

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 101 of 2016

Smt. Madhubala

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</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 Diwakar Singh, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' further time to file rejoinder affidavit.</p> <p>List this case on 10.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 251 of 2016

Smt. Kanta Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</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. Singh Bisht, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>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 11.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 307 of 2016

Jagirman Rai

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Parijaat Belaura, learned counsel for the applicant and Shri V.P.S. Vats, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' further time to file objection on the application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 12.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

OA No. 232 of 2014

Rohini Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the applicant, list this case on 27.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

OA No. 265 of 2014

Abhishek Pandey

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</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 Lohitakash Shukla, Advocate holding brief of Shri T.N. Tiwari, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>On call of the case, Shri Lohitakash Shukla submits that Shri T.N. Tiwari, is sick and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 28.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1103 of 2017
Inre: O.A. No. Nil of 2017

Smt Sanjogi Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Mrs Apploli Srivastava, Advocate is taken on record. Her name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Mrs Apploli Srivastava, learned counsel for the respondents.</p> <p><u>M.A. No. 1103 of 2017</u></p> <p>This is an application under Section 5 of the Indian Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007 for condoning the delay in filing the O.A, which as per office report, is delayed by 02 years, 06 months and 07 days. Copy of this application has been served upon the learned Standing Counsel for the respondents on 06.07.2017.</p> <p>Learned Standing Counsel appearing for the respondents prays for and is granted two weeks' time to file objection. Replication, if any, may be filed by the learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1110 of 2017 With M.A. No. 1111 of 2017

Inre: T.A. No. 1376 of 2010

Shishupal Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajiv Pandey, Advocate is taken on record. His name be shown as learned counsel for the respondents, when the case is next listed.</p> <p>Present: Shri VA Singh, learned counsel for the petitioner and Shri Rajiv Pandey, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on delay condonation application for recall of order dated 02.12.2015 filed by learned counsel for the applicant. Replication, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 06.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1788 of 2016

AK Das

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SK Pandey, learned counsel for the applicant and Shri Siddharth Dhaon, learned counsel for the respondents Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted four weeks time to file replication to the objection filed by learned counsel for the respondents on the application for condonation of delay.</p> <p>List this case on 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</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. 2

**M.A. No. 203 of 2017 With M.A. No. 204 of 2017
Inre: O.A. No. 203 of 2013**

Pushkar Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri RKS Chauhan, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection on delay condonation application for recall of order dated 23.05.2016 filed by learned counsel for the applicant. Replication, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 08.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

M.A. No. 755 of 2017
(Inre: O.A. No. 78 of 2016)

Shiv 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>13.07.2017</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 Om Prakash Kushwaha, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>On call of the case, Shri Om Prakash Kushwaha, learned counsel for the applicant submits that as per order of this Court dated 02.05.2017, cost of Rs. 500/- has been deposited for restoration of original application.</p> <p>Learned counsel for the applicant prays for and is granted four weeks' further time to file rejoinder affidavit.</p> <p>List this case on 10.10.2017 for order.</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 2

O.A. No. 141 of 2012

Smt Rekha

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.07.2017</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 Nishant Verma, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p><u>M.A. No. 252 of 2017</u></p> <p>Heard learned counsel for the parties on the amendment application.</p> <p>Learned counsel for the applicant intends to amend the impugned order passed after punishment awarded through SCM. Being subsequent event, we allow the amendment application and direct learned counsel for the applicant to carry out the necessary amendment in the original application within a week.</p> <p>List this case on 10.08.2017 for order.</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. 2

M.A. No. 1873 of 2016
Inre: 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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Shri PN Chaturvedi, learned counsel for the petitioner prays for and is granted a weeks' time to file cost receipt.</p> <p>List this case on 27.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 362 of 2017

Inre: O.A. No. Nil of 2017

Smt Janki Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</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 KKS Bisht, learned counsel for the applicant and Shri Kaushik Chattarji, learned counsel for the respondents Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted four weeks time to file replication to the objection filed by learned counsel for the respondents.</p> <p>List this case on 06.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</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. 2

O.A. No. 214 of 2016

Smt Rajni Verma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Sunil Sharma, learned counsel for the respondents alongwith Maj Soma John Xaxa, Departmental Representative.</p> <p>Shri Himanshu Vaish, learned counsel for the respondent No. 2 has already filed counter affidavit/reply to the O.A</p> <p>Learned counsel for the applicant prays for and is grant two weeks, time to file rejoinder affidavit.</p> <p>List this case on 05.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 8 of 2017

Smt Nandrani Yadav

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Satendra Kumar Singh, learned counsel for the petitioner and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Having heard learned counsel for the parties. We find that it is fit case for admission.</p> <p>Admit.</p> <p>Affidavits have already been exchanged. List this case on 14.09.2017 before appropriate bench for hearing.</p> <p>On the date fixed, the parties shall submit compilation of case law and chart of events.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RS/-</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. 2

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

Km Basanti

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</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 applicant and Shri Namit Sharma, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Having heard learned counsel for the parties. We find that it is fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Affidavits have already been exchanged.</p> <p>List this case on 10.08.2017 for further hearing before appropriate bench.</p> <p>On the date fixed, the parties shall submits compilation of case law and chart of events.</p> <p>Shri RK Tiwari, PCDA(P) Allahabad appeared before the court. He shall again appear on the next date fixed.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

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

Court No. 2

M.A. No. 2722 of 2016 With M.A. No. 790 of 2017
Inre: O.A. No. 241 of 2017

Smt Kalawati
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2017</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 PK Shukla, learned counsel for the applicant and Shri Rajiv Pandey, learned counsel for the respondents alongwith Maj Soma John , Departmental Representative.</p> <p><u>M.A. No. 2722 of 2016</u></p> <p>Reply to the objection on the application for condonation of delay has already been filed.</p> <p>The grounds shown in the affidavit filed in support of the application seem to be sufficient.</p> <p>Accordingly, the application for condonation of delay is allowed and the delay in filing the O.A. is hereby condoned.</p> <p>Having heard the learned counsel for the parties, we find that it is a fit case for admission.</p> <p>Admit.</p> <p>Let the case be registered as O.A.No.241 of 2017.</p> <p style="text-align: center;"><u>ORDER (ORAL)</u></p> <p>1. This Original Application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 by the applicant for grant of disability/family pension.</p> <p>2. The undisputed facts, as averred by the learned counsel for both the parties are that the applicant's husband, since deceased, was enrolled in the Indian Army on 29.04.1963 in a medically fit condition and was invalided out of service with effect from 08.10.1969 in Low Medical Category under Rule 13 item III (iii) of Army Rules, 1954 on completion of 06 years,05 months and 12 days</p>

of service for the disability for TRACTION INJURY BRACHIAL PLEXUS. The husband of the applicant was never granted disability pension. The husband of the applicant died on 10.02.2010.

3. Being aggrieved by denial of disability/family pension, the applicant has approached this Tribunal by means of present O.A.

4. We have heard Shri PK Shukla, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents and perused the record and with their consent, the O.A. is being disposed of at the admission stage.

5. The solitary grievance of the applicant is that she has submitted an appeal/representation dated 02.05.2016 before the Appellate Authority, a copy of which has been annexed as Annexure No.1 to the O.A. for grant of her husband's disability pension arrears and after death of her husband, for grant of family pension, but the same has not yet been decided with regard to applicant's entitlement for disability/family pension.

6. Question with regard to grant of disability pension and the law over it is no more *res integra*. The Hon'ble Supreme Court in a catena of decisions in the cases of ***Dharamvir Singh vs. Union of India and others***, reported in (2013)7 SCC 316, ***Sukhvinder Singh vs. Union of India***, reported in (2014) 14 SCC 364, ***Union of India and others vs. Angad Singh Titaria***, reported in (2015) 12 SCC 257 and ***Union of India and others vs. Rajbir Singh***, reported in (2015) 12 SCC 264 has already settled the law with regard to entitlement of disability pension.

7. In view of the above the Original Application deserves to be allowed.

8. Accordingly the O.A. is finally **disposed of**, directing the Appellate Authority to decide the aforesaid Appeal/Representation of the applicant by passing a speaking and reasoned order, keeping in view the aforesaid judgments of the Hon'ble Supreme Court, expeditiously say within a period of four months from the date of receipt of a certified copy of the present order alongwith copy of the representation.

9. No order as to cost.

(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 2

M.A.No.575 of 2017
Inre O.A.No. Nil of 2017

Sinhasan Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.07.2017</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 (Retd) YR Sharma, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Objection filed by Shri Asheesh Agnihotri, learned counsel for the respondents is taken on record.</p> <p><u>M.A.No.575 of 2017</u></p> <p>Being aggrieved against the order of dismissal from service dated 23rd June, 2010, in pursuance of which the applicant has preferred the aforesaid Original Application with the present application for condonation of delay.</p> <p>It appears that earlier the applicant had filed Original Application on 14.12.2010 which was numbered as O.A.No.244 of 2010. However, since the applicant had not exhausted the alternative remedy, the O.A. was dismissed on 20.04.2015 directing the applicant to avail the alternative remedy available to him under Section 164 of the Army Act. Thereafter the applicant preferred the statutory appeal under Section 164 (2) of the Army Act on 09th May 2015 which was not decided within the stipulated period, hence the applicant preferred Original Application on 31st December 2015 bearing Dy.No.8 of 2016 with M.A.No.380 of 2016. During the course of hearing, the respondents informed the Tribunal that the statutory appeal submitted by the applicant has been rejected by the Chief of the Army Staff vide order dated 30.09.2016, in pursuance thereof, the applicant again</p>

preferred the present Original Application against the orders passed by the Chief of the Army Staff ventilating his grievance.

From the above, it appears that there was no intentional and deliberate delay on the part of the applicant challenging the impugned orders. Accordingly, the cause shown seems to be sufficient. ,

The application for condonation of delay is allowed and the delay in filing the Original Application is hereby condoned.

Having heard the learned counsel for the parties, we find that it is a fit case for admission.

Admit.

Let the case be registered as O.A.

Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List this case on **05.10.2017** for orders.

(Lt Gen Gyan Bhushan)
Member (A)

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

PKG

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.07.2017</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>Having heard learned counsel for the parties, we find that it is fit case for admission.</p> <p>Admit.</p> <p>Copy of counter affidavit has been provided to learned counsel for the applicant today in the Court.</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 04.09.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 688 of 2010

Smt. Kumud Mishra

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the petitioner and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>An adjournment application has been moved by Maj R.D. Singh (Retd), learned counsel for the petitioner to adjourn the case for today. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 07.09.2017 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>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

OA (A) No. 241 of 2016 with M.A. No. 152 & 903 of 2017

Ranjeet Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>11.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, Advocate holding brief of Shri Rohit Kumar, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents.</p> <p>On call of the case, Shri Shailendra Kumar Singh submits that Shri Rohit Kumar has not come to the Court today and prays for adjournment of the case. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 12.07.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>