

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 263 of 2017

Anurag Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Ramesh Chandra Shukla, Advocate, on behalf of respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri Satendra Kumar Singh, learned counsel for the applicant and Shri Ramesh Chandra Shukla, learned counsel for the respondents alongwith Wg Cdr Sardul Singh, Departmental Representative.</p> <p>Initially an objection has been raised on behalf of the respondents regarding the maintainability of the present O.A. on the ground that the Applicant has not exhausted the alternative remedy.</p> <p>Let the said objection be filed by the learned counsel for the respondents supported by an affidavit within two weeks.</p> <p>List this case on 25.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2211 of 2016
(Inre: O.A. No. Nil of 2016)**

Shankar Dutt Bhatt
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>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VP Pandey, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Reply to the objection filed by the learned counsel for the applicant is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' further time to file better affidavit on the application for condonation of delay.</p> <p>List this case on 18.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 2763 of 2016 alongwith M.A. No. 2764 of 2016 and M.A. No. 791 of 2017
(Inre: O.A. No. 94 of 2014)**

Gajendra Kumar Mishra
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>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Misra, learned counsel for the applicant and Shri Anurag Mishra, 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 file reply to the objection on the application for condonation of delay in moving the Recall Application.</p> <p>List this case on 21.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) PKG</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**M.A. No. 931 of 2017 with M.A. No. 932 of 2017
(Inre: O.A. No. 187 of 2014)**

Santhil Raju B

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>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Shri GS Sikarwar, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Objection against the condonation of delay filed by Shri GS Sikarwar, learned counsel for the respondents, in Court today, after serving a copy upon learned counsel for the applicant, is taken on record.</p> <p>Shri KKS Bisht, learned counsel for the applicant prays for and is granted two weeks' time to file replication to the objection.</p> <p>List this case on 22.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 236 of 2016 with M.A. No. 209 of 2017

Kunal Krishna 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>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Dr Ashish Asthana, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>In compliance of the Court order dated 03.05.2017, counter affidavit was supposed to be filed by the respondents No. 1 to 7, but the same could not be filed.</p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents No. 1 to 7 prays for and is granted four weeks' further time to file counter affidavit. Replication, if any, may be filed by learned counsel for the applicant within two weeks', thereafter.</p> <p>List this case on 14.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 17 of 2010

Smt Suman Devi & Others
By Legal Practitioner for Petitioners

Petitioners

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate, on behalf of respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioners and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>In compliance of the Court order dated 19.07.2017, restoration application was supposed to be filed by learned counsel for the applicant, but the same could not be filed.</p> <p>Shri PN Chaturvedi, learned counsel for the applicant prays for and is granted a week's further time to file restoration application.</p> <p>List this case on 01.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 1191 of 2017 With M.A. No. 1192 of 2017
Inre: T.A. No. 974 of 2010**

Chief of Army Staff & Others
By Legal Practitioner for Petitioner

Petitioners

Versus

Bishwambhar Pandey
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Anurag Mishra, learned counsel for the petitioner alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 1191 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 25.01.2016 passed by this Court in T.A. No. 974 of 2010.</p> <p>As per stamp reporter's report, there is delay of 01 year & 04 months in filing the application for leave to appeal. Section 31 (2) of the Armed Forces Tribunal Act 2007 provides that the application for leave to appeal <u>shall</u> be made for approaching Hon'ble Supreme Court within a period of 30 days beginning with the date of decision of the Tribunal. Apart from it, we have also gone through the grounds and reasons indicated in the affidavit filed in support of the application. In our considered opinion, the grounds urged in support of the prayer for grant of leave to appeal do not appear to be germane in view of the law laid down by the Hon'ble Supreme Court in Office of the Chief Post Master General and others vs Living Media India Ltd and another reported in 2012 STPL (LE) 46200 SC 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 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 1192 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 petitioner 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 S.V.S Rathore)
Member (J)

RS/-

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 1884 of 2014

Smt Mithilesh

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>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SSL Srivastava, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant prays for and is granted a week further time to comply with the order dated 01.05.2017 of the Tribunal.</p> <p>List this case on 16.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 339 of 2016 With M.A. No. 1222 of 2016 & M.A. No. 714 of 2017

Inre: O.A. No. Nil of 2016

Rati Bhan Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.07.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name be shown as learned counsel for the respondents, when the case is listed next.</p> <p>Present: Shri VC Shukla, learned counsel for the applicant and Shri Amit Jaiswal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 714 of 2017</u></p> <p>Objection against the application for condonation of delay filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted a week time to file replication to the aforesaid objection filed by learned counsel for the respondents.</p> <p>List this case on 17.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 2699 of 2016 With M.A. No. 538 of 2017

Inre: O.A. No. Nil of 2016

Devendra 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SS Rajawat, learned counsel for the applicant and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 2699 of 2016</u></p> <p>Heard learned counsel for the parties on the application for condonation of delay.</p> <p>From a perusal of the grounds taken in the accompanying affidavit, the delay stands explained, because the applicant was pursuing the matter before the Hon'ble High Court.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned.</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>Learned counsel for the respondents prays for and is granted four weeks' time to file counter affidavit. Rejoinder affidavit, may be filed by learned counsel for applicant within two weeks thereafter.</p> <p>List this case on 25.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

M.A. No. 555 of 2017

Inre: O.A. No. Nil of 2017

Smt Dharmsheela

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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing objection on the application for condonation of delay.</p> <p>Shri Virendra Singh, learned counsel for the respondents prays for and is granted four weeks further time to file objection on the application for delay condonation.</p> <p>List this case on 28.08.2017 for orders.</p> <p>No further time shall be granted for the aforesaid purpose.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S Rathore) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

EX-A. No. 109 of 2017
(Inre: O.A. No. 122 of 2011)

Sanjay Kumar 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Memo of appearance filed by Shri GS Sikarwar, Advocate, on behalf of respondents is taken on record. His name be shown as counsel for the respondents when the case is listed next.</p> <p>Present: Shri KKS Bisht, learned counsel for the applicant and Shri GS Sikarwar, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>This execution application has been filed against the judgment and order dated 28.02.2017 passed in O.A. No. 122 of 2011 by the Bench comprising of Hon'ble Mr. Justice D.P.Singh, Member (J) and Hon'ble Air Marshal Anil Chopra, Member (A).</p> <p>Let it be listed on 06.09.2017 for orders before the appropriate Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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 with M.A. No. 2344 of 2016 & M.A. No. 889 and 106 of 2017

Smt Shyama 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Misra, learned counsel for the applicant and Shri Virendra Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 106 of 2017</u></p> <p>This is an application for condonation of delay in filing the substitution application for substituting the name of Shri Sunil Kumar Singh being heirs of the deceased, applicant Smt. Shayma Devi which is delayed about seven months in filing the same.</p> <p>We find that the reasons given in the affidavit of the application for condonation delay is filing the aforesaid application are genuine.</p> <p>Accordingly, the application is allowed and the delay in filing the same is hereby condoned.</p> <p><u>M.A. No. 2344 of 2016</u></p> <p>Heard the learned counsel for the parties on the substitution application.</p> <p>The applicant Smt Shyama Devi died on 30th December 2015. During pendency of this application, it is prayed that legal heirs be brought on record.</p> <p>Accordingly, the substitution application is allowed. Let the name of Shri Sunil Kumar Singh in place of Smt Shyama Devi, as applicant be incorporated in the original application. Meanwhile, counter affidavit may be filed by learned counsel for the respondents.</p> <p>List this case on 28.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 8 of 2016

Keshar Bahadur Tamang
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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KK Misra, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Learned counsel for the applicant was supposed to file rejoinder affidavit today.</p> <p>Adjournment is prayed that the applicant is living in Nepal, so further time is prayed for filing the rejoinder affidavit.</p> <p>List this case on 01.09.2017 for orders.</p> <p>Meanwhile, rejoinder affidavit may be filed.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A.(A). No. 309 of 2016 with M.A. No. 704 of 2017

Gyanendra Madhukar

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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Devansh Bhardwaj, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 704 of 2017</u></p> <p>This is an application moved on behalf of the applicant for amending the prayer clause. Copy of the same is provided to learned counsel for the respondents on 25.04.2017.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection to the amendment application.</p> <p>Dr Shailendra Sharma Atal, learned counsel for the respondents submits that the name of Shri Sunil Sharma be mentioned as learned counsel for the respondents in the cause list, therefore, his name be deleted as counsel for the respondent.</p> <p>Accordingly, Registry is directed to delete the name of Dr Shailendra Sharma Atal as learned counsel for the respondents.</p> <p>List this case on 29.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 42 of 2016

Smt. Savitri Devi

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Shri Virendra Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>On 30.03.2017, direction was given to the learned counsel for the applicant to provide Bench Copy of the petition, but the same has not yet been provided.</p> <p>Shri PN Chaturvedi, learned counsel for the petitioner prays for and is granted two weeks' further time to comply with the order.</p> <p>List this case on 18.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) RPM/-</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 64 of 2016

Surendra Vavu

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Anand Yadav, Advocate , holding brief of Shri SG Singh and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>On call of the case Shri Anand Yadav, Advocate , holding brief of Shri SG Singh, prays for and is granted a week time to file Vakalatnama on behalf of the applicant. In the meantime he shall also provide bench copy of the petition.</p> <p>Shri Yogesh Kesarwani, learned counsel for the respondents also prays for and is granted four weeks time to file supplementary counter affidavit.</p> <p>List this case on 21.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 161 of 2016 with M.A. No. 140 of 2017

Guddu Raja Ansari
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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Vakalatnama filed by Shri K.K. Mishra, on behalf of applicant is taken on record. Office is directed to show his name as learned counsel for the applicant when the case is next listed.</p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p><u>M.A. No. 140 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>Case called out. Learned counsel for the applicant submits he is not prepared to argue the case today and prays for adjournment. Learned counsel for the respondents has no objection. Accordingly, the case is adjourned.</p> <p>List this case on 22.08.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 173 of 2016 with M.A. No. 1038 of 2017

Mohan 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri K.K. Singh Bisht, learned counsel for the applicant and Shri Amit Sharma, for respondent No. 1 to 5 & Shri D.S. Tiwari, learned counsel for the respondent No. 6 & 7.</p> <p><u>M.A. No. 1038 of 2017</u></p> <p>Counter affidavit filed by learned counsel for the respondent Nos. 6 & 7 is taken on record. M.A. aforesaid is disposed of accordingly.</p> <p>Case called out. Learned counsel for the respondents has filed counter affidavit on behalf of Respondent Nos. 6 & 7. Learned counsel for the respondents prays for and is granted two weeks' further time to file counter affidavit on behalf of Respondent No. 1 to 5. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on 14.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 5 of 2017

Rakesh 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri V.K. Sharma, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents assisted by Maj Soma John, Departmental Representative.</p> <p>Case called out. Learned counsel for the respondents submits that counter affidavit is ready and he shall file the same in the Registry during the course of day. He has handed over copy of counter affidavit to learned counsel for the applicant today in the court. Learned counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List this case on 09.10.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 107 of 2011

Lekh Raj 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the petitioner and Mohd Zafar Khan, learned counsel for the respondents assisted by Maj Soma John, Departmental Representative.</p> <p>Case called out. Learned counsel for the respondents prays for and is granted two weeks' further time to file supplementary counter affidavit to the amended portion of the T.A. Supplementary rejoinder affidavit, if any, may be filed by learned counsel for the petitioner within two weeks, thereafter.</p> <p>List this case on 31.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A) ukt</p> <p>(Justice S.V.S. Rathore) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 33 of 2016

Smt. Premawati Devi

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: none for the petitioner and Shri V.P.S. Vats, learned counsel for the respondents assisted by Maj Soma John, Departmental Representative.</p> <p>Case called out. None is present on behalf of petitioner. Today case was listed for filing Bench Copy. Neither the Bench copy has been filed nor petitioner or his counsel is present.</p> <p>Let a fresh notice be issued to the petitioner returnable by the date fixed.</p> <p>List this case on 22.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

T.A. No. 80 of 2016

Anoop 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>24.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Ram Dheeraj Yadav, learned counsel for the petitioner and Shri D.K. Pandey, 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. 15.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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

Shyam Sunder

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of Indian & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the petitioner and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 1168 of 2017</u></p> <p>This is an application for condonation of delay in filing the recall application for recall of the order dated 24.11.2015 passed by the Tribunal dismissing T.A. No. 515 of 2010 for non prosecution, which as per office report is delayed by 01 year, 06 months and 23 days.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file the objection to the application for condonation of delay for recall of order.</p> <p>List on 16.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

EX-A. No. 89 of 2017
(Inre: O.A. No. 272 of 2013)

Pravat Kumar Behuria
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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Mukesh Kumar, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing the compliance report in respect of order dated 25.01.2013 passed in O.A. No. 272 of 2013 by Hon'ble Justice D.P. Singh, Member (J) and Hon'ble Air Marshal Anil Chopra, Member (A).</p> <p>Registry is directed to list this case on 26.07.2017 for orders in appropriate bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 2075 of 2016 with M.A. No. 2076 of 2016
(Inre: M.A. No. 1837 of 2015)**

Harishankar Dwivedi

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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri SK Singh, learned counsel for the applicant and Dr Shesh Narain Pandey, learned counsel for the respondents Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 2075 of 2016</u></p> <p>This is an application for condonation of delay in filing the recall application for recall of the order dated 28.03.2016 passed by the Tribunal dismissing M.A. No. 1837 of 2015 for non prosecution.</p> <p>Heard learned counsel for the parties on the application for condonation of delay in filing the recall application as well as the objection filed by learned counsel for the respondents and we find that the reasons mentioned in the affidavit filed in support of the application for condonation of delay in filing the recall application are genuine. Objection raised by learned counsel for the respondents is rejected.</p> <p>Accordingly, the application for condonation of delay in filing the restoration application is allowed and the delay in filing the same is condoned. The case shall be restored to its original number subject to payment of cost Rs. 500/- which shall be deposited in Bar Association, AFT, Lucknow within a week.</p> <p>List this case on 14.09.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 2171 of 2016 with M.A. No. 2172 of 2016 & M.A. No. 1182 of 2017
(Inre: O.A. No. 37 of 2012)**

Salil Chandra Jagdev
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Assheesh Agnihotri, learned counsel for the respondents.</p> <p><u>M.A. No. 2171 of 2016</u></p> <p>This is an application for condonation of delay in filing the recall application for recall of the order dated 06.05.2016 passed by the Tribunal dismissing O.A. No. 37 of 2012 for non prosecution. Heard learned counsel for the parties on the application for condonation of delay in filing the recall application as well as the objection filed by learned counsel for the respondents and we find that the reasons mentioned in the affidavit filed in support of the application for condonation of delay in filing the recall application are genuine. Objection raised by learned counsel for the respondents is rejected.</p> <p>Accordingly, the application for condonation of delay in filing the restoration application is allowed and the delay in filing the same is condoned. The case shall be restored to its original number subject to payment of cost Rs. 500/- which shall be deposited in Bar Association, AFT, Lucknow within a week.</p> <p>List this case on 16.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 205 of 2017 with M.A. Nos. 206 & 1183 of 2017
(Inre: Dy. No. 2769 of 2016)**

Sunil Tewari

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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri VA Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Maj Soma John, Departmental Representative.</p> <p><u>M.A. No. 205 of 2017</u></p> <p>This is an application for condonation of delay in filing the recall application for recall of the order dated 08.11.2016 passed by the Tribunal dismissing DY. No. 2769 of 2016 along with O.A. No. Nil of 2016 for non prosecution.</p> <p>Heard learned counsel for the parties on the application for condonation of delay in filing the recall application as well as the objection filed by learned counsel for the respondents and we find that the reasons mentioned in the affidavit filed in support of the application for condonation of delay in filing the recall application are genuine. Objection raised by learned counsel for the respondents is rejected.</p> <p>Accordingly, the application for condonation of delay in filing the restoration application is allowed and the delay in filing the same is condoned. The case shall be restored to its original number subject to payment of cost Rs. 500/- which shall be deposited in Bar Association, AFT, Lucknow within a week.</p> <p>List this case on 17.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</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. 815 of 2017 with M.A. No. 816 of 2017
Inre T.A. No. 6 of 2013**

Zamir Ahmed
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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col R.N. Singh (Retd), learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents.</p> <p>Objection on application for condonation of delay in filing Restoration Application, filed by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to file replication for the same.</p> <p>List this case on 18.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 253 of 2012

Krishna Kumar Thakur
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col Y.R. Sharma (Retd), learned counsel for the applicant and Shri D.K. Pandey & Shri Alok Mathur, learned counsel for the respondents.</p> <p>Case called out. Learned counsel for the respondents submits that he has received the copy of synopsis filed by learned counsel for the applicant and prays for time to go through the written arguments. As prayed by learned counsel for the respondents, two weeks' time is granted for the same.</p> <p>List this case on 21.08.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

**O.A. No. 33 of 2016 with M.A. No. 810, 836, 2647 of 2016,
M.A. No 65 & 1092 of 2017**

Raghvendra Pratap 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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Dr. S.K. Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents assisted by Maj Soma John, Departmental Representative.</p> <p>Case called out. Learned counsel for the respondents has made a prayer to file detailed objection in support of the preliminary objection as to why this case is not maintainable at this Tribunal. As prayed, two weeks' time is granted to the respondents to file objection.</p> <p>List this case on 14.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

O.A. No. 46 of 2016

Smt. Munni 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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Veer Raghav Chaubey, learned counsel for the applicant and Mrs. Deepti Prasad Bajpai, learned counsel for the respondents assisted by Maj Soma John, Departmental Representative.</p> <p>Case called out. On the last date respondents were directed to produce the original documents pertaining to this case. Today it has been informed by learned counsel for the respondents that entire record pertaining to this case has been destroyed after period of retention. It has also been informed that PCDA (Pension) Allahabad has also destroyed the documents of the husband of the applicant after period of retention. In absence of documents, we feel difficult to proceed with the case.</p> <p>Accordingly, learned counsel for the parties are directed to bring on record if any medical documents are held with them to resolve the question involved in this case by the date fixed.</p> <p>List this case on 22.08.2017 for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case along with medical documents, if any, 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. 181 of 2016

Deepak 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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Shri Bhanu Pratap Singh, 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 01.09.2017 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 S.V.S. Rathore) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2

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

Brijesh Kumar

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>21.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: None for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondents.</p> <p>Case called out. Neither the applicant nor his counsel is present. However, in the interest of justice the case is adjourned.</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 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 2

M.A. No. 2034 of 2016 with M.A. No. 2499 of 2016
(Inre: O.A. No. Nil of 2016)

Gyan Prakash Gupta
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>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Shri Rajeev Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Reply to the objection filed by the learned counsel for the applicant is taken on record.</p> <p><u>M.A. No. 2034 of 2016</u></p> <p>This is an application for condonation of delay in filing the Original Application, which as per office report is delayed by 10 months and 21 days.</p> <p>The ground of delay shown in the accompanying affidavit is that the applicant was seeking another remedy under Section 164 (2) of the Army Act, 1950 which was finalised by the Chief of the Army Staff vide order dated 01.06.2016. The said order was communicated to the applicant on 22.06.2016.</p> <p>Keeping in view the facts, the ground shown in the affidavit appears to be sufficient, hence the application for condonation of delay 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>Admit.</p> <p>Let the case be registered as O.A.</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 14.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) (Justice S.V.S. Rathore)</p>

	Member (A)	Member (J)
	PKG	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

M.A. No. 2171 of 2016 with M.A. No. 2172 of 2016
(Inre: O.A. No. 37 of 2012)

Salil Chandra Jagdev
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing replication by the learned counsel for the applicant to the objection on the application for condonation of delay, but the same has not been filed.</p> <p>Learned counsel for the applicant prays for and is granted time till the date fixed for filing the same.</p> <p>List on 21.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

**M.A. No. 205 of 2017 with M.A. No. 206 and 691 of 2017
(Inre: Dy. No. 2769 of 2016)**

Sunil Tewari

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>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Virat Anand Singh, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing replication by the learned counsel for the applicant to the objection on the application for condonation of delay, but the same has not been filed.</p> <p>Learned counsel for the applicant prays for and is granted time till the date fixed for filing the same.</p> <p>List on 21.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p><small>PKG</small></p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

**M.A. No. 815 of 2017 with M.A. No. 816 of 2017
(Inre: T.A.. No. 6 of 2013)**

Zamir Ahmed

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>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Col(Retd) RN Singh, learned counsel for the petitioner and Shri Asheesh Agnihotri, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing objection by the learned counsel for the respondents to the application for condonation of delay, but the same has not been filed. He prays for and is granted time till the next date fixed for filing objection to the application for condonation of delay.</p> <p>List this case on 21.07.2017 for orders, showing the name of Shri Virat Anand Singh as learned counsel for the applicant also.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

T.A. No. 18 of 2016

Balram Singh

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the petitioner and Shri Yogesh Kesarwani, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>In compliance of the order dated 27.06.2017 passed by this Tribunal, the petitioner was required to deposit the cost of Rs.500/-, but the receipt of the same has not been filed. Learned counsel for the petitioner prays for and is granted two days' time to comply with the order.</p> <p>List this case on 02.08.2017 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)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>PKG</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

T.A. No. 77 of 2016

Ashok 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>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri KKS Bisht, learned counsel for the petitioner and Dr Shesh Narain Pandey, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing counter affidavit, but the same has not been filed. Learned counsel for the respondents submits that he shall file the same in the Registry during the course of the day. Rejoinder affidavit, if any, may be filed within two weeks from today.</p> <p>List this case on 21.08.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p><small>PKG</small></p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

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

Smt Sandhya 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>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Shri Parijaat Belaura who was present on behalf of the respondents No. 7 and prayed for filing of counter affidavit on the last occasion, is not present.</p> <p>In the interest of justice, the case is adjourned today. Learned counsel for the respondents' No. 7 is directed to file counter affidavit within a week.</p> <p>Registry is also directed to delete the name of Shri PN Chaturvedi, as counsel for the applicant.</p> <p>List this case on 26.07.2017 for orders showing the name of Shri Parijaat Belura, as learned counsel for the respondents.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p>RPM/-</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court 2

O.A. No. 228 of 2012 with M.A. No. 260 of 2016

Ramesh Chandra Dixit

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>20.07.2017</u> <u>Hon'ble Mr. Justice S.V.S. Rathore, Member (J)</u> <u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></p> <p>Present: Shri PN Chaturvedi, learned counsel for the applicant and Dr Shailendra Sharma Atal, learned counsel for the respondents alongwith Major Soma John, Departmental Representative.</p> <p>Today is the date fixed for filing the replication to the objection against the application for condonation of delay.</p> <p>Shri PN Chaturvedi learned counsel for the applicant submits that he could not file the replication due to prolong illness. He further prays for and is granted a weeks' time to file the same.</p> <p>List on 31.07.2017 for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice S.V.S. Rathore) Member (J)</p> <p><small>RPM/-</small></p>