

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 15.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.-N. No. 13 of 2010

Mohan 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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 15.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 299 of 2013 with M.A. No. 966 of 2014

Surendra 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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 22.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 29 of 2014

Radhey Shyam

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 11.02.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 53 of 2014 with M.A. No. 1049 of 2014 & M.A. No. 1349 of 2014

Praveen Kumar

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 12.02.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 13.02.2015.</p> <p>I/C Registrar</p> <p>rpm/-</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

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 26.02.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 457 of 2010

Amit Kumar Khatkar

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 19.12.2014 for admission.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1352 of 2010

Ashok Kumar Shukla

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>05.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.12.2014 for admission.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1383 of 2014

Dhebe Shashikant Babu

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 15.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1718 of 2014
(Inre: T.A No. 163 of 2009)

RV Prasad
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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 16.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 265 of 2014

Abhishek 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 16.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 256 of 2014

Ram Chandra 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 17.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</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. 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave.</p> <p>Shri G.D. Pungle, PCDA(P), Allahabad appeared in person before Hon'ble Lt. Gen. A.M. Verma, Member (A); and requested for exemption of personal appearance. Accordingly, he has been exempted for personal appearance in future.</p> <p>List on 22.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**M.A. No. 83 of 2014 with M.A. No. 1122/14, M.A. 1123/14, M.A. 1342/14,
M.A.1343/14 & M.A. No. 1719 of 2014
(Inre: O.A. 243 of 2014)**

Sgt Kesho Dubey
By Legal Practitioner for Applicant

Applicant

Versus

Air Chief Marshal Arup Raha
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
<p><u>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 16.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**M.A. No. 400 of 2014 with M.A. No. 1334 of 2014 & M.A. No.1339 of 2014
(Inre: O.A. 334 of 2011)**

RD 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 16.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 15.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 17.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 325 of 2013

Surender Singh 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 22.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 82 of 2014

Yogesh 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 15.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 109 of 2014 with M.A. 1674 of 2014

Mukesh Kumar

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 139 of 2014 with M.A. 1720 of 2014

Prabhat 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 204 of 2014

Ved Pal

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 22.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1065 of 2010 with M.A. No. 1116 of 2014

RN 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 238 of 2010

PP Maity

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 22.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 07.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</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
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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 02.02.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 59 of 2009

Jai Nath 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 149 of 2010

Virendra 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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 23.12.2014.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 744 of 2010

C.P. Bhagat

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 06.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1409 of 2010

Sutan

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>04.12.2014</u></p> <p>One Hon'ble Member of the Bench i.e. Hon'ble Mr. Justice Abdul Mateen, Member (J) is on leave; hence put up on 07.01.2015.</p> <p>I/C Registrar</p> <p>rpm/-</p>	

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX.-A. No. 45 of 2014
(Inre: T.A. No. 290 of 2010)

Ram Charan Kurmi
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>02.12.2014</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>This Execution Application No. 45 of 2014 has been filed by the applicant under Section 29 of the Armed Forces Tribunal Act, 2007 read with Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008 aggrieved against non-compliance of the judgment and order dated 19.4.2012, passed by this Tribunal in T.A. No. 290 of 2010.</p> <p>Earlier on 27.5.2014 this case was listed before the Hon'ble Bench consisting of Hon. V.K. Dixit, Member (J) and Hon. LT. Gen Gyan Bhushan, Member (A) and on the basis of compliance report submitted by the respondents this Execution Application No. 12 of 2013 was disposed of accordingly.</p> <p>Through this Execution Application No. 45 of 2014 the applicant has levelled allegations against the respondents that the</p>

respondents had mislead the Hon'ble Court by filing an affidavit stating therein that the aforesaid judgment and order dated 19.4.2012 has already been executed, though, in fact, the respondents have not yet executed the aforesaid judgment and order dated 19.4.2012.

It, therefore, seems necessary that this matter be placed before the Court concerned.

As prayed, list this case on 3.12.2014 before the Bench consisting of Hon. V.K. Dixit, Member (J) and Hon. LT. Gen Gyan Bhushan, Member (A).

(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. 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>02.12.2014</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 Anuj Dayal,, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the applicant on this Misc. Application No. 1680 of 2014 and perused the affidavit filed in support of the application.</p> <p>The reasons shown in the affidavit in support of the recall application seem to be genuine. Accordingly, Misc. Application No. 1680 of 2014 is allowed and the order dated 3.11.2014, passed by this Court dismissing M.A. No. 1064 of 2013 is hereby recalled. Misc. Application No. 1064 of 2013 is restored to its original number, provided the applicant deposits a sum of Rs. 500/- as cost in the AFT Bar Association within a period of ten days from today.</p> <p>As prayed, list this case on 22.1.2015 before the appropriate court having jurisdiction, as per roster.</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. 1728 of 2014 with M.A. No. 1729 of 2014
(Inre: T.A. No. 15 of 2014)

Kunwar Ambreshwar 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>02.12.2014</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.A. Singh, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>Misc. Application No. 1728 of 2014 has been filed by the applicant for condoning the delay in filing Misc. Application No. 1729 of 2014 praying therein to recall the order dated 8.9.2014 whereby T.A. No. 15 of 2014 was dismissed for non-prosecution.</p> <p>The reasons shown in the affidavits filed in support of the delay condonation application as well as the recall application seem to be genuine.</p> <p>Accordingly, both Misc. Applications No. 1728 of 2014 and 1729 of 2014 are allowed and the order dated 8.9.2014 is hereby recalled and T.A. No. 15 of 2014 is restored to its original number, provided the applicant deposits Rs. 500/- as cost in the AFT Bar Association within a period of ten days from today.</p>

List this case on 3.2.2015 before the appropriate court having jurisdiction, as per roster.

(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. 1508 of 2014
(Inre: T.A. No. 858 of 2010)**

Madhukar Kalu Jadhav
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>02.12.2014</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>In pursuance of the order dated 5.11.2014 and 25.11.2014, Ms. Bajpai states that she will file a detailed affidavit, during the course of the day, with respect to compliance of the judgment and order dated 17.7.2013, passed by this Tribunal in T.A. No. 585 of 2010. Ms. Bajpai, however, served a copy of the affidavit on Shri R. Chandra, learned counsel for the applicant today in Court.</p> <p>Shri Chandra intends to take instruction from his client as to whether the aforesaid judgment and order dated 17.7.2013 has been complied with in toto or not. He, therefore, prays for and is granted three weeks' time to obtain instruction.</p> <p>As prayed, list this case on 23.1.2015 before the appropriate court having jurisdiction, as per roster.</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

EX-A. No. 06 of 2014 with M.A. No. 1566 of 2014
(Inre: T.A. No. 94 of 2009)

Sayed Shahid Ali
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>02.12.2014</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 respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant.</p> <p>This Execution Application No. 06 of 2014 has been filed by the applicant aggrieved against non-compliance of the judgment and order dated 13.8.2013, passed by this Tribunal in T.A. No. 94 of 2009.</p> <p>Shri D.S. Tiwari states that the aforesaid judgment and order dated 13.8.2013 has been fully complied with and he has filed a compliance report, supported with an affidavit, before the Registry of this Court on 5.11.2014 after serving a copy of the same on learned counsel for the applicant, vide Misc. Application No. 1568 of 2014.</p> <p>On 5.11.2014 learned counsel for the applicant was granted time to inform this Court as to whether the aforesaid judgment and order has been complied with or not and the matter was fixed for today. No objection has been filed by the applicant as yet, neither</p>

there is any request from the side of the applicant to adjourn/pass over the case.

This Court, therefore, safely presumes, in view of the statement made by Shri D.S. Tiwari at Bar, that the aforesaid judgment and order of this Tribunal dated 13.8.2013 has been fully complied with. Accordingly, Execution Application No. 06 of 2014 is dismissed as infructuous.

(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. 871 of 2014 with M.A. No. 872 of 2014
(Inre: M.A. No. 64 of 2014)

Sachida Nand 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>02.12.2014</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.A. Singh, learned counsel for the applicant, and Mrs. Veera Bahadur Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>These two Misc. Application No. 871 of 2014 and Misc. Application No. 872 of 2014 have been listed today before this Court. Misc. Application No. 871 of 2014 has been filed by the applicant for condoning the delay in filing Misc. Application No. 872 of 2014 and Misc. Application No. 872 of 2014 has been filed by the applicant for recall of the order dated 21.4.2014, passed by the Hon'ble Bench consisting of Hon. S.C. Chaurasia, Member (J) and Hon. Air Marshal Anil Chopra, Member (A).</p> <p>Since the matter is for recall of the order dated 21.4.2014, passed by another Bench of this Tribunal, office is directed to list both the above applications before the Court concerned on 17.12.2014.</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. 600 of 2010

Sunil 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>02.12.2014</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 Mishra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Rohit Kumar appeared and stated that he still could not gather information about the outcome of the summary disposal matter, pending before the Hon'ble Supreme Court with respect to maintainability of this Transferred Application. He, therefore, prays further time to inform this Court whether the Hon'ble Supreme Court has passed any judgment and order by now or the matter is still pending before the Hon'ble Supreme Court.</p> <p>As prayed, list this case on 20.2.2015 before the appropriate court having jurisdiction, as per roster.</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. 03 of 2009

Awadhesh 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>02.12.2014</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 R.S. Mishra, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Rohit Kumar appeared and stated that he is still not aware with respect to the decision of the Hon'ble Supreme Court, pending before it, to the effect that as to whether this matter is cognizable by the Armed Forces Tribunal or not, since this matter relates to reduction in rank which does not fall under the parameter of Section 3(o)(iv) of the Armed Forces Tribunal Act, 2007 as it being the punishment imposed under the Summary Court Martial. Shri Rohit Kumar prays further time to inform this Court whether the Hon'ble Supreme Court has passed any judgment and order with respect to the above subject.</p> <p>As prayed, list this case on 20.2.2015 before the appropriate court having jurisdiction, as per roster.</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. 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>02.12.2014</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 R.S. Mishra, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Rohit Kumar appeared and stated that he is still not aware with respect to the decision of the Hon'ble Supreme Court, pending before it, in similar such matter, with respect to maintainability of this Transferred Application. He, therefore, prays further time to inform this Court whether the Hon'ble Supreme Court has passed any judgment and order by now or the matter is still pending before the Hon'ble Supreme Court.</p> <p>As prayed, list this case on 20.2.2015 before the appropriate court having jurisdiction, as per roster.</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. 1703 of 2014 with M.A. No. 1704 of 2014

(Inre: O.A. No. 172 of 2012)

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Lokendra Singh

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>02.12.2014</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 applicants along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Misc. Application No. 1703 of 2014 has been filed by the applicants for condoning the delay in filing Misc. Application No. 1704 of 2014, under Section 31(2) of the Armed Forces Tribunal Act, 2007 (called the 'Act' for short), praying for leave to appeal before the Hon'ble Supreme Court under Section 31(1) of the Act challenging the judgment and order dated 28.09.2012, passed by this Tribunal in Original Application No. 392 of 2012.</p> <p>We have gone through Section 31(2) of the Act which provides that "<i>An application to the Tribunal for leave to appeal to the Supreme Court shall be made within a period of thirty days beginning with the date of the decision of the Tribunal</i>". This application for leave to appeal has been filed, as per office report, delayed by 2 years, 05 months and 22 days. Apart from it, we have also gone through the application for leave to appeal and the aforementioned judgment of this Tribunal. We do not find any</p>

substantial point of law of general public importance is involved in the decision of this Tribunal so as to grant leave to appeal and condone the delay.

Further, so far as filing of application for leave to appeal beyond the period of limitation is concerned, the Hon'ble Supreme Court in the case of **Office of the Chief Post Master General & others v. Living Media India Ltd. & another** reported in 2012 STPL(LE) 46200 SC has observed that *“condonation of delay is an exception and should not be used as an anticipated benefit for government departments”* and since *“the claim 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.”*

In view of above, we hereby refuse to condone the delay. Accordingly, Misc. Application No. 1703 of 2014 is rejected. Since the aforementioned delay condonation application has been rejected, in consonance thereof Misc. Application No. 1704 of 2014, praying for leave to appeal, is also rejected .

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

(Justice Abdul Mateen)
Member (J)

rpm.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 319 of 2012 with M.A. No. 1571 of 2014

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>02.12.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, Shri R Chandra, advocate, appeared and stated that Shri K.K. Singh Visht, learned counsel for the applicant, is out of station and could not come to this Court. Shri R. Chandra prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 16.2.2015 for orders before the appropriate court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 596 of 2010

Udai Veer 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>02.12.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>List has been revised. Shri Vinay Pandey, advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant, is out of station and could not come to this Court. Shri Vinay Pandey prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 03.2.2015 for orders before the appropriate court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 408 of 2012

Rakesh 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>02.12.2014</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, learned counsel for the applicant, and Shri Rajesh Kumar, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri P.K. Shukla, learned counsel for the applicant appear and states that he is not prepared with brief and requested for adjournment. As such, the case is adjourned for the day.</p> <p>List on 17.02.2015 for hearing before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 500 of 2012

Manjit 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>02.12.2014</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 Shri Mukund Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri V.P. Pandey, learned counsel for the applicant appeared and prays for adjournment since he is not prepared with the brief. Accordingly, the case is adjourned for the day. It is also not in his knowledge, whether this case has been admitted or not.</p> <p>List on 18.02.2015 for admission before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 637 of 2010

Om Prakash

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>02.12.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, Shri Vinay Pandey, advocate, appeared and stated that Shri P.N. Chaturvedi, learned counsel for the applicant, is out of station and could not come to this Court. Shri Vinay Pandey prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 03.2.2015 for admission before the appropriate court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 264 of 2014

Col Mahesh 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>01.12.2014</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 Ms. Veera Bahadur Srivastava on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, her name be shown as counsel for the said respondents.</p> <p>Present: Shri Harjot Singh, learned counsel for the applicant, and Ms. Veera Bahadur Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Original Application has been filed by the applicant with prayer to set aside the order dated 01.07.2013 (Annexure A-1) passed by the respondent no. 1 and 2 and for considering the applicant for promotion to the rank of Brigadier.</p> <p>Learned Counsel for the applicant submitted that the orders have been passed without considering the excellent and dynamic service rendered by the applicant who produced and presented desired result in CI, Ops (Jammu and Kashmir).</p> <p>Arguments made by Learned counsel for the applicant seem to be genuine. Accordingly, this petition deserves to be admitted.</p> <p>Admit.</p>

Counter affidavit may be filed by the respondents within six weeks.
Rejoinder affidavit, if any, may be filed within four weeks thereafter.

List this case on 11.02.2015 for orders before the appropriate Court
having jurisdiction, as per roster.

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

(Justice Abdul Mateen)
Member (J)

rpm.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 239 of 2014

Chet Bahadur Khadka
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>01.12.2014</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 Ratnesh Lal, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard Shri Rohit Kumar, Learned Counsel for the applicant. Shri Ratnesh Lal, Learned Counsel for the respondents states on admission that the SCM was held when the applicant was posted at Mizoram and presently he is residing in Nepal. Thus this petition is not maintainable before the AFT, Lucknow on the aforementioned ground and as it comes under the jurisdiction of the AFT, Guwahati.</p> <p>Since the applicant is neither residing nor the cause of action arose under the jurisdiction of this Tribunal, as such this petition be placed before the Chairperson of Principal Bench, Armed Forces Tribunal, New Delhi for appropriate orders.</p> <p>Accordingly, Office is directed to expeditiously place this case before the Chairperson of the Principal Bench, AFT, New Delhi for orders with regard to jurisdiction.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY-No. 1116 of 2014 with EXA. No. 104 of 2013

Mithilesh Kumar 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>01.12.2014</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 Ms. Veera Bahadur Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>As it comes out from the order sheets that the respondents were directed to file objection indicating therein when the order dated 3.5.2012 rejecting the petition of the applicant was served upon the applicant.</p> <p>Ms. Veera Bahadur Srivastava states that she intends to file the same in registry today itself after serving a copy upon the counsel for the applicant.</p> <p>List on 12.12.2014 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1701 of 2014 with M.A. No. 1702 of 2014
(Inre: O.A. No. 392 of 2012)

Union of India & Others
By Legal Practitioner for Applicant

Applicants

Versus

MahendraPratap Singh
By Legal Practitioner for Respondents

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>01.12.2014</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 applicants along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Misc. Application No. 1701 of 2014 has been filed by the applicants for condoning the delay in filing Misc. Application No. 1702 of 2014, under Section 31(2) of the Armed Forces Tribunal Act, 2007 (called the 'Act' for short), praying for leave to appeal before the Hon'ble Supreme Court under Section 31(1) of the Act challenging the judgment and order dated 28.09.2012, passed by this Tribunal in Original Application No. 392 of 2012.</p> <p>We have gone through Section 31(2) of the Act which provides that "<i>An application to the Tribunal for leave to appeal to the Supreme Court shall be made within a period of thirty days beginning with the date of the decision of the Tribunal</i>". This application for leave to appeal has been filed, as per office report, delayed by 2 years and 27 days. Apart from it, we have also gone through the application for leave to appeal and the aforementioned judgment of this Tribunal. We do not find any substantial</p>

point of law of general public importance is involved in the decision of this Tribunal so as to grant leave to appeal and condone the delay.

Further, so far as filing of application for leave to appeal beyond the period of limitation is concerned, the Hon'ble Supreme Court in the case of **Office of the Chief Post Master General & others v. Living Media India Ltd. & another** reported in *2012 STPL(LE) 46200 SC* has observed that "*condonation of delay is an exception and should not be used as an anticipated benefit for government departments*" and since "*the claim 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.*"

In view of above, we hereby refuse to condone the delay. Accordingly, Misc. Application No. 1701 of 2014 is rejected. Since the aforementioned delay condonation application has been rejected, in consonance thereof Misc. Application No. 1702 of 2014, praying for leave to appeal, is also rejected .

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

(Justice Abdul Mateen)
Member (J)

rpm.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 339 of 2010

Krishan 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>01.12.2014</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.</p> <p>Heard learned counsel for the applicant on this Transferred Application which has come on transfer from the Hon'ble High Court at Allahabad and registered as T.A. No. 339 of 2010.</p> <p>The matter relates to punishment awarded to the applicant in SCM while attempting to sell an illegally country made pistol and examined sufficient witnesses under Section 69 of the Army Act read with Section 25 of Arms Act.</p> <p>Learned Counsel for the applicant stated that the out of eleven witnesses ten were not in support of the prosecution. Arguments made by the respondent counsel, seems to be genuine. Accordingly admit this petition.</p> <p>As the Counter and Rejoinder affidavits have been exchanged, list for hearing on 20.02.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY-No. 1639 of 2014 & M.A. No. 1346 of 2014 & M.A. No. 1564 of 2014

Manoj 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>01.12.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p><u>M.A. NO. 1346 of 2014</u></p> <p>Present: Shri Shailendra Kumar Singh, learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative.</p> <p>This application has been moved under Section 5 of the Limitation Act with prayer to condoning the delay in filing the original application. Copy of this original application was served to the respondents and as such objection has been filed by the respondents as Misc. Application no. 1564 of 2014.</p> <p>We have gone through both the applications and it comes out that the Objection filed by the respondents in Misc Application no. 1564 of 2014 is not sufficient and therefore rejected. Misc. Application No. 1346 of 2014 is allowed.</p> <p><u>OA(A). No. 269 of 2014.</u></p> <p>Heard Shri. S.K. Singh . learned Counsel for the applicant and Shri Mukund Tewari, learned counsel for the respondent at some</p>

length.

Learned Counsel for the respondents prays for and granted three weeks time to file objection on the original application.

List this case on 11.02.2015 for orders before the appropriate Court having jurisdiction, as per roster.

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

(Justice Abdul Mateen)
Member (J)

rpm.

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 126 of 2012

Braj Mohan Patel

By Legal Practitioner for Applicant

Applicant

Versus

Commanding Officer, 38 Med Regt

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.12.2014</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, Shri R. Chandra, advocate appear and states that Shri Yashovardhan Swaroop, learned counsel for the applicant is out of station and could not come to this Court and prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list this case on 12.02.2015 for order before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 79 of 2012

Shamim Khan

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>01.12.2014</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, No one appears for the applicant and after going through the records ,it comes out that the applicant had died. Notices were issued to the legal representatives of the deceased applicant on the address provided by the respondents but the same has been returned as un served due to incomplete address.</p> <p>The Departmental Representative states that she has received fresh address of the applicant and will file in registry during course of the day.</p> <p>Registry is directed to issue fresh notices on the new addresses provided by the Departmental Representative.</p> <p>List on 13.02.2015 before the Court concerned having jurisdiction as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</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 with M.A.No. 899 of 2014

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>01.12.2014</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: Lt Col(Retd) A.K. Saxena, learned counsel for the applicant and Ms. Veera Bahadur Srivastava, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, learned counsel for the respondents states that she intends to file Supplementary Counter Affidavit in registry in course of the day on amended copy of the T.A. filed by the Ld. Counsel for the applicant.</p> <p>Since the amended application has already been allowed on 03 April 2014, objection raised by the learned counsel for the respondent is rejected.</p> <p>List for hearing on 13.02.2015 before the Court having jurisdiction as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 279 of 2012

Shiv Kumar 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>01.12.2014</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 Dharmesh Sinha, 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, learned counsel for the applicant states that he is not prepared with the brief and requested for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list this case on 03.02.2014 for hearing before the appropriate court having jurisdiction, as per roster. Synopsis, which had been ordered, is not required.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm..</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 01 of 2013 with M.A. No. 951 of 2014

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>01.12.2014</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.A. Singh, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri V.A. Singh learned counsel for the applicant states that the documents relating to medical ailment of the applicant which were ordered to be produced by the order of 01.10.2014, are not ready. As such he prays for adjournment. Accordingly, this case is adjourned for the day.</p> <p>List this case on 06.02.2015 for hearing before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 486 of 2010

Lalit Singh Chawda

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>01.12.2014</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(Retd) Y.R. Sharma, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>This case has been transferred to this Tribunal from the Hon'ble High Court at Jabalpur and registered as T.A. No 486 of 2010.</p> <p>We have gone through the record of the case and it comes out that this T.A. has not yet been admitted, though this case has been listed for hearing.</p> <p>As such list this case on 9.02.2015 for admission before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>