

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 1)

O.A. No. 691 of 2023 with M.A. No. 835 of 2023

Ex Spr Santosh Kumar Singh Applicant
By Legal Practitioner for the Applicant: Shri Rahul Pal, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Bipin Kumar Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Rahul Pal, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents are present.</p> <p><u>M.A. No. 835 of 2023</u></p> <p>3. This is an application for condonation of delay in filing Original Application.</p> <p>4. As per office report, there is delay of 02 years, 11 months and 11 days in filing Original Application.</p> <p>5. Heard Shri Rahul Pal, Ld. Counsel for the applicant and Shri Bipin Kumar Singh, Ld. Counsel for the respondents on delay condonation application.</p> <p>6. Submission of learned counsel for the applicant is that it is a pensionary matter in which bar of limitation is not applicable. His further submission is that delay in filing Original Application is not deliberate, but for the reasons stated in affidavit filed in support of application.</p> <p>7. Per contra, learned counsel for the respondents opposing the prayer submits that explanation of delay offered by the applicant is not sufficient and he has failed to offer day to day explanation of delay.</p> <p>8. Considering that in pensionary matters bar of limitation is not applicable and grounds stated in affidavit filed in support of delay condonation application are genuine and sufficient, delay is liable to be condoned.</p> <p>8. Accordingly, delay in filing application is condoned. Delay condonation application stands decided accordingly.</p> <p><u>O.A. No. 691 of 2023</u></p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit, to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within next two weeks.</p> <p>12. List on 08.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 2)

O.A. No. 692 of 2023 with M.A. No. 838 of 2023

Smt Radha Thapa M/o Late Rfn Shankar Kumar Thapa Applicant
By Legal Practitioner for the Applicant: Shri Virat Anand Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Ashish Kumar Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, 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 in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present. None is present for the applicant.</p> <p>3. There is delay of 12 years, 11 months and 15 days in filing Original Application.</p> <p>4. Ld. Counsel for the respondents prays for and is granted two weeks time to file objection on delay condonation application.</p> <p>5. List on 16.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: right;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 3)

O.A. No. 696 of 2023 with M.A. No. 842 of 2023

Smt Kamala Devi W/o Late Ex Nk Bhagat Bahadur Gurung Applicant
By Legal Practitioner for the Applicant: Shri Virat Anand Singh, Advocate
Shri Narendra Kumar Mishra, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of appearance filed by Dr. Shailendra Sharma Atal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Virat Anand Singh and Shri Narendra Kumar Mishra, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>3. There is delay of 17 years, 05 months and 15 days in filing Original Application.</p> <p>4. Ld. Counsel for the respondents prays for and is granted two weeks time to file objection on delay condonation application.</p> <p>5. List on 16.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 4)
O.A. No. 700 of 2023 with M.A. No. 848 of 2023

Ex SPO Omprakash Applicant
By Legal Practitioner for the Applicant: Shri Manish Kumar Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Amit Jaiswal, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>2. On the case being taken up for hearing, Shri Manish Kumar Rai, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>3. This O.A. has been filed to quash order dated 29.05.2023 passed by respondent No. 6 (CPPC, SBI, Patna) by which an amount of Rs 2,52,222/- is being recovered from the monthly pension of the applicant @ Rs 9,070/- per month from February, 2023. Learned counsel for the applicant has also filed application for interim relief (M.A. No. 848 of 2023) against recovery from pension.</p> <p>4. Learned counsel for the applicant submitted that applicant has retired on 31.01.2012 and at the time of retirement he was posted as SPO. It is also submitted that notice has not been issued regarding any deduction from pension and respondent No 6 is illegally recovering the amount from his pension. In support of his contention he has relied upon the Hon'ble Apex Court judgment in the case of <i>State of Punjab Vs Rafiq Masih</i>, Civil Appeal No. 11527 of 2014 decided on 18.12.2014.</p> <p>5. In view of submission made by learned counsel for the applicant and the fact and circumstances of the case, alleged recovery of Rs 2,52,222/- shall remain stayed.</p> <p>6. Matter needs adjudication.</p> <p>7. Admit.</p> <p>8. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit to which rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks next.</p> <p>9. List on 06.09.2023.</p> <p>10. Issue notice to respondent No 6 returnable within four weeks. Steps within a week.</p> <p>11. Let copy of this order be provided to the respondents for implementation of this order.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) rathore</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 5)
EX. A. No. 268 of 2022 Inre O.A. No. 231 of 2018

Bhupendar Singh Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, 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>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents submits that compliance of the order is under process and Part-II Order has been issued on 05.04.2023. He prays for and is granted two weeks further time to file affidavit of compliance.</p> <p>3. List on 13.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 6)
EX. A. No. 83 of 2023 Inre O.A. No. 581 of 2022

Lt Col Ambar Mittal (Retd)

Applicant

By Legal Practitioner for the Applicant: Shri JL Joel, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Devesh Kumar, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri JL Joel, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two weeks further time to file affidavit of compliance.</p> <p>3. List on 11.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 7)
O. A. No. 682 of 2022

Ex Cpl Arun Kumar Applicant
By Legal Practitioner for the Applicant: Wg Cdr SN Dwivedi (Retd), Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajiv Pandey, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Rajiv Pandey, Ld. Counsel for the respondents is present. Learned counsel for the applicant is not present.</p> <p>2. Rejoinder affidavit on behalf of the applicant is taken on record.</p> <p>3. Pleadings are complete and the case is ripe for hearing.</p> <p>4. List on 25.08.2023 for hearing.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 8)

O. A. No. 969 of 2022 with M.A. No. 1178 of 2022

Smt Omwati Devi M/o Late Sep Bijendra Kumar Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, 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 |
|------------------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. On request of learned counsel for the applicant, list on 09.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 9)
O.A. No. 970 of 2022

Rambriksh Ram S/o Late Sh Shivshankar Ram Applicant
By Legal Practitioner for the Applicant: Abul Fazal Jaffrey, Advocate
Shri Ram Manohar Kashyap, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Amit Jaiswal, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Abul Fazal Jaffrey and Shri Ram Manohar Kashyap, Ld. Counsel for the applicant and Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is allowed four weeks further time to file counter affidavit.</p> <p>3. List on 06.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p><i>rathore</i></p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 10)
O.A. No. 183 of 2023

Mrs Archana Singh w/o Late Col Samarendra Pratap, VSM Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

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

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Yogesh Kesarwani, Ld. Counsel for the respondents are present.2. Counter affidavit filed on behalf of the respondents is taken on record.3. Learned counsel for the respondents prays for and is allowed two weeks time to file supplementary affidavit alongwith required annexures.4. List on 09.08.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 11)

O. A. No. 384 of 2023 with M.A. No. 469 of 2023

Smt Kamlesh Devi W/o Late Ex Sep Satya Pal Singh Applicant
By Legal Practitioner for the Applicant: Shri Ashok Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Bipin Kumar Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Bipin Kumar Singh, Ld. Counsel for the respondents is present. Learned counsel for the applicant is not present.</p> <p>2. Objection filed by the respondents is taken on record.</p> <p>3. List on 13.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 12)
O.A. No. 392 of 2023

Ex JWO Surendra Kumar & 19 Others

Applicants

By Legal Practitioner for the Applicant: Ms. Upasna Mishra, Advocate
Shri Kapil Sharma, Advocate, Shri Raj Kumar Mishra, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Arvind Kumar, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Arvind Kumar, Ld. Counsel for the respondents.</p> <p>2. Counter affidavit filed by the respondents is taken on record.</p> <p>3. Learned Counsel for the applicant submits that after the Six Central Pay Commission, the Central Government fixed 1st July, as the date of increment for all Government Employees, thereafter, the applicant being retired on 30.06.2018 is entitled for grant of last increment due on 01.07.2018 as per decision of the Hon'ble Madras High Court in the case of <i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i> (W.P. No. 15732 of 2017, decided on 15.09.2017).</p> <p>4. On the other hand, Ld. Counsel for the respondents contended that the applicant had served for complete one year from the date of his last annual increment, but he had not been granted annual increment as on the date of his discharge i.e. 30.06.2018 as per policy in vogue since the date of annual increment falls on the following day i.e. 01.07.2018. Therefore, benefit of the Hon'ble Madras High Court order being <i>in personam</i> cannot be extended to the applicant and hence, Original Application is liable to be dismissed.</p> <p>5. The law on notional increment has already been settled by the Hon'ble Madra High Court in the case of <i>P. Ayamperumal Versus the Registrar, Central Administrative Tribunal, Madras Bench and Others</i> (Supra). Against the said Judgment the Union of India had preferred Special Leave Petition (Civil) Diary No.22282 of 2018 which was dismissed by the Hon'ble Supreme Court vide order dated 23.07.2018. The relevant portion of the Judgment passed by the Hon'ble Madras Court is excerpted below:-</p> |

“5. The petitioner retired as Additional Director General, Chennai on 30.06.2013 on attaining the age of superannuation. After the Sixth Pay Commission, the Central Government fixed 1st July as the date of increment for all employees by amending Rule 10 of the Central Civil Services (Revised Pay) Rules, 2008. In view of the said amendment, the petitioner was denied

the last increment, though he completed a full one year in service, i.e., from 01.07.2012 to 30.06.2013. Hence, the petitioner filed the original application in O.A.No.310/00917/2015 before the Central Administrative Tribunal, Madras Bench, and the same was rejected on the ground that an incumbent is only entitled to increment on 1st July if he continued in service on that day.

6. In the case on hand, the petitioner got retired on 30.06.2013. As per the Central Civil Services (Revised Pay) Rules, 2008, the increment has to be given only on 01.07.2013, but he had been superannuated on 30.06.2013 itself. The judgment referred to by the petitioner in State of Tamil Nadu, rep. by its [Secretary to Government, Finance Department and others v. M. Balasubramaniam](#), reported in CDJ 2012 MHC 6525, was passed under similar circumstances on 20.09.2012, wherein this Court confirmed the order passed in W.P.No.8440 of 2011 allowing the writ petition filed by the employee, by observing that the employee had completed one full year of service from 01.04.2002 to 31.03.2003, which entitled him to the benefit of increment which accrued to him during that period.

7. The petitioner herein had completed one full year service as on 30.06.2013, but the increment fell due on 01.07.2013, on which date he was not in service. In view of the above judgment of this Court, naturally he has to be treated as having completed one full year of service, though the date of increment falls on the next day of his retirement. Applying the said judgment to the present case, the writ petition is allowed and the impugned order passed by the first respondent-Tribunal dated 21.03.2017 is quashed. The petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his increment fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. No costs.”

6. In view of law laid down by the Hon'ble Madras High Court, upheld by the Hon'ble Apex Court, we are of the view that since the applicant had completed one full year service as on 30.06.2018, but the increment fell due on the next day of his retirement 01.07.2018, on which date he was not in service, he has to be treated as having completed one full year of service.

7. In view of the above, the Original Application is allowed. The impugned order, if any, is set aside. The applicant shall be given one notional increment for the period from 01.07.2017 to 30.06.2018, as he has completed one full year of service, though his increment fell on 01.07.2018, for the purpose of pensionary benefits and not for any other purpose. The respondents are directed to issue fresh Corrigendum P.P.O. accordingly. The respondents are further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% per annum till the actual payment

8. Let a copy of this order be provided to the learned Counsel for the parties.

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| | (Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i> | (Justice Anil Kumar) Member (J) |
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Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 13)
O.A. No. 394 of 2023

Ex Hav Rajiv Kumar Applicant
 By Legal Practitioner for the Applicant: Shri Bhanu Pratap Singh Chauhan, Advocate
 Shri Manoj Kumar Gupta, Advocate

Versus

Union of India & Others Respondents
 By Legal Practitioner for Respondents: Mrs. Deepti P Bajpai, Advocate

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| Notes of the Registry | Orders of the Tribunal |
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Bhanu Pratap Singh Chauhan and Shri Manoj Kumar Gupta, Ld. Counsel for the applicant is present. Learned counsel for the respondents is not present.</p> <p>2. Counter affidavit has not been filed. Departmental Representative for the respondents prays for and is allowed two weeks further time to file counter affidavit.</p> <p>3. List on 09.08.2023.</p> <p style="text-align: center;"> (Vice Admiral Atul Kumar Jain) (Justice Anil Kumar) Member (A) Member (J) <i>rathore</i> </p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 14)
O.A. No. 396 of 2023

Ex Hav Rajiv Kumar Applicant
By Legal Practitioner for the Applicant: Shri Bhanu Pratap Singh Chauhan, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Ashish Kumar Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
|-----------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Bhanu Pratap Singh Chauhan, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed. Learned counsel for the respondents prays for and is allowed two weeks further time to file counter affidavit.</p> <p>3. List on 09.08.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.15)
O.A. No. 404 of 2023

Smt Suman W/o Late Ex Nk Dulare Lal Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Advocate
Shri Girish Tiwari, Advocate, Shri Dheerendra Kumar Agnihotri, Advocate, Shri
Sandeep Tripathi, Advocate and Shri Vishnu Kant Awasthi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|--|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Vijay Kumar Pandey, Shri Girish Tiwari, Shri Dheerendra Kumar Agnihotri, Shri Sandeep Tripathi and Shri Vishnu Kant Awasthi Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed. Learned counsel for the respondents submits that parawise comments have been received. He prays for and is allowed two weeks further time to file counter affidavit.</p> <p>3. List on 13.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 16)
O.A. No. 98 of 2021

Cpl Sudhir Kumar Tripathi (Retd) Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate
Shri Ravi Kumar Yadav, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Asheesh Agnihotri, Advocate

| Notes of the Registry | Orders of the Tribunal |
|------------------------------|---|
| | <p><u>03.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shailendra Kumar Singh and Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. Supplementary affidavit filed by the respondents is taken on record.</p> <p>3. List on 13.09.2023 for hearing.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> |

