

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

Court No. 2 (Ser. No. 1)

EX-A. No. 89 of 2022Inre:T.A. No. 1283 of 2010

Ex Sep Inderjeet Kumar **Applicant**
By Legal Practitioner for the Applicant : **Shri Manish Kumar Rai, Advocate.**

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri Yogesh Kesarwani, Advocate**

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>24.07.2023</u> <u>Hon’ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents.</p> <p>2. During hearing, it transpires that objection against the compliance affidavit has been filed by the applicant to which the reply has not been submitted by the respondents. Keeping the facts into consideration, we direct that the reply to the objection against the compliance affidavit shall be filed within four weeks.</p> <p>3. List on 24.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rk/-</p> |

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

Court No. 2 (Ser. No. 2)

O.A. No. 832 of 2022

Ex Swr Prayag Datt **Applicant**
By Legal Practitioner for the Applicant : **Shri Virat Anand Singh, Advocate.**

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri Sunil Sharma, Advocate**

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>24.07.2023</u> <u>Hon’ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Virat Anand Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the applicant submits that RA is ready and the same shall be filed during the course of the day after serving a copy of the same to the Id. Counsel for the respondents.</p> <p>3. List on 15.09.2023.</p> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Ravindra Nath Kakkar) Member (J)</div></div> <p>Rk/-</p> |

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

Court No. 2 (Ser. No. 3)

O.A. No. 478 of 2023 with M.A. No. 567 of 2023

Ex Sub Fayaz Khan **Applicant**
By Legal Practitioner for the Applicant : **Shri Ravi Kumar Yadav, Advocate.**

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri Shailendra Sharma Atal, Advocate**

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>24.07.2023</u> <u>Hon’ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Ld. Counsel for the respondents prays for and is granted two weeks further time to file objection to the delay condonation application.</p> <p>3. List on 18.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rk/-</p> |

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{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2 (Ser. No. 4)

O.A. (A) No. 549 of 2023 with M.A. No. 678 of 2023

Ex Gnr Narayan Dixit

Applicant

By Legal Practitioner for the Applicant : Shri Kamlesh Kumar Shukla, Advocate
Shri Sudhir Kumar Singh, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Shailendra Sharma Atal, Advocate

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| Notes of the Registry | Orders of the Tribunal |
| | <div><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></div> <div><div>1. On the case being taken up for hearing Shri Abhishek Singh holding brief for Sri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</div><div>2. Ld. Counsel for the respondents prays for and is granted two weeks further time to file objection to the delay condonation application.</div><div>3. List on 18.08.2023.</div></div> <div><div>(Maj Gen Sanjay Singh) Member (A)</div><div>(Justice Ravindra Nath Kakkar) Member (J)</div></div> <div>Rk/-</div> |

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ORDER SHEET
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Court No. 2 (Ser. No. 5)

O.A. No. 47 of 2016

Akhalesh Kumar **Applicant**
By Legal Practitioner for the Applicant : **Shri Satendra Kumar Singh, Advocate**

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri Namit Sharma, Advocate**

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>24.07.2023</u> <u>Hon’ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing in the revised list, Shri Satendra Kumar Singh, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents are present.</p> <p>2. On the point of certificate of discharge, it has been submitted by the Ld. Counsel for the respondents that he has received original documents today itself and seeks time to argue the matter.</p> <p>3. List on 09.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rk/-</p> |

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 2 (Ser. No. 6)

O.A. No. 268 of 2021

Ram Kumar Yadav **Applicant**
By Legal Practitioner for the Applicant : **Shri Vinay Pandey, Advocate**

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri GS Sikarwar, Advocate**

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none"> 1. Matter taken up in the revised list. 2. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondents are present. 3. It is seen that opportunity to file RA was closed vide order dated 19.04.2023. 4. Ld. Counsel for the applicant submits that order dated 19.04.2023 closing the opportunity to file RA be recalled and urged that he may be permitted to file RA as it is necessary to adjudicate the matter. 5. In the interest of justice, order dated 19.04.2023 is recalled for the reasons submitted by the applicant's counsel. Rejoinder affidavit is taken on record. 6. List for final hearing on 18.09.2023. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="357 1865 716 1940"> <p>(Maj Gen Sanjay Singh) Member (A)</p> </div> <div data-bbox="920 1865 1395 1940"> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> </div> </div> <p>Rk/-</p> |

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Court No. 2 (Ser. No. 7)

O.A. No. 386 of 2021

Cpl Chandan Yadav **Applicant**
By Legal Practitioner for the Applicant : **Shri Ram Bachan Yadav, Advocate**
Shri Ravi Kumar Yadav, Advocate

Versus

Union of India & Others **Respondents**
By Legal Practitioner for Respondents : **Shri Kaushik Chatterjee, Advocate**

| Notes of the Registry | Orders of the Tribunal |
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| | <p><u>24.07.2023</u> <u>Hon’ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon’ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents are present.</p> <p>2. From perusal of the file, it is seen that written submissions have not been filed by the parties.</p> <p>3. Ld. Counsel for the parties are directed to comply with the previous order of this Tribunal and file their written submissions by the next date.</p> <p>4. List on 13.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rk/-</p> |

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>2. At the request of Id. Counsel for the applicant, matter is adjourned.</p> <p>3. List on 18.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>Rk/-</p> |

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Supplementary
Court No. 2 (Ser. No. 1)

M.A. No. 1070 of 2023 Inre: O.A. No. 80 of 2023

Ex RectPrvavin Kumar

Applicant

By Legal Practitioner for the Applicant : **Col Ashok Kumar (Retd), Advocate**
Shri Rohit Kumar, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : **Shri Ashish Kumar Singh, Advocate**

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Ashish Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown as counsel for the respondents in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, it is informed that Id. Counsel for the applicant is out of station. Shri Ashish Kumar Singh, Ld. Counsel for the respondents is present.</p> <p>3. This misc. application has been filed for recall of the order dated 06.07.2023.</p> <p>4. Ld. Counsel for the respondents prays for and is granted two weeks time to file reply to the instant recall application.</p> <p>5. List on 10.08.2023.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="357 1903 716 1978" style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </div> <div data-bbox="920 1903 1395 1978" style="text-align: center;"> (Justice Ravindra Nath Kakkar) Member (J) </div> </div> <p>Rk/-</p> |

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Supplementary
Court No. 2 (Ser. No. 2)

M.A. No. 1071 of 2023 with M.A. No. 1072 of 2023
Inre: O.A. No. 260 of 2019

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : **Shri DK Pandey, Advocate**

Versus

Ex Hav (Hony Nb Sub) Awadh Narayan

Respondents

By Legal Practitioner for Respondents :

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| <p>Notes of the Registry</p> | <p>Orders of the Tribunal</p> |
| | <p><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri D.K. Pandey, Ld. Counsel for the applicant-Union of India &Ors.</p> <p><u>M.A No. 1071/2023</u></p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 29.05.2019 of this Tribunal in Original Application No. 260 of 2019.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 04 years and 18 days in filing of application be condoned.</p> <p>4. Admittedly, the application is time barred and has been moved after lapse of more than 05 months which is beyond statutory period. Accordingly, application for condonation of delay in moving application for grant of leave to appeal is not maintainable and is rejected.</p> <p><u>M.A No. 1072/2023</u></p> <p>5. This is an application for grant of leave to appeal which has been filed beyond the statutory period of limitation. Application for condonation of delay has been rejected. Only argument of learned counsel for the applicant is that it is barred by time. No question of law of general public importance could be brought to our notice.</p> <p>6. Accordingly, Leave to Appeal is dismissed on the ground of delay as well as on merits.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Maj Gen Sanjay Singh) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> </div> </div> <p>Rk/-</p> |

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Supplementary
Court No. 2 (Ser. No. 3)

M.A. No. 1075 of 2023 with M.A. No. 1076 of 2023
Inre: O.A. No. 303 of 2019

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : **Shri Rajiv Pandey, Advocate**

Versus

RectBeeresh Kumar

Respondents

By Legal Practitioner for Respondents :

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>24.07.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Rohit Kumar, Ld. Counsel for the applicant – Union of India and Others.</p> <p>2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 03.12.2021 of this Tribunal in Original Application No. 303 of 2019.</p> <p>3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 01 Year and 03 months in filing of application be condoned.</p> <p>4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed of accordingly.</p> <p>5. Upon hearing submission of Ld. Counsel for the applicants, we find that no point of law of general public importance is involved so that leave may be granted.</p> <p>6. Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;"> (Maj Gen Sanjay Singh) Member (A) </p> <p style="text-align: center;"> (Justice Ravindra Nath Kakkar) Member (J) </p> <p>Rk/-</p> |