

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 381 of 2014 with M.A. No. 1053 of 2013
(Inre: M.A. No. 838 of 2013 & T.A. No. 1005 of 2010)

Birsan

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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 16.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 244 of 2010

Sinhasan 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 17.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1210 of 2010 with M.A. No. 1344 of 2014 & M.A. No. 422 of 2015

Gajraj Singh Tomar

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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 18.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 49 of 2010 with M.A. No. 1255 of 2014

Bisram Giri

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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 19.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 123 of 2010 with M.A. No. 1525 of 2014

Vivek Anand 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 20.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 427 of 2012

Sajan Mishra

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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 16.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 30 of 2011

Ram Kishore 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 17.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 72 of 2012 with M.A. No. 1380 of 2014

Ugra Sen 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 18.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 128 of 2010

Mohitosh Mandal

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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 16.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 603 of 2010

Rajendra 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>List on 17.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 1455 of 2010

Sarvjit 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>27.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Neither learned counsel for the applicant nor learned Standing Counsel is present.</p> <p>We have been informed by the Bench Secretary that the Advocates are abstaining from judicial work today in pursuance of a call given by the U.P. Bar Council. Accordingly, the case is adjourned for the day.</p> <p>While going through the order-sheets we find that this case has not yet been admitted, though it has been listed by the office for hearing.</p> <p>List on 16.3.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX.A. No. 48 of 2014
(Inre: O.A. No. 232 of 2012)

Diwan 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Aggrieved against non-implementation of the judgment and order dated 17.7.2014, passed by this Court in O.A. No. 232 of 2012, the applicant has filed the present Execution Application.</p> <p>In the aforesaid judgment and order dated 17.7.2014 this Court while allowing the Original Application directed the respondents to treat the applicant notionally in service until he attains the service which allows him to receive pension and to grant pension to the applicant with effect from the date of discharge from service. Three months' time was granted to the respondents to implement the aforesaid judgment and order dated 17.7.2014.</p> <p>This Execution Application was last listed on 28.1.2015 and on that date Capt. Ridhishri Sharma, Departmental Representative, on the basis of instruction, informed this Court that sanction for issuance of PPO and pensionary benefits has been received from the Government. She, therefore, prayed that sometime be granted to issue PPO to the applicant and, as prayed, three weeks' further time was granted with the direction to list this case for today.</p> <p>Today learned counsel for the respondents submits that PPO has</p>

been issued on 13.2.2015 and it has been sent to the bank concerned with a covering letter dated 19.2.2015.

Learned counsel for the applicant submits that he has no instruction as to whether payment with respect to dues has been paid to the applicant or not. He, therefore, prays for and is granted two weeks' time to obtain instruction.

Learned counsel for the respondents is also directed to bring on record necessary document with respect to payment of pensionary benefits to the applicant within one week.

List on 18.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

M.A. No. 389 of 2015
(Inre: M.A. No. 915 of 2014)

Abhimanyu 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.B. Singh, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondent is not present.</p> <p><u>Misc. Application No, 389 of 2015.</u></p> <p>This is an application for recall of the order dated 4.2.2015, passed by this Court, dismissing M.A. No. 915 of 2014 for non-prosecution.</p> <p>Heard learned counsel for the applicant and perused the affidavit filed along with the recall application. The reason shown in the affidavit seems to be genuine. Accordingly, M.A. No. 389 of 2015 is allowed and the order dated 4.2.2015 is hereby recalled. M.A. No. 915 of 2014 is restored to its original number, provided the applicant deposits a sum of Rs. 300/- in the A.F.T. Bar Association within a period of two weeks.</p> <p>List on 17.3.2015 before the appropriate Court having</p>

jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

T.A. No. 78 of 2010

Shyam Singh

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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Prakhar Kankan, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case in the revised list, a person claiming himself to be Shri Shyam Singh, applicant, appeared and stated that his counsel has not brought the file of his case. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 9.7.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 1036 of 2010

Jasawant 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case in the revised list no one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, T.A. No. 1036 of 2010 is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1337 of 2010

Shailendra 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.P. Singh, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondents is not present.</p> <p>Aggrieved against the dismissal from service in SCM on the charge of overstaying for 73 days after completion of sanctioned leave and rejection of the petition by the COAS filed under Section 164(2) of the Army Act, the petitioner filed Writ Petition No. 39190 of 1998 before the Hon'ble Allahabad High Court. This writ petition has been transferred by the Hon'ble High Court before this Tribunal and registered as T.A. No. 1337 of 2010.</p> <p>Learned counsel for the applicant submits that the applicant surrendered voluntarily to the Unit. He further submits that this was the first offence committed by the applicant and looking to the offence the punishment awarded to the applicant is too excessive and not commensurate to the charge levelled against the applicant.</p> <p>The matter seems to be arguable in nature. Accordingly, we admit this T.A.</p>

At this juncture learned counsel for the applicant prays that he be permitted to file two typed copies of Annexures as they are not legible. He is permitted to do so within a period of two weeks.

In this case counter and rejoinder affidavits have already been exchanged and the matter is ripe for hearing.

Office is, therefore, directed to list this case on 27.3.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1253 of 2014 with M.A. No. 354 of 2015

Sukhpal 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 1253 of 2014.</u></p> <p>Heard learned counsel for the parties on this application and perused the objection (M.A. No. 354 of 2015) filed by the respondents. The impugned order dated 21.1.2013 is an outcome of the SCM proceedings.</p> <p>The reason shown in the affidavit accompanying this delay condonation application seems to be genuine. Thus, M.A. No. 1253 of 2014 is allowed and the delay in filing the Original Application is hereby condoned. Accordingly, M.A. No. 354 of 2015 is hereby rejected.</p> <p>Office is directed to register the O.A. and list for admission on 20.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p>

(Lt. Gen A.M. Verma)
Member (A)
PG.

(Justice Abdul Mateen)
Member (J)

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

Court No. 3

M.A. No. 1680 of 2014
(Inre: M.A. No. 1064 of 2013)

Nil Kant Gain

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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case in the revised list no one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, M.A. No. 1680 of 2014 and M.A. No. 1064 of 2013 are dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 240 of 2012

Amar 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondent is not present.</p> <p>On call of the case learned counsel for the applicant prays for and is granted further three weekss' time to file rejoinder affidavit.</p> <p>List on 31.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 206 of 2013

Suresh Kumar Pal
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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard with respect to Rules 34(1) as well as 31(2) of the Army Act.</p> <p>In this case counter and rejoinder affidavits have already been exchanged. Accordingly, office is directed to list this case for hearing on 10.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 297 of 2013

Pradeep 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Nishant Verma, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that the amendment application is ready and he intends to file the same before the Registry during the course of the day. He may do so after service a copy of the same on learned counsel for the respondents. The respondents may file objection, if any, within ten days after receipt of a copy of the amendment application.</p> <p>List on 31.3.2015 for orders before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1296 of 2010 with M.A. No. 859 of 2014, M.A. No. 1318 of 2014 & M.A. No. 1321 of 2014

Hari Shanker Singh 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Learned counsel for the applicant is not prepared with the brief. As prayed, list on 25.5.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 106 of 2013 with M.A. No. 539 of 2014

Mahabir 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Inspite of direction issued on 25.8.2014 learned counsel for the respondents failed to produce the original record today. The respondents are, therefore, directed to produce the record on the next date for assistance of the Court and to file objection, if any.</p> <p>List on 31.7.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 482 of 2012

Lokesh 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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Col. Y.R. Sharma (Retd.), learned counsel for the applicant, and Shri R.S. Mishra, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant, list this case on 27.7.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 347 of 2010

Bishwambhar Dayal
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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>While hearing this case it felt necessary to peruse the original record, which is not available today with the respondents. Accordingly, the respondents are directed to produce the record on the next date.</p> <p>List on 23.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 59 of 2011

Hayat Singh Bankoti
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>26.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Dr. Ashish Asthana holding brief of Shri Lalit Kumar, learned counsel for the applicant, and Shri Ashutosh Kumar Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Dr. Asthana prays that this case be transferred to the Circuit Bench of this Tribunal at Nainital.</p> <p>Accordingly, office is directed to list this case before the Circuit Bench at Nainital on 29.4.2015.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 41 of 2015

Parmjit 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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.S. Tiwari on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>Aggrieved against the sentence of 5 years' R.I. and award of dismissal from service in GCM the applicant has preferred this Original Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection.</p> <p>List on 16.4.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 237 of 2011

Vijai Shankar Yadav
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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.N. Chaturvedi, learned counsel for the applicant. Neither learned counsel for the respondent nor the Departmental Representative is present.</p> <p style="text-align: center;">On call of the case learned counsel for the applicant states that he has brought some other file in place of the file of this applicant. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p style="text-align: center;">List on 6.7.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 212 of 2012

Daroga Rai

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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>While hearing learned counsel for the applicant it transpires that the present case is an outcome of Summary Trial wherein the applicant has been awarded severe reprimand.</p> <p>The question in issue is as to whether severe reprimand in Summary Trial can be challenged before this Tribunal in view of Section 3(o)(iii) of the A.F.T. Act, 2007.</p> <p>Learned counsel for the applicant submits that he intends to study the matter as to whether this O.A. is maintainable before this Tribunal or not since the only punishment awarded to the applicant is 'severe reprimand'. As prayed by leaned counsel for the applicant the case is adjourned for the day.</p> <p>List on 12.8.2015 before the appropriate Court having</p>

jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

O.A. No. 266 of 2014

Ram Chandra Tiwari
In Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: The applicant in person and Shri D.K. Pandey, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>On 17.12.2014 this Court granted, as prayed by learned counsel for the respondents, six weeks' time to file objection keeping in mind the objections raised by him, referred to in the order dated 17.12.2014, but no objection has yet been filed by the respondents.</p> <p>Learned counsel for the respondents states that he has received the parawise comments and the objection is under preparation. He, therefore, prays for and is granted further six weeks' time and no more to file objection.</p> <p>List on 21.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 6 of 2010

CM Bhatt

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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>Heard learned counsel for the parties on the question of admission of this T.A.</p> <p>While going through the record and hearing learned counsel for the applicant it comes out that the applicant was tried in DCM proceedings along with another co-accused with respect to five charges levelled against the co-accused and two charges were levelled against the applicant. In DCM the applicant was acquitted whereas the co-accused, viz. Mohan Rao, was convicted. However, in revision proceedings the acquittal of the applicant in DCM was set aside and he was convicted for initial two charges out of five charges of theft and according was sentenced to 6 months' R.I. and dismissed from service.</p> <p>The argument put forward by learned counsel for the applicant is that before the reviewing authority in revision the authority concerned has not</p>

gone through the evidence already on record in its correct perspective and without there being any further evidence the reviewing authority has convicted the applicant.

There seems to be some substance in the argument of learned counsel for the applicant. Accordingly we **admit** this T.A.

Since counter and rejoinder affidavits have already been exchanged in this case, the office is directed to list this case for hearing on 19.5.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

T.A. No. 75 of 2011

Ashok 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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri K.K. Mishra, learned counsel for the applicant, and Shri Ashutosh Kumar Srivstava. learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p style="text-align: center;">Heard learned counsel for the parties on the question of admission of this T.A. which has been filed against conviction of the applicant in GCM with respect to commission of the offence along with five other persons to the effect that he has committed an offence prejudicial to the safety or interest of the State while communicating to an agent of the Pakistani Intelligence Agency relating to Formation/Unit of the Indian Army.</p> <p style="text-align: center;">The argument advanced by learned counsel for the applicant is that there is no evidence which can be said to be sufficient for conviction of the applicant which resulted in one year's R.I. and dismissal from service, since the only evidence is applicant's confession with respect to commission of crime and on the basis of confession of the applicant no conviction can be made and that too in the custody of the respondents without there being any evidence corroborating the confession of the applicant.</p> <p style="text-align: center;">There seems to be some substance in the argument of learned</p>

counsel for the applicant. Accordingly, we **admit** this T.A.

Since counter and rejoinder affidavits have already been exchanged in this case, the office is directed to list this case for hearing on 12.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.

The respondents are directed to produce the original record of GCM proceedings on the next date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

T.A. No. 22 of 2013

Anil 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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p style="text-align: center;">As it comes out from the order-sheets that Civil Misc. Amendment Application No. 19337 of 1996 for amending the writ petition was filed before the Hon'ble High Court on 1.4.1996, which is still pending disposal.</p> <p style="text-align: center;">Learned counsel for the applicant submits that the applicant has not yet received the decision on the petition filed by the applicant before the COAS under Section 164(2) of the Army Act against the finding and sentence in SCM.</p> <p style="text-align: center;">Learned counsel for the respondents produced a letter dated 16.3.1992 before this Court today written by Ram Swarup, CSO, Office of Additional Director General Discipline and Vigilance 9DV-3), Adjutant General's Branch, Army Headquarters, DHO PO New Delhi-110 011, to the applicant intimating that the petition dated 12.9.1991 against the finding and sentence of SCM has been rejected after due consideration by the competent authority.</p>

Learned counsel for the respondents is directed to supply a copy of the rejection order, passed by the competent authority, to the applicant within a period of three weeks from today.

List on 31.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX-A. No. 15 of 2014 with M.A. No. 439 of 2014

(Inre: T.A. No. 988 of 2010)

VD Jha

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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri Rajesh Kumar, learned counsel for the respondents. Departmental Representative is not present today.</p> <p>Heard learned counsel for the parties.</p> <p>Learned counsel for the applicant submits that inspite of judgment and order dated 7.8.2013, passed by this Tribunal in T.. No. 988 of 2010, and the orders passed time to time in this Execution Application, the respondents have not yet implemented the aforesaid judgment and order dated 7.8.2013 in its letter and spirit.</p> <p>On 22.12.2014 this Court had directed to file an affidavit justifying the query made by this Court and as to whether after issuance of P.P.O. payment has been made to the applicant or not., but no affidavit has yet been filed by the respondents, instead learned counsel for the respondents has placed before us today in Court a letter bearing No. NE Cell/14537832X dated 17.2.2015 of the Senior Accounts Officer (NE) of the PAO(OR), EME, Secunderabad, wherein it has been stated that a Tender memo has been issued on 16.2.2015 for an amount of Rs. 1,03,388/- on account of</p>

grant of pay and allowances for the period from 23.3.1994 to 18.5.1997. In the aforesaid letter it has also been mentioned that corrigendum LPC revising the pay and PPO indicating the revised pension has also been issued by the PCDA(P), Allahabad, vide PPO No. S/0056/2014 dated 18.9.2014.

Learned counsel for the applicant submits that till date no payment has been made to the applicant.

The respondents are, therefore, directed to file an affidavit indicating, in detail, the payment so made to the applicant within a period of four weeks positively.

List on 31.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 97 of 2015 with M.A. No. 98 of 2015
(Inre: EX.A. No. 26 of 2011 & T.A. No. 146 of 2010)

Ravindra Singh Kushwah
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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p><u>Misc. Application No. 97 of 2015.</u></p> <p>This is an application for condoning the delay in filing restoration application (M.A. No. 98 of 2015).</p> <p>We have gone through the affidavit filed in support of the delay condonation application. The reason shown in the affidavit filed in support of this delay condonation application seems to be genuine. Accordingly, M.A. No. 97 of 2015 is allowed and the delay in filing restoration application (M.A. No. 98 of 2015) is hereby condoned.</p> <p><u>Misc. Application No. 98 of 2015.</u></p> <p>We have gone through the affidavit filed in support of this restoration application. The reason shown in the affidavit filed in support of this restoration application for non-appearance on 22.8.2014 seems to be genuine. Accordingly, M.A. No. 98 of 2015 is allowed and the order dated</p>

22.8.2014 is hereby recalled. Execution Application No. 26 of 2011 & M.A. No. 708 of 2014 are restored to its original numbers.

As prayed, list on 11.3.2015 for orders before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

O.A. No. 221 of 2014

Cpl Amit Kumar Sinha
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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri V.P. Pandey, learned counsel for the applicant, and Shri Mukund Tewari. learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p>By means of this Original Application the applicant has prayed for quashing of the order dated 22.9.2014, passed by respondent no. 2, on the representation of the applicant in pursuance of the judgment and order dated 28.7.2014, passed by this Tribunal in O.A. No. 50 of 2014.</p> <p>As it comes out that the applicant while serving the Indian Air Force on the post of Corporal applied for service in IDBI Bank without taking NOC from his parent department and thereafter on being selected and appointed by the IDBI Bank directing the applicant to join his duties in the said Bank on or before 22.8.2014, the applicant submitted an application/representation to his parent department with the request to consider his case and to release him from the post of Corporal. Thereafter on rejection of his application by the authorities of the Air Force, the applicant preferred the aforesaid O.A. No. 50 of 2014. However, on 28.7.2014 when</p>

the aforesaid O.A. was taken up for consideration before this Tribunal, learned counsel for the applicant confined himself, without arguing the case on merit, on the point that the applicant be permitted to submit a fresh representation before the authorities of the Air Force and the respondents be directed to decide the said representation within a reasonable period of time

Accordingly, taking a sympathetic consideration, this Tribunal without entering into the merits of the case, permitted the applicant to submit a fresh representation within seven days and the respondents were directed to decide the said representation within a period of two weeks from the date of receipt of the representation.

The respondents acted on the direction of this Tribunal and disposed of the said representation on 22.9.2014 with a speaking order observing that the representation of the applicant is devoid of merit and lacks influence.

Aggrieved against the applicant has filed the present Original Application.

Shri Mukund Tewari, learned counsel for the respondents, submitted that in the objection filed by them it has been indicated in paragraph 9 of the affidavit that the applicant was not eligible to apply for civil post, which he had done on 23.3.2012, since he had not completed 7 years' of service in terms of AFO 14/08. Moreover, it has also indicated in paragraph 6 of AFO 04/12 that the applicant was also not eligible to apply for civil post/services under the Central Government/State Governments including PSUs, Government of India Undertakings/Corporations and Private Sector without obtaining prior permission from the competent authority. It has further been stated in paragraph 11 of AFO 4/12 that the request for discharge from service on selection to a civil post is liable to be rejected out-rightly where individual had not obtained requisite NOC.

We find that the applicant, who was serving as Corporal in Air Force after being trained for the roll and his services were essential to make good the expenditure, time and effort incurred on him by the Nation for his

training his services are essentially required for the Air Force for all times.

We also find tht AFO 4/12 provides that the personnel of the Air Force can apply for civil post and also for grant of NOC but the same cannot be asked as a matter of right.

It is admitted fact that the applicant had applied in IDBI Bank while serving the Air Force without NOC/permission from the authorities of the Air Force, which is specifically barred, and also had not put in 7 years' of service even for applying in IDBI Bank without prior permission from the competent authority of the Air Force which is contrary to paragraph 6 of AFO 04/2012 and also as per paragraph 11 of AFO 04/2012. The applicant has not obtained prior permission while applying for the post and also as per paragraph 13 of AFO 04/2012 since prior permission was not taken he was punished for the same. The order dated 22.9.2014 clearly states that NOC cannot be asked as a matter of right.

In view of what has been observed above, we are of the firm opinion that; (1) the applicant has not taken prior permission before applying for the services in IDBI Bank, which is mandatory, and for which no doubt he was punished but it is an admitted fact which is contrary to the Rules of the Air Force, and (2) the applicant has not put in 7 years' of service before asking NOC as per terms of AFO 14/08.

Thus, in view of above, we do not find any merit in this Original Application. It is, accordingly, dismissed in limine. No order as to costs.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

O.A. No. 149 of 2012

Harish 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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>On 17.12.2014 this Court directed the respondents to produce the record of SCM proceedings and Summary of Evidence today. Learned counsel for the respondents submits that the concerned authority of the Department has not sent the record today.</p> <p>However, as a last opportunity, this case is directed to be listed again on 6.7.2015. It is expected that on the said date the record of SCM proceedings and Summary of Evidence will be produced by the respondents.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 47 of 2014

Hardev 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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Ashok Kumar, learned counsel for the applicant. Neither learned counsel for the respondents nor Departmental Representative is present in Court.</p> <p>Learned counsel for the applicant submits that the petition preferred by the applicant under Section 164(2) of the Army Act before the COAS, against the punishment awarded to the applicant in SCM, has now been decided. He, therefore, prays and is granted six weeks' time to file amendment application.</p> <p>List on 6.7.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 82 of 2012

Mahavir Singh Rawat
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>25.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri Rajesh Kumar, learned counsel for the respondents. Departmental Representative is not present in Court today.</p> <p>While going through the order-sheets we find that this case has not yet been admitted, though it has been listed by the office for hearing.</p> <p>Accordingly, the office is directed to list this case on 16.3.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 10 of 2013

KP Datta

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Partly Allowed.</p> <p>For Judgment and Order see our Judgment and Order of date passed on separate sheets.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1591 of 2014 with M.A. No. 267 of 2015

Prakash 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Ashutosh Kumar Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, M.A. No. 1591 of 2014 and M.A. No. 267 of 2015 are dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 228 of 2014

Surendra 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondent is not present.</p> <p>On call of the case learned counsel for the applicant states that he needs some more time to prepare the brief so as to satisfy this Court with regard to maintainability of this O.A. As prayed, two weeks' time is granted to learned counsel for the applicant.</p> <p>List on 30.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 515 of 2010

Shyam Sunder

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that he intends to place before this Court the judgment of the Hon'ble Supreme Court wherein it has been held that the matter with respect to trial under Section 69 of the Army Act cannot be tried unless and until FIR is lodged under the provisions of Cr.P.C. and the accused is tried in a Criminal Court. Let him place the said judgment on the next date.</p> <p>As prayed, list on 21.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 960 of 2010

Surendra Prasad Singh
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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondent is not present.</p> <p>On call of the case learned counsel for the applicant states that he needs some more time to prepare the brief so as to satisfy this Court with regard to maintainability of this O.A. As prayed, two weeks' time is granted to learned counsel for the applicant.</p> <p>List on 30.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 1122 of 2010

Vishnu Deo Tiwari 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.K. Pandey, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard Shri S.K. Pandey, learned counsel for the applicant, on the point of admission of this T.A.</p> <p>Learned counsel for the applicant submits that the junior of the applicant has been promoted superseding the applicant without any rhyme or reason and since thereafter the applicant had to retire from service on completion of his tenure of service from the post of JWO resulting in his pension being affected in addition to the pay which he would have earned on the promoted post, if he was considered for the same.</p> <p>After hearing learned counsel for the applicant we are of the view that it is a fit case to be heard at length. Accordingly, we admit this T.A.</p> <p>Since counter and rejoinder affidavits have already been exchanged in this case and the jurisdiction to try this case lies before</p>

another Court, the office is directed to list this case for hearing on 25.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX.-A. No. 1 of 2014 with M.A. No. 1781 of 2014 & M.A. No. 1802 of 2014
(Inre: T.A. No. 858 of 2010)

Madhukar Kalu Jadhav

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant submits that he has not received any instruction from the applicant as to whether the amount due towards him from the respondents has been paid or not. Learned counsel for the applicant, therefore, prays for and is granted three weeks' time to obtain instructions.</p> <p>List on 23.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 322 of 2013 with M.A. No. 1862 of 2014 & M.A. No. 07 of 2015

Manish Shukla

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Vinay Singh holding brief of Shri S.N. Singh Gaherwar, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 1862 of 2014.</u></p> <p>This is an application for amendment of the O.A.</p> <p>Since the matter relates to discharge of the applicant and the jurisdiction lies before another Court, accordingly, list before the appropriate Court on 10.3.2015 having jurisdiction in the matter.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 124 of 2014 with M.A. No. 1723 of 2014

Prem Singh Negi

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 1723 of 2014.</u></p> <p>This is application for taking counter affidavit on record. The counter affidavit is taken on record. The application is disposed of accordingly.</p> <p>List on 24.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 156 of 2010

Babu Lal 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondent is not present.</p> <p>On call of the case learned counsel for the applicant submits that he intends to file amendment application. He, therefore, prays for and is granted four weeks' time to file the same.</p> <p>As prayed, list this case on 12.5.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 20 of 2014

Rakshpal 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri R. Chandra, learned counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p style="text-align: center;">Heard learned counsel for the applicant. No doubt this O.A. was admitted on 18.1.1993 but the question involved, as raised by the respondents, maintainability of this O.A. on the ground taken in paragraph no. 7 of the counter affidavit that the punishment of severe reprimand awarded to the applicant in pursuance of a Summary Trial is barred under Section 3(o)(iii) of the A.F.T. Act, 2007.</p> <p style="text-align: center;">Learned counsel for the applicant, however, in paragraph no. 7 of the rejoinder affidavit tried to rebut the objection raised by the respondents in the aforementioned paragraph no. 7 of the counter affidavit stating that the Hon'ble Uttarakhand High Court has laid down that the punishment of severe reprimand is maintainable, but the judgment of the Hon'ble Uttarakhand High Court relates to SCM and not Summary Trial.</p> <p style="text-align: center;">Since the case in hand relates to Summary Trial wherein punishment of severe reprimand was awarded, learned counsel for the applicant is to satisfy this Court regarding maintainability of this O.A. rebutting</p>

appropriately the objection raised by the respondents.

As prayed by learned counsel for the applicant, list this case on 15.5.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

T.A. No. 938 of 2010

Dinesh 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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative. Shri Rajesh Kumar, learned counsel for the respondent, is not present.</p> <p>As prayed by learned counsel for the applicant, list this case on 15.5.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 1338 of 2010

Vinod Singh

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>24.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondents is not present.</p> <p>Heard learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative, since learned counsel for the respondent is not present, at length.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY- No. 1116 of 2014 with M.A. No. 1747 of 2014

Mithilesh Kumar Singh Applicant
By Legal Practitioner for Applicant

Versus

Chief of Army Staff & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>The question in hand is whether this O.A. has been filed within the period of limitation or beyond the period of limitation.</p> <p>The claim of the applicant is that he has not yet received the order, passed by the COAS, on the representation filed by him under Section 164(2) of the Army Act after he being dismissed from service in SCM.</p> <p>According to learned counsel for the respondents the representation of the applicant under Section 164(2) of the Army Act was dismissed by the COAS vide order dated 3.5.2012 and the said order was despatched to the applicant by post on 9.5.2012 with a covering letter.</p> <p>To resolve the controversy between receipt of rejection order by the applicant and to despatch of the said order to the applicant by the respondents this Court, on 10.9.2014 directed the respondents to produce the record about service of the order dated 3.5.2012 on 7.10.2014. Thereafter the respondents, vide our orders dated 7.10.2014, 1.12.2014, 10.12.2014 and 28.1.2015, were granted time to produce the record but, it appears, the</p>

respondents are not in a mood to obey the orders of this Court, may be that they are presuming themselves to be above Court orders. This Court has, therefore, no other option but to take a serious note about the audacity of the respondents to disobey the orders of this Court.

However, as a last opportunity, on the request of Capt. Priti Tyagi, Departmental Representative, ten days' time is granted to the respondents, on the insistence of Capt. Priti Tyagi that she will monitor the matter personally, to produce the record on the next date. It is, however, made clear that if the respondents fail to obey the order of this Court again we will have no other option but to take a serious view in the matter and to impose a hefty penalty on the concerned respondent(s).

List this case on 11.3.2015.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1383 of 2014 with M.A. No. 1803 of 2014

Dhebe Shashikant Babu

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Mukund Tewari, learned counsel for the respondents, alongwith Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case in the revised list, Shri Rohit Kumar holding brief of Shri Udai Chandani, learned counsel for the applicant, appeared and stated that Shri Udai Chandani could not come to this Court today. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 30.3.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>When the case is next listed, the name of Shri D.S. Tiwari be shown as counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1535 of 2014 with M.A. No. 1536 of 2014

(Inre: O.A. No. 61 of 2014)

Sukhvir 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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri O.P. Kushwaha holding brief of Shri Ashok Kumar, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Applications No. 1535 of 2014 & 1536 of 2014</u></p> <p>The two applications have been filed by the applicant, one for condoning the delay in filing the restoration application and the other for recall of the order dated 26.8.2014, dismissing O.A. No. 61 of 2014 for non-prosecution, and to restore the O.A. in its original number.</p> <p>We have gone through the affidavits filed in support of the delay condonation application as well as restoration application. The reasons shown for the delay in filing the restoration application as well as for recall of the order dated 26.8.2014 seem to be genuine. Accordingly, both the applications are allowed and the order dated 26.8.2014 is hereby recalled. The Original Application No. 61 of 2014</p>

is restored to its original number.

List on 16.3.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

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

Court No. 3

M.A. No. 1767 of 2014

Kuldeep 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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant, neither there is any request to adjourn/pass over the case.</p> <p>Accordingly, M.A. No. 1767 of 2014 stands dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1883 of 2014
(Inre: O.A. No. 278 of 2012)

Hemendra 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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>List has been revised. No one is present on behalf of the applicant, neither there is any request to adjourn/pass over the case.</p> <p>Accordingly, M.A. No. 1883 of 2014 filed in O.A. No. 278 of 2012 stands dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 297 of 2015 with M.A. No. 298 of 2015

(Inre: O.A. No. 319 of 2013)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Amar Nath Jha

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.S. Tiwari, learned counsel for the applicants, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the applicant on these Misc. Applications No. 297 of 2015 and 298 of 2015. M.A. No. 297 of 2015 has been filed by the applicant for condoning the delay in filing M.A. No. 298 of 2015 for leave to appeal before the Hon'ble Supreme Court against the judgment and order dated 28.5.2014, passed by this Court in O.A. No. 319 of 2013, filed under Section 31 of the A.F.T. Act, 2007.</p> <p>The applicants have filed this application for leave to appeal delayed by 7 months and 19 days. The reasons shown for the delay in filing the application for leave to appeal are general in nature. Each day's delay, needs to be explained, has not been explained, as laid down by the Hon'ble apex Court in the case of Office of the Chief Post Master General & others v. Living Media India Ltd. & another reported in <i>2012 STPL(LE) 46200 SC</i> wherein the Hon'ble apex Court has observed that "<i>condonation of delay is an exception and should not be used as an anticipated benefit for government departments</i>" and since "<i>the claim</i></p>

on account of impersonal machinery and inherited bureaucratic methodology 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 that since “*the person(s) concerned were well aware or conversant with the issued involved including the prescribed period of limitation They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings”*

Further we are not satisfied with the reasons given by the applicants for the delay in filing the leave to appeal application and we are also not satisfied that any point of law of general public importance is involved in the decision so as to grant leave.

Accordingly, M.A. No. 297 of 2015 for condoning the delay in filing M.A. No. 298 of 2015 for leave to appeal is hereby rejected.

Since the delay condonation application has been rejected, accordingly, M.A. No. 298 of 2015 for leave to appeal before the Hon’ble apex Court is dismissed.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 245 of 2011

Pal Jaswant

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the parties on the ground of admission of this O.A.</p> <p>The applicant, aggrieved against dismissal from service on the ground of absented himself after availing the leave period for a period of 310 days.</p> <p>As it comes out from the O.A. as well as arguments of learned counsel for the parties that the applicant went on annual leave from 24.5.2007 to 7.7.2007 and thereafter prayed for extension of leave period on the ground of illness of his wife, which was extended twice and even thereafter he did not join his duties and absented himself for a further period of 310 days. He was, accordingly, tried in SCM and punishment of dismissal from service was awarded to him in SCM.</p> <p>We have gone through the original record as well as the order passed on the petition filed by the applicant under Section 164(2) of the Army Act,</p>

rejecting his representation.

It is also the admitted case of the respondents that the applicant proceeded on earned leave and on his request his leave period was extended twice. The applicant, however, surrendered after absenting himself for 310 days even after expiry of his original leave period as well as extended periods of leave periods.

Learned counsel for the applicant submits that the punishment awarded to the applicant, dismissing him from service, is not commensurate to the charges levelled against him. The allegation of the applicant needs to be heard in detail. Accordingly, we **admit** this O.A.

Since counter and rejoinder affidavits have already been exchanged in this case, list this case for hearing on 5.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 802 of 2010

Smt. Ashma Sultana

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative. Learned counsel for the respondents is not present.</p> <p>Heard learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative.</p> <p>This Writ Petition No. 3267 of 1994 has come up before this Tribunal on being transferred from the Hon'ble Allahabad High Court and registered as T.A. No. 802 of 2010.</p> <p>Aggrieved against dismissal from service in SCM on the ground of absence without leave the applicant has filed the aforesaid writ petition.</p> <p>Learned counsel for the applicant submits that there is non-compliance of Rule 22 of the Army Rules and the charges which have been framed against the applicant with respect to non-appearance of the applicant in SCM are vague in nature and the Court of Inquiry was not done as per the procedure laid down in Rule 22 of the Army Rules.</p> <p>We have seen the charge-sheet, at page 25 of the rejoinder affidavit, and find substance in the argument of learned counsel for the applicant.</p>

Accordingly, this T.A. is **admitted**.

Since counter and rejoinder affidavits have already been exchanged in this case, list this case for hearing on 7.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1205 of 2010

Shukhdev Singh

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Col. B.P. Singh (Retd.), learned counsel for the applicant, and Shri Ratnesh Lal, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the parties on the ground of admission of this T.A.</p> <p>Learned counsel for the applicant raised objection regarding non-compliance of Rule 22 of the Army Rules and the difference of signatures in charge-sheet and other documents.</p> <p>However, the applicant failed to annex copy of the SCM proceedings along with the writ petition, originally filed before the Lucknow Bench of the Hon'ble Allahabad High Court. It has even not yet filed before this Tribunal too.</p> <p>Learned counsel for the applicant is, therefore, directed to bring on record, by means of an affidavit, copy of the SCM proceedings and other documents, on which the learned counsel for the applicant want to place reliance, within a period of four weeks. Learned counsel for the applicant prays that this case be listed in the month of July, 2015.</p>

Accordingly, as prayed by learned counsel for the applicant, list this case on 30.7.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1332 of 2010

Shivanand Chaubey

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri Ratnesh Lal, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This case pertains to promotion of the applicant to the rank of Naib Subedar. As per roster, this Court has no jurisdiction to try the promotional matter.</p> <p>List this case before the appropriate Court on 4.3.2015 having jurisdiction, as per roster of that date. It shall not be treated as tied up to this Bench.</p> <p>When the case is next listed, the name of Shri Ratnesh Lal be shown as counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX.A. No. 65 of 2013 with M.A. No. 1736 of 2014

(Inre: T.A. No. 1276 of 2010)

Aditya Narain Sharma

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.K. Shukla holding brief of Shri J.N. Mishra, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri P.K. Shukla, on instruction of Shri J.N. Mishra, learned counsel for the applicant, submits that the applicant, Aditya Narain Sharma, has expired during pendency of this case.</p> <p>On the statement made by Shri P.K. Shukla at Bar, the case stands abated till a substitution application is filed on behalf of the legal heirs of the applicant. Office is directed to consign the record till then.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 27 of 2010 with M.A. No. 125 of 2015

Maj Gen Nilendra 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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>M.A. No. 125 of 2015.</u></p> <p>The counter affidavit filed on behalf of respondents no. 1, 5 and 6 is taken on record. The application is, accordingly, disposed of.</p> <p>Further, while going through the order-sheets we find that this case has not yet been admitted.</p> <p>List this case on 10.8.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 64 of 2011

Vijay 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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.S. Mishra, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case a person claiming himself to be Vijay Kumar, applicant, appeared and stated that his counsel could not come to this Court today. He also stated that his counsel also failed to attend this case in the past. He, therefore, prays for adjournment to engage another counsel.</p> <p>As prayed, list on 11.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 571 of 2010

Bhanwar Pal Singh
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Air Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p style="text-align: center;">Aggrieved against non-compliance of Section 116(2) of the Army Act during SCM proceedings and the order passed in SCM subsequently, the applicant had preferred Writ Petition No. 35778 of 2004 before the Hon'ble Allahabad High Court, which has subsequently been transferred to this Tribunal and registered as T.A. No. 571 of 2010.</p> <p style="text-align: center;">On 23.9.2014 when the case was taken up, learned counsel for the applicant submitted that on initiation of SCM proceedings on 12.7.2002 only one officer was present while the second officer ought to have been present in view of Section 116(2) of the Army Act, therefore, the SCM proceedings stands vitiated. Accordingly, the respondents were directed to file an affidavit, on or before 18.12.2014, by a responsible officer specifically indicting therein that on the aforesaid date, i.e. on 12.7.2002, who are the two officers who were present during SCM proceedings on 12.7.2002.</p> <p style="text-align: center;">In spite of sufficient time being granted, no affidavit has yet been</p>

filed by the respondents. Learned counsel for the respondents prays for and is granted further three weeks and no more time to file the affidavit.

As prayed, list on 24.4.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 572 of 2010 with T.A No. 571 of 2010

HCS Rautela

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>For orders see our order of date passed in T.A. No. 571 of 2010.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 573 of 2010

Satendra Prasad

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Present: Shri Rohit Kumar, learned counsel for the applicant, Capt. Priti Tyagi, Departmental Representative.</p> <p style="text-align: center;">On call of the case Shri Rohit Kumar submits that he is not prepared with the case today. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p style="text-align: center;">Further, while going through the order-sheets we find that this case has not yet been admitted, though it has been listed by the office for hearing.</p> <p style="text-align: center;">Accordingly, list this case for admission on 18.3.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 633 of 2010

Upendra Singh Chauhan
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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>For orders see our order of date passed in T.A. No. 571 of 2010.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 635 of 2010

Anil Joshi

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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>For orders see our order of date passed in T.A. No. 571 of 2010.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 48 of 2011

Taj Mohd Sheikh
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>23.02.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Desh Deepak Singh holding brief of Shri Yashovardhan Swaroop, learned counsel for the applicant, and Shri Ratnesh Lal, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Desh Deepak Singh appeared and stated that Shri Yashovardhan Swaroop, learned counsel for the applicant, could not come to this Court today. He, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>Further, while going through the order-sheets we find that this case has not yet been admitted, though it has been listed by the office for hearing.</p> <p>Accordingly, list this case on 27.3.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

