

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

Ex-A/191 of 2022 Inre O.A. No. 23 of 2022

Hav (PA) Sachin Kumar Yadav Applicant
By Legal Practitioner for the Applicant: Shri Manoj Kumar Awasthi, 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>14.07.2023</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 Devesh Kumar, 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 Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Devesh Kumar, Ld. Counsel for the respondents are present.</p> <p>3. This fresh execution application has been filed for implementation of order dated 14.10.2022 passed in O.A. No. 23 of 2022.</p> <p>4. Learned counsel for the respondents prays for and is allowed four weeks time to seek instructions and file affidavit of compliance.</p> <p>5. List on 26.09.2023.</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
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 2)

Ex-A/195 of 2023 Inre O.A. No. 546 of 2018

Lt Col Raja Singh Parihar (Retd)

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 Yogesh Kesarwani, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Yogesh Kesarwani, 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 Yogesh Kesarwani, learned counsel for the respondents are present.</p> <p>3. This fresh execution application has been filed for implementation of order dated 25.01.2023 passed in O.A. No. 546 of 2018.</p> <p>4. Learned counsel for the respondents prays for and is allowed four weeks time to seek instructions and file affidavit of compliance.</p> <p>5. List on 22.09.2023.</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. 3)

Ex-A/381 of 2022 Inre O.A. No. 327 of 2021

Smt Kanti Devi W/o Late Ex Hav Suresh Singh 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
Mohd. Zafar Khan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 respondent No 1 to 3 and Mohd Zafar Khan, Ld. Counsel for the respondent No 4 and 5 are present.</p> <p>2. Affidavit of compliance has not been filed.</p> <p>3. Learned counsel for the respondents prays for and is allowed four weeks time to file affidavit of compliance on payment of Rs 5,000/-.</p> <p>4. 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. 4)

O.A. No. 12 of 2021

Smt Phulmaya Lamichhane W/o Nk (late) Hari Habadur Gurung Applicant
By Legal Practitioner for the Applicant: Shri Veer Raghav Chaubey, Advocate
Shri Ravi Raghavan, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Mrs Amrita Chakraborty, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Veer Raghav Chaubey, Ld. Counsel for the applicant and Mrs Amrita Chakraborty, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the applicant submits that he will file some documents pertaining to the case. Accordingly, he is allowed two weeks further time to file the same.</p> <p>3. List on 25.09.2023.</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. 5)

O.A. No. 193 of 2021

Sub (NT) Suresh Shirahatti

Applicant

By Legal Practitioner for the Applicant: Shri KKS Bisht, 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>14.07.2023</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 KKS Bisht, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents are present.</p> <p>2. Rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p>3. Pleadings are completed.</p> <p>4. List on 24.08.2023 for hearing.</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
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Court No.3 (Sl. No. 6)

O.A. No. 277 of 2022

Smt Jaswant Jit Kaur W/o Late Nk Jagdish Singh Applicant
By Legal Practitioner for the Applicant: Shri Shailendra Kumar Singh, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri GS Sikarwar, Advocate
Mohd. Zafar Khan, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri GS Sikarwar, Ld. Counsel for the respondent No 1 to 5 and Mohd Zafar Khan, Ld. Counsel for the respondent No 6 & 7 are present.</p> <p>2. In compliance of order dated 21.02.2023 impleadment application has been filed which is taken on record. Application is allowed. Learned counsel for the applicant is directed to incorporate the change during course of the day.</p> <p>3. Issue notice to newly added party i.e. respondent No 9 returnable within four weeks. Steps within a week.</p> <p>4. List on 31.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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ORDER SHEET
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Court No.3 (Sl. No. 7)

O. A. No. 416 of 2022

Smt Santosh Devi W/o Late LD Lakshman @ Lakahman Singh Applicant
By Legal Practitioner for the Applicant: Shri KKS Bisht, Advocate

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>14.07.2023</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></p> <p>1. Heard Shri KKS Bisht, Ld. Counsel for the respondents and Ms Appoli Srivastava, learned counsel for the respondents.</p> <p>2. Arguments concluded.</p> <p>3. Order is reserved.</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. 8)

O. A. No. 872 of 2022

Ex Sub (Lab Tech) Rajeev Kumar Applicant
By Legal Practitioner for the Applicant: Shri Sanjay Srivastava, Advocate
Shri Anchit Srivastava, 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>14.07.2023</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 Sanjay Srivastava, Ld. Counsel for the applicant and Shri Manu Kumar Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents submits that counter affidavit has been prepared and it has been sent for vetting. He prays for and is allowed two weeks further time to file counter affidavit.</p> <p>4. List on 23.08.2023.</p> <p>(Maj Gen Sanjay Singh) Member (A) <i>rathore</i></p> <p>(Justice Anil Kumar) Member (J)</p>

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

O.A. No. 873 of 2022

Ex Sub (Lab Tech) Vidhya Sagar Applicant
By Legal Practitioner for the Applicant: Shri Sanjay Srivastava, Advocate
Shri Anchit Srivastava, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Sanjay Srivastava, Ld. Counsel for the applicant and Shri DK Pandey, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit has not been filed.</p> <p>3. Learned counsel for the respondents submits that counter affidavit has been prepared and it has been sent for vetting. He prays for and is allowed two weeks further time to file counter affidavit.</p> <p>4. List on 23.08.2023.</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>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 10)

O.A. No. 889 of 2022 with M.A. No. 699 of 2023
and M.A. No. 668 of 2023

Shubhamdeep Pandey, S/o Late
Ex Sub Shashi Bhushan Pandey & Ors Applicants
By Legal Practitioner for the Applicants: Shri Yashpal Singh, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Shri Yogesh Kesarwani, and Shri Raj Priya Srivastava, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavits have already been filed by the parties.</p> <p>3. Learned counsel for the applicant prays for and is granted a week's time to file rejoinder affidavit.</p> <p>4. Meanwhile respondents may file their objection on application for impleadment and interim relief.</p> <p>5. List on 25.08.2023.</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>

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ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No. 11)

O. A. No. 498 of 2023 with M.A. No. 596 of 2023

Ex Sep Balaji Tripathi

Applicant

By Legal Practitioner for the Applicant: Shri Parijaat Belaura, 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>14.07.2023</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 Bipin Kumar Singh, Ld. Counsel for the respondents is present. Learned counsel for the applicant is not present.</p> <p>2. Learned counsel for the respondents prays for and is allowed two weeks time to file objection on delay condonation application.</p> <p>3. List on 26.09.2023.</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. 12)

O.A. No. 398 of 2022

Ex Sub Ashwani Kumar Mishra Applicant
By Legal Practitioner for the Applicants: Shri Yashpal Singh, 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>14.07.2023</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 Shri Amit Jaiswal, Ld. Counsel for the respondents are present.</p> <p>2. Counter affidavit is already on record. Learned counsel for the respondents submits that there is no need to file supplementary counter affidavit.</p> <p>3. Learned counsel for the applicant does not intend to file rejoinder affidavit.</p> <p>4. List on 23.08.2023 for hearing.</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 (Supp Sl. No. 1)

O.A. No. 816 of 2023 with M.A. No. 969 of 2023

Ex Sub Lalit Narayan Pandey Applicant
By Legal Practitioner for the Applicants: Shri Raj Kumar Mishra, Ms Upasna Mishra and
Shri Kapil Sharma, Advocates

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Alok Kumar Mishra, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Alok Kumar Mishra, 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. 969 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 10 months and 08 days in filing Original Application.</p> <p>4. Heard Shri Amit Asthana, Advocate holding brief for Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Alok Kumar Mishra, Ld. Counsel 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. 816 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 25.09.2023.</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 (Supp Sl. No. 2)

O.A. No. 819 of 2023 with M.A. No. 972 of 2023

Ex Sgt Shailesh Chandra Applicant

By Legal Practitioner for the Applicants: Shri Amit Asthana, Advocate
Ms Alka Saxena, Advocate

Versus

Union of India & Others Respondents

By Legal Practitioner for Respondents: Mrs Amrita Chakraborty, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</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 Mrs Amrita Chakraborty, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</p> <p><u>M.A. No. 972 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 06 months and 09 days in filing Original Application.</p> <p>4. Heard Shri Amit Asthana, Ld. Counsel for the applicant and Mrs Amrita Chakraborty, Ld. Counsel 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. 819 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 25.09.2023.</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>