

Form No. 4
{See rule 11(1)}
ORDER SHEET

(supplementary)

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 1)

O.A. No. 803 of 2023 with M.A. No. 955 of 2023

Ex Hav Ashif Husain

Applicant

By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Shri Girish Tiwari,
Shri Direndra Kumar Agnihotri, Shri Sandeep Tripathi & Shri Vishnu Kant Awasthi,
Advocates

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Ms. Appoli Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 Vijay Kumar Pandey, Ld. Counsel for the applicant and Maj Tarun, Departmental Representative for the respondents are present.</p> <p>2. There is delay of 10 years, 02 months and 20 days in filing original application. Applicant has moved application for condonation of delay.</p> <p>3. Departmental Representative for the respondents prays for and is allowed two weeks time to file objection on application for condonation of delay.</p> <p>4. List on 18.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 808 of 2023 with M.A. No. 960 of 2023

Ex Sgt Indresh Kumar Applicant
By Legal Practitioner for the Applicant: Shri Vijay Kumar Pandey, Shri Girish Tiwari, Shri Direndra Kumar Agnihotri, Shri Sandeep Tripathi & Shri Vishnu Kant Awasthi, Advocates

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Namit Sharma, 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><u>M.A. No. 960 of 2023</u></p> <p>2. This is an application for condonation of delay in filing Original Application.</p> <p>3. As per office report, there is delay of 03 months and 04 days in filing Original Application.</p> <p>4. Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Shri Namit Sharma, Ld. Counsel for the respondents assisted by WO SK Mishra, Departmental Representative for the respondents on delay condonation application.</p> <p>5. 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>6. 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>7. 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. 808 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 18.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

(supplementary)

**Form No. 4
{See rule 11(1)}
ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 3)**

EX- A. No. 190 of 2023 Inre O.A. No. 164 of 2022

Ex Sub Vishawkarma Kripadayal Shyam Bihari Applicant
By Legal Practitioner for the Applicant: Shri Pankaj Kumar Shukla

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 VK Pandey, Advocate holding brief for Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Maj Tarun, Departmental Representative for the respondents are present.</p> <p>2. This is a fresh execution application filed for implementation of order dated 01.11.2022 passed in O.A. No. 164 of 2022.</p> <p>3. Departmental Representative for the respondents prays for and is allowed four weeks time to seek instructions and file affidavit of compliance.</p> <p>4. List on 19.09.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 1)

EX- A. No. 182 of 2023 Inre O.A. No. 332 of 2022

Ex Sep Yogendra Prasad Singh Applicant
By Legal Practitioner for the Applicant: Shri VP Pandey, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri Rajiv Pandey, 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 VP Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>3. This execution application has been filed for implementation of order dated 16.01.2021 passed in O.A. No. 332 of 2022.</p> <p>4. Learned counsel for the respondents prays for and is allowed two weeks time to seek instructions and file affidavit of compliance.</p> <p>5. List on 15.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 2)

EX- A. No. 183 of 2023 Inre O.A. No. 921 of 2022

Ex Sgt Vinod Kumar Singh Applicant
By Legal Practitioner for the Applicant: Shri RK Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri RKS Chauhan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Memo of appearance filed by Shri RKS Chauhan, 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 RK Singh, Ld. Counsel for the applicant and Maj Tarun, Departmental Representative for the respondents are present.</p> <p>3. This execution application has been filed for implementation of order dated 16.01.2021 passed in O.A. No. 332 of 2022.</p> <p>4. Departmental representative for the respondents prays for and is allowed two weeks time to seek instructions and file affidavit of compliance.</p> <p>5. List on 21.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) 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. 3)

EX- A. No. 14 of 2022 Inre O.A. No. 753 of 2020

Ex Nb Sub Ramesh Chandra

Applicant

By Legal Practitioner for the Applicant: Shri KC Ghildiyal, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Somesh Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 Somesh Singh, Ld. Counsel for the respondents is present. None is present for the applicant.</p> <p>2. Learned counsel for the respondents submits that operation of order has been stayed by the Hon'ble Apex Court vide order dated 25.08.2021 passed in Civil Appeal No 874 of 2023. A copy of the aforesaid order has been filed by learned counsel for the respondents alongwith affidavit.</p> <p>3. In compliance of aforesaid order of the Hon'ble Apex Court, list on 19.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 4)

EX- A. No. 111 of 2022 Inre O.A. No. 38 of 2021

Swamy Nath, S/o Late Ex Nk Bagedu Singh Applicant
By Legal Practitioner for the Applicant: Shri R Chandra, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Manu Kumar Srivastava, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 R Chandra, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Objection on compliance report has not been filed. Learned counsel for the applicant prays for and is allowed a week's further time to file objection, if any, on affidavit of compliance.</p> <p>3. List on 30.08.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) 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. 5)

EX- A. No. 120 of 2022 Inre O.A. No. 306 of 2021

Ex Sep Birender Rai Applicant
By Legal Practitioner for the Applicant: Shri R Chandra, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri R Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present. Maj Ganesh Patil from Records, the Bihar Regiment is also present.2. Affidavit of compliance has not been filed.3. Affidavit has been filed by ADG (PS) stating that the compliance is in progress.4. Learned counsel for the respondents prays for and is allowed 03 weeks further time to file affidavit of compliance.5. List on 29.08.2023.6. Copy of this order be provided to learned counsel for the respondents. <p style="text-align: center;">(Maj Gen Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p><i>rathore</i></p>

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Court No.3 (Sl. No. 6)

EX- A. No. 135 of 2022

Ex Gdsm Rohitaswa Verma

Applicant

By Legal Practitioner for the Applicant: Shri Yashpal Singh, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the applicant submits that he has provided copy of modified order to learned counsel for the respondents.</p> <p>4. Learned counsel for the respondents prays for and is allowed 03 weeks further time to file affidavit of compliance.</p> <p>5. List on 18.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 7)

O.A. No. 566 of 2022

Ex Hony Sub Maj Asharaf M

Applicant

By Legal Practitioner for the Applicant: Shri KP Datta, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 KP Datta, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit and rejoinder affidavit filed by learned counsel for the parties are taken on record.</p> <p>3. On a submission being made by learned counsel for the applicant that applicant's junior is getting more pay and allowances than the applicant, learned counsel for the respondents submits that he will seek instructions.</p> <p>4. List on 25.08.2023 as part heard case.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 8)

O.A. No. 930 of 2022

Ms Bhaguli Devi Widow of Late Ex Sep Trilochan Applicant
By Legal Practitioner for the Applicant: Shri VP Pandey, Advocate
Shri RK Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 VP Pandey and Shri RK Singh, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondent No 1-4 and Shri Saket Srivastava, learned counsel for respondent No 5 are present.</p> <p>2. Learned counsel for the respondent No 5 submitted that recovery has been stayed in compliance of order of this Tribunal dated 15.11.2022. He prays for and is granted time to file original PPO alongwith affidavit.</p> <p>3. Learned counsel for the respondent No 1 to 4 submits that relief has not been sought against respondent No 1 to 4, therefore he does not intend to file counter affidavit.</p> <p>4. Learned counsel for the respondent No 5 is directed to file supplementary affidavit and provide copy of original PPO to learned counsel for the respondent No 1 to 4.</p> <p>5. List on 25.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 9)

O.A. No. 96 of 2023

Ex Hony Capt Ashok Kumar Singh Applicant
By Legal Practitioner for the Applicant: Shri Virendra Kumar Gupta, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 Virendra Kumar Gupta, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, 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 20.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) 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. 10)

O.A. No. 131 of 2023

Ex PO MR 1 Vikram Singh

Applicant

By Legal Practitioner for the Applicant: Shri Amit Asthana, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents: Shri Arun Kumar Sahu, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing, Shri Amit Asthana, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents are present.2. Counter affidavit has not been filed by respondent No 1 to 4.3. Learned counsel for the respondents prays for and is granted two weeks further time to file counter affidavit.4. As reported by the registry notice to respondent No 4 and 5 could not be issued due to want of step. Applicant was directed to take step within a week but step has not been taken.5. Learned counsel for the applicant submits to pass some direction regarding interim relief on which learned counsel for the respondents wants a week's time to seek instructions.6. Learned counsel for the applicant is directed to comply the order dated 07.02.2023 and take step within a week for issuance of notice to respondent No 4 and 5.7. After taking step by the applicant notice be issued to respondent No 4 and 5.8. List on 06.09.2023 for hearing on interim relief. <p style="text-align: center;">(Maj Gen Sanjay Singh) 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. 11)

O.A. No. 436 of 2023

Ex L/NK Chandra Shekhar Yadav Applicant
By Legal Practitioner for the Applicant: Shri Vinay Pandey, Advocate
Shri Nawneet Krishna Mishra, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 and Shri Nawneet Krishna Mishra, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, 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 18.09.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 12)

O.A. No. 439 of 2023

Nb Sub (TA) Bhuvanesh Kumar Pathak Applicant
By Legal Practitioner for the Applicant: Shri Naveen Giri, Advocate
Shri Sachida Nand Tiwari, 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>12.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, 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 Naveen Giri and Shri Sachida Nand Tiwari, Ld. Counsel for the applicant and Shri Shyam Singh, 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 29.08.2023.</p> <p style="text-align: center;">(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p>