

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

Court No. 3

EX.A. No. 47 of 2014
Inre O.A. No. 275 of 2011

Om Prakash
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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Dr. Ashish Asthana, counsel for the applicant and Shri Mukund Tewari, learned counsel for the respondents.</p> <p>The question in issue is that present execution application has been filed against non-implementation of the judgment and order of this Court dated 23.09.2011 passed in O.A. No. 275 of 2011.</p> <p>It is admitted by the learned counsel for the applicant that although the judgment of this Court has been honoured and the applicant has been reinstated in service, but the consequential benefits have not been paid to him till date.</p> <p>On 05.05.2015, learned standing counsel was granted time to file affidavit with respect to grant of entire consequential benefits and the details thereof by today.</p> <p>Shri Mukund Tewari, learned standing counsel, submits that he has received instructions to the effect that payment of consequential benefits is being processed by the Officer-in-Charge DSC Records, Cannanore, Kerala.</p> <p>To sum up the situation, the fact remains that the consequential benefits have yet to be paid to the applicant. We expect that the said consequential benefits shall be cleared off and paid to the applicant within four weeks.</p> <p>Accordingly, the learned standing counsel is granted four weeks and no more time to file an effective affidavit in regard to</p>

payment of consequential benefits to the applicant..

List on 04.09.2015 before the appropriate court having jurisdiction, as per the roster of that date.

(Lt Gen Anand Mohan Verma)
Member (A)
sry

(Justice Abdul Mateen)
Member (J)

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 114 of 2012

Dinesh Prasad Tewari

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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Power on behalf of the applicant has been filed by Shri Yogesh Tiwari, Advocate. It is taken on record. His name be also shown as counsel for the applicant, when the case is listed next.</p> <p>Shri Tiwari prays that since he is not prepared with the brief, the case may be adjourned for the day.</p> <p>As prayed, the case is adjourned.</p> <p>List on 07.08.2015 for admission before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 109 of 2012

Raj Kumar Pandey

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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri D.N. Pandey, counsel for the applicant and Shri Mukund Tewari, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>The question in issue is with respect to promotion of the applicant to the post of Naib Subedar from the post of Havildar.</p> <p>The argument advanced is that although the applicant had become eligible for promotion to the post in question as far back as in the month of February, 2001, but he has not been considered for promotion and has been superseded by his juniors in pursuance of the entry recorded in his Character Roll in the month of October, 2002.</p> <p>In any case, the essential qualification for promotion to the post of Naib Subedar from the post of Havildar is that the incumbent should passed High School examination with the subjects of Maths and English. Unfortunately, the High School certificate has not been annexed with this petition.</p> <p>Learned counsel for the applicant is granted one month's time for this purpose.</p> <p>List on 29.09.2015 for orders before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J) sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 102 of 2012

Jeetendra 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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>List has been revised.</p> <p>Neither the applicant nor his counsel or anyone else appears to press this case.</p> <p>It is, accordingly, dismissed for non-prosecution.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri R. Chandra, counsel for the applicant and Shri Rajesh Kumar, learned counsel for the respondents.</p> <p>Neither the counsel for the applicant nor the counsel respondents is prepared with the brief so as to argue the case properly.</p> <p>List on 15.09.2015 for hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</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>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>As prayed by the learned counsel for the applicant, list on 21.09.2015 for hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 11 of 2011

Shaikh Imtiyaz Mohammad

Applicant in person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : The applicant, Shaikh Imtiyaz Mohammad, in person and Shri Rajesh Kumar, learned counsel for the respondents.</p> <p>Heard the applicant, Shaikh Imtiyaz Mohammad, in person and Shri Rajesh Kumar, learned standing counsel for the respondents.</p> <p>This petition arises out of SCM proceedings. As per allegations of the applicant, he continued in custody from 12.08.2006 to 05.12.2006 and in the meantime, the applicant's wife Razia Shaikh filed writ petition No.4710 of 2006 (Habeas Corpus) before the Hon'ble High Court of Madhya Pradesh, the copy of the said judgment dated 21.11.2006 has been annexed as Annexure P-14 to this petition. It speaks in volumes to the effect that the SCM proceedings were initiated by Col Vinay Handa, who was present in court. Since copy of this judgment is not available with the learned standing counsel, as such we direct the applicant to provide a copy of the said judgment to the learned standing counsel during the course of the day itself.</p> <p>Since the entire story as to whether the SCM proceedings were conducted in free and fair manner or not, hinges on the findings of the Madhya Pradesh High Court, wherein it was admitted by the Inquiry Officer that the applicant was in custody; he was tortured, humiliated and 3rd degree method was adopted during the course of summary court martial proceedings.</p>

	<p>As to whether the SCM proceedings conducted were valid or not have to be seen. Let copy of the judgment of Madhya Pradesh High Court be provided by the applicant to the learned standing counsel during the course of the day.</p> <p>List on 07.09.2015 for further hearing.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>
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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 & M.A. No. 1321 of 2015

Inre O.A. No. Nil of 2015

Prakash Rai

By Legal Practitioner for Applicant

Applicant

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Maj. (Retd.) R.D. Singh, counsel for the applicant and Mrs. Deepti Prasad Bajpai, counsel for the respondents.</p> <p><u>Misc. Application No.1321 of 2015</u></p> <p>This is an application moved by the applicant for taking supplementary affidavit in furtherance to the affidavit for condonation of delay, on record. It is taken on record. The application stands disposed of, accordingly. Its copy has been served on the learned standing counsel on 17.07.2015.</p> <p>Learned standing counsel prays for and is granted two weeks' time to file objection to the aforesaid affidavit.</p> <p><u>Misc. Application No.267 of 2015</u></p> <p>This is an application filed by the respondents for taking counter reply on record. It is taken on record. The application stands disposed of accordingly.</p> <p>List on 25.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) Member (A) sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 956 of 2015 with M.A. No. 957 of 2015

Inre O.A. No. 207 of 2010

Jagdish Singh Shekhawat

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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri V.P. Pandey holding brief of Shri Nishant Verma, counsel for the applicant and Shri R.S. Mishra, learned counsel for the respondents.</p> <p>On the call of case, Shri V.P. Pandey appeared and stated that the mother of Shri Nishant Verma is seriously ill, and prayed for adjournment.</p> <p>List on 13.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 958 of 2015 with M.A. No. 959 of 2015

Inre O.A. No. 86 of 2014

Rajan Singh Rajpoot

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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri V.P. Pandey holding brief of Shri Nishant Verma, counsel for the applicant and Shri Mukund Tewari, learned counsel for the respondents.</p> <p>On the call of case, Shri V.P. Pandey appeared and stated that the mother of Shri Nishant Verma is seriously ill, and prayed for adjournment.</p> <p>List on 13.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J) sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 75 of 2015 with M.A. No. 1144 of 2015 & M.A. No. 1292 of 2015

Ravi Singh Thakur

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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>On the case being called out in the revised list, neither the applicant nor his counsel or anyone else appears on behalf of the applicant.</p> <p>Accordingly, Original Application No. 75 of 2015 together with Misc. Application No.1144 of 2015 and Misc. Application No.1292 of 2015 is dismissed for want of prosecution.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 89 of 2009

Rajendra Prasad 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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, counsel for the applicant and Shri Dileep Singh, counsel for the respondents.</p> <p>As prayed by the learned counsel for the applicant, list on 07.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 36 of 2013

Man 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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Lt Col (Retd.) A.K. Saxena, counsel for the applicant and Shri Mukund Tewari, counsel for the respondents.</p> <p>Learned counsel for the respondents prays for some more time to file objection against amendment application.</p> <p>As a measure of last opportunity, two weeks and no more time is granted to the learned standing counsel for filing objection against amendment application.</p> <p>List on 14.08.2015 for disposal of amendment application before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J) sry</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**EX.A. No. 11 of 2015 with M.A. No. 1330 of 2015 & M.A. No. 1341 of 2015
Inre O.A. No. 148 of 2013**

Jatinder Kumar Pandey
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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri V.P.Pandey, counsel for the applicant, and Shri Mukund Tewari, counsel for the respondents.</p> <p>Learned standing counsel states that at least two months' more time is required to get the judgment of this Court implemented and complied with.</p> <p>Time prayed for is granted.</p> <p>List on 07.10.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

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

Court No. 3

M.A. No. 1655 of 2014
Inre O.A. No. 138 of 2011

V.K. 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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.K. Shukla, counsel for the applicant and Shri Dileep Singh, counsel for the respondents.</p> <p>Heard the learned counsel for both the parties at length.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 83 of 2013 with M.A. No. 153 of 2015

Shyam Sunder 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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, counsel for the applicant and Shri D.S. Tiwari, counsel for the respondents.</p> <p><u>Misc. Application No.153 of 2015</u></p> <p>This is an application for taking supplementary counter affidavit on record. It is taken on record. The application stands disposed of accordingly.</p> <p>Learned counsel for the applicant wants to file supplementary rejoinder affidavit to the said supplementary counter affidavit. He prays for and is granted ten days' time for the same.</p> <p>List on 18.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) Member (A) sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

Court No. 3

T.A. No. 28 of 2009

Pramod Bhosle
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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, counsel for the applicant and Shri R.S. Mishra, counsel for the respondents.</p> <p>Learned counsel for the applicant states that he is not prepared with the brief. He wants ten days' more time to prepare the case.</p> <p>Time prayed for is granted.</p> <p>Since the matter pertains to the year 2009, list it on 19.08.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J) sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

TA. No. 85 of 2011

Inder Deo

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>29.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri S.K. Singh, counsel for the applicant and Shri A.K. Singh, counsel for the respondents.</p> <p>Heard learned counsel for both the parties.</p> <p>As directed earlier, the respondents have not produced the original record in relation to ACRs of the applicant for the years 2001-2003. They are further directed to produce the relevant original record on the next date.</p> <p>List on 28.08.2015 for further hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 402 of 2011

Dinesh 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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Maj. (Retd.) R.D. Singh, counsel for the applicant and Shri Prakhar Kankan, counsel for the respondents.</p> <p>Heard the learned counsel for the parties.</p> <p>This O.A. has been preferred by the applicant in respect of non-implementation of the judgment and order dated 19.07.2011 passed by this Tribunal in O.A. No.258 of 2010, whereby a direction was issued that the applicant should either report at 3-Rajput Regiment or at the Regimental Centre, Fatehgarh. It was further directed that in case the applicant reported, he should be dealt with in accordance with law in the light of the provisions of Regulations for the Army, including Regulation 376 and the provisions of the Army Act and Rules.</p> <p>By means of this petition, the applicant submits that he tried to report to Opposite Party Nos. 3 and 4, but he was not taken on roll, as such the aforesaid judgment and order has not been complied with by the respondents.</p> <p>It has been submitted by the learned Standing Counsel that the applicant was to report either at 3-Rajput Regiment or at the Regimental Centre, Fatehgarh, as directed by this Court, but he failed to do so. Although, it has been rebutted by the learned counsel for the applicant and has been submitted that the applicant along with his one relative tried to report to respondent No.3 on 03.09.2011, but still he was not taken on roll.</p> <p>In the aforesaid circumstances, we find that interest of justice will be met, if the respondents are directed to allow the</p>

applicant to report either at 3-Rajput Regiment or at the Regimental Centre, Fatehgarh, if he submits himself within two weeks from today.

In case the applicant reports within two weeks from today, as directed above, he shall be taken on roll and shall be dealt with in accordance with law in the light of the provisions of Regulations for the Army, including Regulation 376 and the provisions of the Army Act and Rules. The applicant shall also be provided medical treatment.

With the aforesaid observation, the instant O.A. stands disposed of finally, at the admission stage itself.

(Lt Gen Anand Mohan Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

sry

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

T.A. No. 125 of 2010

Joginder 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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, counsel for the applicant and Shri Dileep Singh, learned counsel for the respondents.</p> <p>On the call of the case, Shri P.N. Chaturvedi, learned counsel for the applicant submits that he wants some more time to submit the copy of the SCM proceedings, which has not been filed along with this T.A.</p> <p>One month's time is allowed to the learned counsel for the applicant for the said purpose.</p> <p>List on 03.09.2015 for admission before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) Member (A) sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

T.A. No. 69 of 2013 with M.A. No. 66 of 2015 & M.A. No. 1180 of 2015

Col Dayanand

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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri Rakesh Johari, counsel for the applicant.</p> <p><u>Misc. Application No.1180 of 2015</u></p> <p>This is an application seeking amendment in grounds as well as prayer of this T.A. to the extent that the applicant had preferred a Post confirmation Petition dated 05.08.1997 under Section 164 (2) of the Army Act against the findings and sentence of General Court Martial, but since the same has been rejected by the respondents vide order dated 26.03.1996. The applicant prays that he be permitted to amend the grounds as well as prayer clause.</p> <p>In spite of time being granted to the respondents, no objection has been filed on their behalf.</p> <p>We allow the amendment application. Let the amendments be incorporated within two weeks.</p> <p>Misc. Application No.66 of 2015 has been wrongly listed, as it has already been decided.</p> <p>Since the matter pertains to the year 2013; counter and rejoinder affidavits have already been exchanged, list this case on 19.08.2015 for admission before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) Member (A) sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

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

O.A. No. 319 of 2012

Sooraj Pal 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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.N. Chaturvedi, counsel for the applicant and Shri Ashutosh Kumar Srivastava, standing counsel for the respondents.</p> <p>Learned counsel for the applicant submits that the applicant is not feeling well and confined to bed, as such he prays for one month's further time to move amendment application.</p> <p>Time prayed for is granted.</p> <p>List on 04.09.2015 before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 324 of 2013

Prabodh Nath Tiwari

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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri Rohit Kumar, counsel for the applicant and Mrs. Deepti Prasad Bajpia, counsel for the respondents.</p> <p>Since the counter and rejoinder affidavits have been exchanged, matter requires hearing.</p> <p>List on 14.09.2015 for hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>It is expected that the respondents shall produce the original record pertaining to the SCM proceedings on the date fixed.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 52 of 2015 with M.A. No. 984 of 2015 & M.A. No. 1090 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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri P.K. Shukla, counsel for the applicant and Mrs. Deepti Prasad Bajpai, counsel for the respondents.</p> <p><u>Misc. Application No.984 of 2015</u></p> <p>This is an application for taking counter affidavit on record. It is taken on record. The application stands disposed of, accordingly.</p> <p><u>Misc. Application No.1090 of 2015</u></p> <p>This is an application for taking supplementary affidavit on record. It is taken on record. The application stands disposed of, accordingly.</p> <p>List on 03.09.2015 for orders/admission before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) Member (A) sry</p> <p>(Justice Abdul Mateen) Member (J)</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. (A) No. 285 of 2014 with M.A. No. 616 of 2015 & M.A. No. 1344 of 2015

B.B. Chaudhari

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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri Rohit Kumar, counsel for the applicant, and Shri D.S. Tiwari, counsel for the respondents.</p> <p><u>Misc. Application No.616 of 2015</u></p> <p>This is an application for taking objection affidavit on record. It is taken on record. The application stands disposed of accordingly.</p> <p><u>Misc. Application No.1344 of 2015</u></p> <p>This is an application for taking supplementary rejoinder affidavit on record in reply to the objection affidavit of the respondents. It is taken on record. The application stands disposed of accordingly.</p> <p>Heard the learned counsel for the applicant on the question of admissibility of this O.A., which, as per objection raised on behalf of the respondents, is not maintainable before this Regional Bench of the Tribunal at Lucknow. Learned counsel for the applicant submits that the petition is maintainable here for the reasons that the applicant, who was a deserter had himself appeared at M H Namkun, Jharkhand, but he was not taken on roll as per averments made by the applicant as stated in the annexure page 83 of the paper book in the summary of evidence, thereafter the applicant surrendered at the AMC Centre, Lucknow, as such part of cause of action has arisen within the territorial jurisdiction of Lucknow.</p> <p>It has been opposed by the learned Standing Counsel that since the applicant has been tried at Namkun, Jharkhand, present</p>

petition is not maintainable at Lucknow.

Shri Rohit Kumar, learned counsel for the applicant further submits that at present the applicant resides at Allahabad and he (Rohit Kumar) himself has received a communication in relation to this case at his residence at Allahabad, therefore, the jurisdiction lies with Lucknow Bench of the Tribunal.

We are not impressed by the submissions made by the learned counsel for the applicant. The jurisdiction of this case lies with the Regional Bench of the Tribunal having territorial jurisdiction over Ranchi.

Accordingly, we dismiss this O.A. for want of jurisdiction.

(Lt Gen Anand Mohan Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

sry

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

O.A. No. 490 of 2012

Pradeep 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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri Rohit Kumar, counsel for the applicant.</p> <p>As prayed by the learned counsel for the applicant, list on 30.09.2015 for hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

T.A. No. 1451 of 2010 with M.A. No. 1211 of 2014

Anil Kumar

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>28.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt Gen Anand Mohan Verma, Member (A)</u></p> <p>Present : Shri Rohit Kumar, counsel for the applicant.</p> <p>As prayed by the learned counsel for the applicant, list on 14.09.2015 for hearing before the appropriate court having jurisdiction, as per the roster of that date.</p> <p>(Lt Gen Anand Mohan Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>sry</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**M.A. No. 1203 of 2015 with M.A. No. 1204 of 2015
& M.A. No. 1337 of 2015
(Inre : T.A. No. 213 of 2009)**

Hans Lal Singh Kushwaha
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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant, and Shri Rajesh Kumar, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p><u>Misc. Application No. 1337 of 2015.</u></p> <p>This is an application for recall of the order dated 7.5.2015 by means of which T.A. No. 213 of 2009 has been dismissed for non-prosecution. No doubt, the applicant had earlier moved a restoration application, being M.A. No. 1204 of 2015, but since in the affidavit the reason for non-appearance was not properly explained therein, learned counsel for the applicant was directed to file a better affidavit explaining properly the reasons for non-appearance on 7.5.2013.</p> <p>By means of this M.A. No. 1337 of 2015 the applicant tried to explain the reason for his non-appearance on 7.5.2015. We have gone through the affidavit and it seems that the reason shown in paragraph no. 5 of the affidavit for non-appearance on 7.5.2015 seems to be genuine. Accordingly, M.A. No. 1337 of 2015 along with M.A. No. 1204 of 2015 are allowed. The order dated 7.5.2015 is hereby recalled. The office is directed to restore the T.A. to its original number.</p> <p>We also find from the record that the rejoinder affidavit is on record but the counter affidavit is not available on the original record, though a copy of the same is available with the Bench copy. The office is directed to trace out the original counter affidavit and place it on record.</p>

List on 11.8.2015 for orders/admission before the appropriate Court having jurisdiction, as per roster of that date.

(Air Marshal Anil Chopra)
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. 03 of 2014

Devendra Nath 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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Vinod Kumar Mishra holding brief of Shri N.L. Pandey, learned counsel for the applicant, and Shri Devendra Kumar, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case Shri Vinod Kumar Mishra appeared and stated that Shri N.L. Pandey, 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>However, while going through the record we find that the Bench copy of this T.A. has also not yet been filed, as directed by this Court on 5.5.2015. Learned counsel for the applicant is, therefore, directed to supply Bench copy of this T.A. by the next date.</p> <p>As prayed, list on 24.8.2015 for orders/admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) 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

M.A. No. 702 of 2013

Smt. Malti Devi

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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, 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. Ridhishri Sharma, Departmental Representative.</p> <p>Heard learned counsel for the parties on this M.A. No. 702 of 2013.</p> <p>This is an application for condoning the delay in filing the Original Application. The O.A., which is yet to be registered, has been filed by the applicant aggrieved against the final order passed on 30.8.1993 in SCM. However, the delay since 30.8.1993 has not been properly explained in this M.A. No. 702 of 2013.</p> <p>Learned counsel for the applicant prays for and is granted a week's time to file better affidavit explaining the reasons for the delay in filing the O.A.</p> <p>List on 12.8.2015 for orders before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Air Marshal Anil Chopra) 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. 157 of 2014 with M.A. No. 105 of 2015

Umesh 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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri P.N. Chaturvedi, learned counsel for the applicant, and Shri Ashutosh Kumar Srivastava, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p><u>Misc. Application No. 105 of 2015.</u></p> <p>Counter affidavit, filed by the respondents, is taken on record. This application stands disposed of.</p> <p>Learned counsel for the applicant states that rejoinder affidavit is ready and to be filed before the Registry of this Tribunal. He, therefore, prays for and is granted three days' time to file rejoinder affidavit.</p> <p>List on 13.8.2015 for orders/admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Air Marshal Anil Chopra) 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. 88 of 2013 with M.A. No. 1327 of 2015

Birender 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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Memo of appearance filed by Shri Devendra Kumar on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Rohit Kumar, learned counsel for the applicant, and Shri Devendra Kumar, learned counsel for the respondents, along with Capt. Ridhishri Sharma, Departmental Representative.</p> <p><u>Misc. Application No. 1327 of 2015.</u></p> <p>The supplementary affidavit, filed on behalf of the applicant, is taken on record. This application stands disposed of.</p> <p>While going through the order-sheets we find that this T.A. has not yet been admitted either before the Hon'ble Allahabad High Court or before this Tribunal. The office is, therefore, directed to list this case for admission on 7.8.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Air Marshal Anil Chopra) 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. 336 of 2011

Bipan 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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Capt. Ridhishri Sharma, Departmental Representative.</p> <p>On call of the case Shri V.P. Pandey, Advocate, appeared and stated that the mother of Shri Nishant Verma, learned counsel for the applicant, has undergone operation, as such Shri Verma could not come to this Court today. Shri Pandey, therefore, prays for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 28.8.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Air Marshal Anil Chopra) 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. 188 of 2013 with M.A. No. 1075 of 2014

Ex Wing Cdr Ashwini Kumar Handa

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>24.07.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri A.K. Singh, learned counsel for the respondents, along with W.O. Deshraj Singh, Departmental Representative.</p> <p>On call of the case Shri A.K. Singh, learned Standing Counsel, informs this Court that Shri R. Chaubey, learned counsel for the applicant, has expired.</p> <p>The Registry is, therefore, directed to issue notice to the applicant informing him that since his counsel, Shri R. Chaubey, has expired, he may engage some other counsel by the next date of listing, if he intends to contest his case before this Tribunal.</p> <p>List on 18.9.2015 for orders/hearing before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>