 of 2010)

A Chithambaram

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>20.01.2017</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 on behalf of respondents by Shri AN Tripathi, Advocate is taken on record</p> <p>Present: Shri R Chandra, learned counsel for the petitioner and Shri AN Tripathi, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p><u>M.A. No. 113 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 26.07.2012, passed by this Court in O.A. No.92 of 2010.</p> <p>As per stamp reporter's report, there is delay of 04 years, 04 months and 21 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 shall 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 in which the Hon'ble Supreme Court has observed as under:</p>

“Condonation of delay is an exception and should not be used as an anticipated benefit for government departments” and since “the claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody including the Government.”

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 limitationThey 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 114 of 2017

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

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

(Lt Gen Gyan Bhushan)
Member (A)

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

PKG

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

DY No./2336/2016 with Dy No.2690/16
(Inre: O.A. NIL of 2016)

Smt Sadhana Sharma
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.01.2017</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, learned counsel for the petitioner and Shri AN Tripathi, learned counsel for the respondents alongwith Maj Salen Xaxa, departmental representative.</p> <p><u>M.A.No. Nil of 2016</u></p> <p>The controversy relates to special family pension which is recurring cause of action.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the original application is condoned and the objection filed by the learned counsel for the respondent is rejected.</p> <p>Counter affidavit filed today is taken on record. Let the rejoinder affidavit be filed by the learned counsel for the respondents by the next date.</p> <p>Learned counsel for the applicant is directed to provide the documents in terms of the order dated 02.09.2016 passed by the Tribunal.</p> <p>List this case on 20.04.2017 for admission.</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
Court No. 1 (List B)

EX-A. No. 55 of 2016
(Inre: O.A. No. 192 of 2010)

Surendra 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>20.01.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p style="text-align: center;">Present: Shri R Chandra, learned counsel for the petitioner and Maj Salen Xaxa, departmental representative.</p> <p style="text-align: center;">List after four weeks to enable the learned counsel for the respondents to file the status report with regard to compliance of the order of the Tribunal dated 30.10.2015.</p> <p style="text-align: center;">List this case on 20.03.2017 for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET
 ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 1 (List B)

DY. No. 3299 of 2016 (Inre: O.A. No. Nil of 2016)

Ram Deen Tiwari
 In Person

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal

19.01.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

List has been revised.

No one appeared for the applicant to address the Tribunal. Ms Anju Singh, Advocate alongwith Maj Salen Xaxa, Departmental Representative appeared for the respondents.

DY. No. 3299 of 2016

This is an application under Section 14 of the AFT Act, 2007 filed by the applicant in person. According to office report dated 17.01.2017, the application suffers from following defects, which are reproduced as under :

“1. An Original Application had been filed by the applicant on 13-12-2016. On security, the following defects have been observed by the Registry:-

- (a) Application not on proper format as per Form I of the AFT Act, 2007.*
- (b) Application has not been verified by the applicant.*
- (c) The application has not been filed in two compilations as per Rule 4(2)(i) of the AFT (Procedure) Rules, 2008.*
- (d) Index has not been prepared properly and pagination has not been done properly.*
- (e) List of relevant dates has not been filed as per Rule 4(2)(ii) of The AFT (Procedure) Rules, 2008.*
- (f) Certificate to the effect that the applicant has exhausted all the available remedies has not been filed.*
- (g) Certificate to the effect that matter not previously filed or pending with any other court/Bench of Tribunal, as required vide Para 7 of Form I, has not been filed.*

2. The defects were notified on 16-12-2016 and the applicant was allowed 15 days to rectify the same. Since the defects were not rectified in the time allowed, the time extended for 15 days. But the defects have not been rectified so far.

3. Declined to be registered.

4. Place before Hon'ble the Bench on 19-01-2017 for orders.”

Learned counsel for the respondents submits that since the Original Application has not been moved with due compliance of the Rules of the Tribunal, it is liable to be dismissed.

We have gone through the office report and found that the office report seems to be correct.

Keeping in view the fact that the Original Application has not been moved in proper format as per Form I of the AFT Act, 2007 and has not been verified by the applicant, followed by the defects,

mentioned above, the Original Application seems to be not maintainable.

Since the applicant has not appeared to address the Tribunal, even in the revised list, accordingly, DY. No. 3299 of 2016 is **rejected** for non prosecution as well as on account of defects in the Original Application.

However, it shall be open to the applicant to file a fresh corrected Original Application in accordance with the Rules of the Tribunal.

(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. 1 (List B)

M.A. No. 109 of 2017 (Inre: O.A. No. Nil of 2017)

Surendra 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>19.01.2017</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 on behalf of respondents by Dr. Shailendra Sharma Atal, Advocate is taken on record. His name be shown as counsel for the respondents, when the case is listed next.</p> <p>Present: Shri BPS Chauhan and Col(Retd) RN Singh, learned counsel for the applicant and Dr. Shailendra Sharm Atal, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p><u>M.A. No. 109 of 2017.</u></p> <p>This is an application for condonation of delay in filing the Original Application, which as per office report, is delayed by 13 years, 06 months and 10 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 17.01.2017. Dr. Shailendra Sharma Atal, learned Standing Counsel appearing for the respondents prays for and is granted four weeks' time to file objection. Replication to the objection may be filed by the learned counsel for the applicant within four weeks, thereafter.</p> <p>List this case on 18.05.2017 for admission.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 8 of 2017 (Inre: O.A. No. 63 of 2016)

Sarvash 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>19.01.2017</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, learned counsel for the applicant and Ashish Kumar Singh, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned but the bank has not paid outstanding amount in terms of the PPO issued.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously within three weeks from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 126 of 2016 (Inre: O.A. No. 142 of 2013)

Asha Ram

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>19.01.2017</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 Kumar, learned counsel for the applicant and Shri A.K. Sahu, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Compliance report filed by the learned counsel for the respondents in respect of compliance of the order of this Tribunal dated 25.11.2016 passed in O.A. No. 142 of 2013 is taken on record. Learned Standing Counsel states that the necessary PPO has been issued to the bank concerned, a copy of which has been served to the learned counsel for the applicant in Court today itself.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within one month from the date of presentation of a certified copy of this order. Cost of Rs. 10,000/-which has been deposited shall be issued in the favour of the applicant through cheque by the Registry.</p> <p>Subject to the above, this Execution Application is disposed of accordingly.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

EX-A. No. 209 of 2016 (Inre: T.A. No. 597 of 2010)

Devendra Kumar Tripathi

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>19.01.2017</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 VK Pandey, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>Shri Amit Jaiswal, learned counsel for the respondents states that the necessary PPO has been issued to the bank concerned.</p> <p>Accordingly, it is directed that the bank concerned shall release the amount to the applicant expeditiously say within a month from the date of presentation of a certified copy of this order. In case, bank concerned does not make payment within stipulated time, it shall be open to the applicant to approach the Tribunal again ventilating all his grievances.</p> <p>Subject to the above, this Execution Application is disposed of accordingly</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

M.A. No. 156 of 2013 (Inre: O.A. No. Nil of 2013)

Faquir Baksh 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>19.01.2017</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 Yashpal Singh, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents along with Maj Salen Xaxa, departmental representative.</p> <p>On call of the case, Shri Yashpal Singh, learned counsel for the applicant states that he is not prepared with the brief. Therefore, he prays for and is granted three weeks time to enable him to go through the file and prepare the brief.</p> <p>List this case on 20.02.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) rpm/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 266 of 2015 with M.A. No. 1968 & 2377 of 2016

Hari 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

19.01.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

Present: Shri K.K. Singh Bisht holding brief of Shri V.P. Pandey, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.

On call of the case, Shri K.K. Singh Bisht, Advocate, prays for and is granted two weeks' time to file replication to objection on application for condonation of delay.

List this case on **19.04.2017** for orders.

(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

Court No. 1 (List B)

O.A. No. 118 of 2016

Dayanand Sharma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the	Orders of the Tribunal
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Registry	
	<p><u>19.01.2017</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 A.K. Srivastava, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' and no more 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 21.02.2017 for final 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) ukt</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 281 of 2013 with M.A. No 131 of 2017

Rajendra Kumar Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the	Orders of the Tribunal
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Registry	
	<p data-bbox="407 198 565 236"><u>19.01.2017</u></p> <p data-bbox="407 239 1062 276"><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></p> <p data-bbox="407 279 1068 317"><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p data-bbox="407 357 1386 451">Present: Shri R. Chandra, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p data-bbox="472 478 776 516"><u>M.A. No 131 of 2017</u></p> <p data-bbox="407 540 1386 634">Rejoinder Affidavit filed by learned counsel for the respondents is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p data-bbox="472 658 992 696">Heard learned counsel for the parties.</p> <p data-bbox="472 720 776 758">Argument concluded.</p> <p data-bbox="472 782 743 819">Judgment reserved.</p> <p data-bbox="407 844 1386 991">Original documents pertaining to case shall be submitted by learned counsel for the respondents in a shield cover, which shall be kept in the concerned file.</p> <p data-bbox="415 1137 748 1231">(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p data-bbox="997 1137 1273 1231">(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 204 of 2015

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>19.01.2017</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, holding brief of Shri P.K. Shukla, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri R Chandra, Advocate submits that Shri P.K. Shukla, learned counsel for the applicant is out of station and prays for adjournment of the case. Learned counsel for the respondents has no objection.</p> <p>List this case on 09.05.2017 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) ukt</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 340 of 2015

Jitendra Kumar Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>19.01.2017</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, learned counsel for the applicant and Shri Namit Sharma, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on 07.03.2017 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) SB</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 360 of 2010

Nepal 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>19.01.2017</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 K.K. Mishra, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is permitted to withdraw his amendment application dated 21.11.2016 with liberty to file a fresh.</p> <p>List this case on 31.01.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) (Justice D.P. Singh) Member (A) Member (J) ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 674 of 2010 with M.A. No. 1702 of 2016

Smt. Kushum Lata

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>18.01.2017</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 applicant and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p><u>M.A. No. 1702 of 2016</u></p> <p>Supplementary rejoinder affidavit filed by learned counsel for the applicant is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>List this case on 24.01.2017 for hearing in List A.</p> <p>On the date fixed, learned counsel for the respondents shall</p>

	<p>produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) UKT</p> <p>(Justice D.P. Singh) Member (J)</p>
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Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 200 of 2015 with M.A. No. 2564 of 2016

Col V.J.S. Varaich

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

<p>Notes of the Registry</p>	<p>Orders of the Tribunal</p>
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18.01.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

Present: Shri V.A. Singh, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents assisted by Col Ajeen Kumar, Col MS Legal, Army Headquarters, New Delhi and Maj Salen Xaxa, Departmental Representative.

Departmental Representative for the respondents submits that Shri Alok Mathur, learned counsel for private respondents No 5 is not available today and prays for adjournment of the case. Learned counsel for the applicant has no objection.

Accordingly, the case is adjourned.

List this case on **30.01.2017** for hearing.

On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.

(Lt Gen Gyan Bhushan)
Member (A)

UKT

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 215 of 2015

Omkar Nath 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

18.01.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

Present: Shri R. Chandra, learned counsel for the applicant and Shri Shyam Singh, learned counsel for the respondents.

As prayed by learned counsel for the parties, list this case on **23.01.2017** for hearing.

On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.

(Lt Gen Gyan Bhushan)
Member (A)

UKT

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 320 of 2015

Jeetan Lal Tiwari

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

18.01.2017

Hon'ble Mr. Justice D.P. Singh, Member (J)

Hon'ble Lt Gen Gyan Bhushan, Member (A)

Present: Shri S.K. Gupta, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents.

Learned counsel for the applicant submits that four weeks' time be granted to him to file rejoinder affidavit since he has received copy of counter affidavit today itself. Time prayed for is granted.

List this case on **24.04.2017** for hearing.

On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.

(Lt Gen Gyan Bhushan)
Member (A)

UKT

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 20 of 2016 with M.A. No. 2248 of 2016

Bal Krishna M

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the

Orders of the Tribunal

Registry	
	<p><u>18.01.2017</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: The applicant Shri Bal Krishna M in person and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Learned counsel for the respondents submits that original documents pertaining to case are not available today and prays for adjournment of the case. Applicant has no objection.</p> <p>Accordingly, the case is adjourned.</p> <p>List this case on 20.01.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) UKT</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 155 of 2016 with M.A. No. 2643 of 2016

Brig HMS Chatwal

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>18.01.2017</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 Indra Sen Singh, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents assisted by Col Ajeen Kumar, MS Legal, Army Headquarters, New Delhi.</p> <p>As prayed by learned counsel for the respondents, list this case on 10.02.2017 for further hearing.</p> <p>Learned counsel for the respondents shall provide present address of Respondent No 4 to learned counsel for the applicant within a week to enable him to issue fresh notice at his residential address.</p> <p>On the date fixed, learned counsel for the respondents shall produce chart of box grading and pen picture of the officer alongwith original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) UKT</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 182 of 2016

Lt Col Manish Mishra

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>18.01.2017</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 Y.R. Sharma (Retd), learned counsel for the applicant and Maj Salen Xaxa, Departmental Representative for the respondents.</p> <p>Departmental Representative 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 27.04.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) UKT</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

O.A. No. 192 of 2016 with M.A. No 110 of 2017

Subodh 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>18.01.2017</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: Dr. R.S. Pande, learned counsel for the applicant and Ms. Appoli Srivastava, learned counsel for the respondents.</p> <p><u>M.A. No 110 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 four weeks' time to file rejoinder affidavit.</p> <p>List this case on 28.03.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A) UKT/-</p> <p>(Justice D.P. Singh) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (List B)

T.A. No. 1224 of 2010

Ravindra Nath 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 data-bbox="407 236 1068 352"><u>18.01.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p data-bbox="407 397 1395 553">Memo of appearance filed by Shri Amit Chandra, on behalf of Respondent No 5 is taken on record. Office is directed to show his name on the next date.</p> <p data-bbox="407 575 1395 731">Present: Shri Manoj Kumar Singh, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents and Shri Amit Chandra for Respondent No 5.</p> <p data-bbox="407 752 1395 970">On call of the case, Shri Amit Chandra, learned counsel for Respondent No 5 submits that one copy of petition be provided to him. Learned counsel for the applicant is directed to provide copy of complete petition to him within two days.</p> <p data-bbox="472 991 1036 1034">List this case on 25.01.2017 for hearing.</p> <p data-bbox="407 1056 1395 1212">On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p data-bbox="407 1352 751 1427">(Lt Gen Gyan Bhushan) Member (A)</p> <p data-bbox="997 1352 1276 1427">(Justice D.P. Singh) Member (J)</p> <p data-bbox="407 1432 472 1454">UKT/-</p>