

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.1)
O.A. No. 1069 of 2022 with M.A. No. 1274 of 2022

BHM Jeewan Chandra Papnai (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Ram Saran Awasthi, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p style="text-align: center;"><u>M.A. No. 1274 of 2022</u></p> <p>This is an application for condonation of delay in filing Original Application. As per office report, there is delay of 03 years, 11 months and 27 days in filing Original Application.</p> <p>Heard Ms Upasna Mishra, Shri Kapil Sharma and Shri Raj Kumar Mishra, learned counsel for the applicant and Shri Ram Saran Awasthi, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant submits that delay is not deliberate. He further submits that being a pensionary matter, delay may be condoned.</p> <p>On the other hand, learned counsel for the respondents opposed the prayer and submitted that delay has not been properly explained.</p> <p>Cause shown is sufficient and supported by affidavit.</p> <p>Accordingly, delay is condoned. M.A. No. 1274 of 2022 is disposed off.</p> <p><u>O.A. No. 1069 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 18.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.2)
O.A. No. 1070 of 2022 with M.A. No. 1275 of 2022

Ex Sgt Kalika Prasad
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Rajesh Kumar Singh Chauhan, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p style="text-align: center;"><u>M.A. No. 1275 of 2022</u></p> <p>This is an application for condonation of delay in filing Original Application. As per office report, there is delay of 03 years and 11 months in filing Original Application.</p> <p>Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, learned counsel for the applicant and Shri Ashish Agnihotri, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant submits that delay is not deliberate. He further submits that being a pensionary matter, delay may be condoned.</p> <p>On the other hand, learned counsel for the respondents opposed the prayer and submitted that delay has not been properly explained.</p> <p>Cause shown is sufficient and supported by affidavit.</p> <p>Accordingly, delay is condoned. M.A. No. 1275 of 2022 is disposed off.</p> <p style="text-align: center;"><u>O.A. No. 1070 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 18.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 1071 of 2022

Ex Sgt Deepak Verma
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri AK Sahu, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is list next.</p> <p>Heard Shri Bipin Kumar Sharma, Shri Kapil Sharma and Shri Raj Kumar Mishra, learned counsel for the applicant and Shri AK Sahu, learned counsel for the respondents.</p> <p>The case needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 18.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 1072 of 2022

JWO Sanjay Kumar Srivastava (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Bipin Kumar Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p>Heard Shri Kapil Sharma, Shri Raj Kumar Mishra and Ms Upasna Mishra, learned counsel for the applicant and Shri Bipin Kumar Singh, learned counsel for the respondents.</p> <p>The case needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 18.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.5)
O.A. No. 1073 of 2022 with M.A. No. 1276 of 2022

Cpl Ram Dal Chaudhary (Retd)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Shri Arvind Kumar Pandey, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list when the case is listed next.</p> <p><u>M.A. No. 1276 of 2022</u></p> <p>This is an application for condonation of delay in filing Original Application. As per office report, there is delay of 03 years, 11 months and 26 days in filing Original Application.</p> <p>Heard Shri Kapil Sharma, Shri Raj Kumar Mishra and Ms Upasna Mishra, learned counsel for the applicant and Shri Arvind Kumar Pandey, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant submits that delay is not deliberate. He further submits that being a pensionary matter, delay may be condoned.</p> <p>On the other hand, learned counsel for the respondents opposed the prayer and submitted that delay has not been properly explained.</p> <p>Cause shown is sufficient and supported by affidavit.</p> <p>Accordingly, delay is condoned. M.A. No. 1276 of 2022 is disposed off.</p> <p><u>O.A. No. 1073 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 18.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.6)
O.A. No. 1074 of 2022 with M.A. No. 1277 of 2022

Ex Sub Shishu Pal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Mrs Kavita Mishra, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</p> <p style="text-align: center;"><u>M.A. No. 1277 of 2022</u></p> <p>This is an application for condonation of delay in filing Original Application. As per office report, there is delay of 11 months and 26 days in filing Original Application.</p> <p>Heard Shri VP Pandey, Shri Rakesh Kumar Singh, learned counsel for the applicant and Mrs Kavita Mishra, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant submits that delay is not deliberate. He further submits that being a pensionary matter, delay may be condoned.</p> <p>On the other hand, learned counsel for the respondents opposed the prayer and submitted that delay has not been properly explained.</p> <p>Cause shown is sufficient and supported by affidavit.</p> <p>Accordingly, delay is condoned. M.A. No. 1277 of 2022 is disposed off.</p> <p style="text-align: center;"><u>O.A. No. 1074 of 2022</u></p> <p>Case needs Adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 19.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 1075 of 2022 with M.A. No. 1278 of 2022

Ex Sgt Krushna Chandra Rout
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Mrs Amrita Chakraborty, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</p> <p>On the case being listed for hearing Shri VP Pandey and Shri Rakesh Kumar Singh, learned counsel for the applicant and Mrs Amrita Chakraborty, learned counsel for the respondents are present.</p> <p>Learned counsel for the respondents submits that she intends to file objection on maintainability of the O.A.</p> <p>She prays for and is granted two weeks time to file objection, if any, on maintainability of O.A.</p> <p>List on 04.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.8)
O.A. No. 1076 of 2022 with M.A. No. 1279 of 2022

Ex HFO Kamlesh Kumar Mishra
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Memo of appearance filed by Ms Preeti Mala, Advocate on behalf of the respondents is taken on record. Her name shall be shown in the cause list when the case is listed next.</p> <p style="text-align: center;"><u>M.A. No. 1279 of 2022</u></p> <p>This is an application for condonation of delay in filing Original Application. There is delay of 02 years, 11 months and 26 days in filing Original Application.</p> <p>Heard Shri V P Pandey and Shri Rakesh Kumar Singh, learned counsel for the applicant and Ms Preeti Mala, learned counsel for the respondents on delay condonation application.</p> <p>Learned counsel for the applicant submits that delay is not deliberate. He further submits that being a pensionary matter, delay may be condoned.</p> <p>On the other hand, learned counsel for the respondents opposed the prayer and submitted that delay has not been properly explained.</p> <p>Cause shown is sufficient and supported by affidavit.</p> <p>Accordingly, delay is condoned. M.A. No. 1279 of 2022 is disposed off.</p> <p style="text-align: center;"><u>O.A. No. 1076 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit.</p> <p>List on 19.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.9)

Ex No 111 of 2022 Inre O.A. No. 38 of 2021

Swamy Nath S/o late Ex Nk Bagedu Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri R. Chandra, learned counsel for the applicant and Shri Manu Kumar Srivastava, learned counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for and is granted two weeks time to file affidavit of compliance.</p> <p>List on 04.01.2023.</p> <p>In the meantime, learned counsel for the respondents shall obtain requisite documents through courier.</p> <p>Let copy of this order be issued to OIC Legal Cell free of cost.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 532 of 2022

Smt Jal Devi w/o Late Ex Nk Ram Naresh Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri Vijay Kumar Pandey, learned counsel for the applicant and Shri Ashish Kumar Singh, learned counsel for the respondents are present.</p> <p>Learned counsel for the respondents prays for and is granted three weeks further time to file counter affidavit.</p> <p>Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks.</p> <p>List on 24.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 553 of 2022

Ex Nk Bans Raj

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On the case being taken up for hearing Shri R Chandra, learned counsel for the applicant and Dr. Shailendra Sharma Atal, learned counsel for the respondent No 1-4 are present.</p> <p>Counter affidavit filed by Shri Saket Srivastava, Advocate on behalf of respondent No 5 & 6 is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted two weeks time to file rejoinder affidavit.</p> <p>List on 21.12.2022.</p> <p>Meanwhile, applicant is directed to report to concerned bank on 20.12.2022 as suggested by Shri Saket Srivastava, Advocate alongwith his Aadhar Card and PAN Card for completion of formalities with regard to life certificate.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No.3 (Sl. No.13)

O.A. No. 676 of 2022

Nk Ram Pal (Retd) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>1. Heard Shri Ravi Kumar Yadav, learned counsel for the applicant and Shri Arun Kumar Sahu, learned counsel for the respondents.</p> <p>2. Brief facts of the case are that applicant was initially enrolled in Indian Army on 11.02.1984 and was discharged from service w.e.f. 31.12.1999 (AN) after rendering 15 years, 10 months and 19 days service for which he is in receipt of service pension vide PPO No S/044370/1999 (Army). Thereafter, he was re-enrolled in Defence Security Corps (DSC) on 12.09.2005 and after completing 14 years, 06 months and 19 days qualifying service he was discharged from DSC on 31.03.2020 (AN) under the provisions of Army Rule 13 (3) III (i). As per rule, 15 years of minimum service is required for second service pension, but as there was deficiency of 05 months and 11 days in qualifying service, applicant was not granted second service pension of DSC. Applicant has preferred the present O.A. for condoning the short fall in service for grant of second service pension for his services rendered in DSC.</p> <p>3. It is submitted by learned counsel for the applicant that as per Govt. of India, Ministry of Defence letter dated 14.08.2001 condonation of shortfall in qualifying service upto 12 months is allowed for grant of pension in respect of personnel below officers rank. However, there being a shortfall of 05 months & 11 days in the case of the applicant, shortfall was not condoned by the respondents in view of Govt of India, Ministry of Defence letter dated 14.08.2001. Learned counsel for the applicant also relied upon Judgment of Armed Forces Tribunal (RB) Chandigarh in O.A. No. 1711 of 2012, <i>Nand Kishore vs. Union of India and Others</i> decided on 18.07.2012 and</p>

Union of India and another vs. Surender Singh Parmar in Civil Appeal No. 9389 of 2014 decided on 20.01.2015 and AFT (PB), New Delhi in O.A. No. 658/2016, ***Ex Nk Ghurahu Ram vs. Union of India and Ors***, decided on 08.07.2016.

4. Learned counsel for the applicant further submitted that Para 173 of Defence Service Regulations Part-I, 2008, clearly says that grant of pensionary award to personnel of DSC shall be governed by the same Regulations as are applicable to personnel below officers' rank in the Army except where they are inconsistent with the provisions of Regulations. Thus, he submits that Government of India, Ministry of Defence, letter dated 14.08.2001 being equally applicable in case of applicant also, deficiency of 05 months and 11 days in minimum qualifying service under the provisions of Para 125 of Pension Regulations for the Army, 1961 (Part-1) is liable to be condoned and applicant is entitled to second service pension.

5. Per contra, learned counsel for the respondents has vehemently opposed and submitted that applicant on attaining the age of 57 years was discharged from DSC service wef 31.03.2020 (AN) under the provisions of Army Rule 13 (3) item III (i) after rendering 14 years, 06 months and 19 days qualifying service for which he was paid service gratuity and retirement gratuity. Applicant is deficient of 05 months and 11 days for grant of second service pension. He submitted that in terms of Rule 132 of Pension Regulations for the Army, 1961 (Part-1) and Rule 47 of Pension Regulations for the Army-2008 (Part-1), 'unless otherwise provided for, the minimum qualifying service for earning a service pension is 15 years'. In the instant case, the applicant had rendered only 14 years, 06 months and 19 days qualifying service in DSC, hence, he is not entitled for grant of second service pension for the service rendered by him in DSC. His case cannot be considered for condonation of deficiency in qualifying service for grant of second service pension in terms of Govt of India, Ministry of Defence letter no. 14(2)/2011/D(Pen/Pol) dated 23 April 2012 and 20.06.2017, as he is already in receipt of one service pension for the former service rendered by him in the Army. The intention behind condonation of shortfall in service for grant of service pension being based on the policy that individual must not be left high and dry but should be eligible for at least one service pension and the same being not applicable for the second service pension in respect of DSC, Government of India has issued letter dated 20.06.2017 and clarified that 'no condonation shall be allowed for grant of second service pension'. Keeping in view this letter and also that there is deficiency of 05 months and 11 days in qualifying service, as such, applicant is not entitled to second service pension. He pleaded for dismissal of O.A.

6. Having heard the submissions of learned counsel both sides and having gone through Rule 125 and 132 of Pension Regulations for the Army, 1961 (Part-1) as well as Govt. of India, Ministry of Defence letter dated 14.08.2001 and the Hon'ble Apex

Court judgment in ***Union of India & Ors vs. Surinder Singh Parmar and Ors*** in Civil Appeal No. 9389/2014, decided on 20.01.2015, we find that issue regarding condonation of deficiency in minimum qualifying service regarding service pension has been dealt with by different Benches of the Armed Forces Tribunal and it has been held therein that deficiency in qualifying service up to 1 year is condonable. Taking note of the above and also that there is deficiency of less than 1 year in qualifying service of the applicant and the said deficiency is condonable under Rule 125 of Pension Regulations for the Army, 1961 (Part-1) (Rule 44 of Pension Regulations Part-1, 2008), we find that applicant's claim regarding condonation in deficiency in qualifying service for the grant of second service pension of DSC deserves to be allowed.

7. Accordingly, O.A. is **allowed**. The shortfall of 05 months and 11 days in minimum qualifying service of the applicant in getting second service pension of DSC is condoned. Applicant is held entitled to get second service pension in DSC as well in addition to pension which he is already getting from the Army.

8. The respondents are directed to grant second service pension to the applicant from the date of his discharge. The respondents are further directed to pay arrears of second service pension from the date of notionally completion of 15 years of service. They are further directed to implement this order within a period of four months from the date of receipt of a certified copy of this order. Default will invite interest @ 8% p.a. till actual payment.

9. No order as to costs.

10. Pending Misc. Application(s), if any, shall stand disposed of.

(Lt Gen Rakesh Kumar Anand)
Member (A)

(Justice Anil Kumar)
Member (J)

rathore

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

O.A. No. 860 of 2022 with M.A. No. 1282 of 2022

Chandra Bhan Singh F/o Late Ex Sep Gitam Singh Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Heard Shri Veer Raghav Chaubey, learned counsel for the applicant and Ms. Prerna Singh, learned counsel for the respondents.</p> <p><u>M.A. No. 1282 of 2022</u></p> <p>Learned counsel for the applicant submits that he intends to implead applicant No 3 and 4, being daughters of the deceased soldier, in the O.A., which is allowed.</p> <p>There is no objection from the side of the respondents. M.A. No. 1282 of 2022 is disposed off.</p> <p><u>O.A. No. 860 of 2022</u></p> <p>Learned counsel for the applicant shall incorporate the changes within a week.</p> <p>Issue notice to the newly made parties returnable within four weeks.</p> <p>Steps within one week.</p> <p>List on 30.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 954 of 2022

Ex Hony Nk Lal Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>Heard Shri Vinay Pandey, Shri Devendra Kumar and Shri Ved Prakash, learned counsel for the applicant and Shri GS Sikarwar, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the applicant, three weeks time is granted to comply order dated 17.11.2022 passed by this Tribunal.</p> <p>List on 09.01.2023.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>

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

O.A. No. 378 of 2019

Smt Dewanti Devi & Another
By Legal Practitioner for the Applicant

Applicants

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.12.2022</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Lt Gen Rakesh Kumar Anand, Member (A)</u></p> <p>On call of the case Shri GS Sikarwar, Advocate appeared on behalf of Shri Jai Narayan Mishra, learned counsel for the respondents and prayed for adjournment.</p> <p>In the interest of justice, the case is adjourned for the day.</p> <p>List on 22.12.2022.</p> <p style="text-align: center;">(Lt Gen Rakesh Kumar Anand) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>rathore</p>