

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1084 of 2014
(Inre M.A. No. 144 of 2014)

Bhagwati 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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This is an application for condonation of delay in filing the Original application. As per office report dated 28.08.2014, there is delay of 05 years, 09 months and 25 days in filing the Original Application.</p> <p>Mrs. Deepti Prasad Bajpai, learned standing counsel, has filed memo of appearance on behalf of respondent Nos. 1 to 5. Her name be shown as counsel for the said respondents, when the case is listed next.</p> <p>Learned standing counsel prays for and is granted three weeks' time to file objection against delay condonation application.</p> <p>List on 26.09.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 173 of 2014

Sukh Nidhan Lal

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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Mrs. Deepti Prasad Bajpai, learned standing counsel, has filed memo of appearance on behalf of respondent Nos. 1 to 4.</p> <p>Heard learned counsel for both the parties on this O. A., by means of which the applicant has prayed for issuance of directions to the respondents to give him promotion to the rank of Subedar and for this purpose he has taken shelter of the judgment and order dated 17.04.2012 passed by this Tribunal in T.A. No.1216 of 2010, wherein direction was issued directing the respondents to grant notional promotion to the applicant to the rank of Nb. Subedar with effect from the date his next junior was promoted, with all consequential benefits, and the T.A. was allowed.</p> <p>It is admitted by the learned counsel for the applicant when the aforesaid order was passed by this Tribunal, the applicant was holding the post of Havildar and in terms of the said order, he was accorded notional promotion to the rank of Nb. Subedar with effect from the date his next junior was promoted, with all consequential benefits.</p> <p>Now based on the same very judgment, the applicant claims further promotion to the rank of Subedar, but the judgment does not</p>

say so, for future promotions of the applicant. The Original application is misconceived and deserves to be dismissed.

It is, accordingly, dismissed in limine at the admission stage itself.

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

(Justice Abdul Mateen)
Member (J)

SRY

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1082 of 2014 with M.A. No 1083 of 2014
(Inre T.A. No. 210 of 2010)

Union of India and others

Applicants

By Legal Practitioner for Applicant

Versus

Shiv Nath Singh

Respondent

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This application (Misc. Application No.1082 of 2014) has been filed for condonation of delay in filing the application for grant of leave to appeal to the Hon'ble Apex Court (Misc. Application No.1083 of 2014) against the judgment and order dated 26.04.2013 passed by this Tribunal in Transferred Application No.210 of 2010.</p> <p>As per office report dated 28.08.2014, there is delay of 02 years and 04 months in filing the application for leave to appeal. Section 31 (2) of the Armed Force Tribunal Act, 2007 puts a bar on moving such application after 30 days beginning with the date of decision. That apart, there being no point of law of general public importance involved in the decision, the delay condonation application as well as the application for leave to appeal deserves to be rejected.</p> <p>Accordingly, both the applications (Misc. Application Nos. 1082 and 1083 of 2014) are hereby rejected.</p> <p>(Lt. Gen A.M. 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. 1085 of 2014
In re: O.A. No.148 of 2013

Jitendra 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>29.08.2014</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>Misc. Application No.1085 of 2014</u></p> <p>This application has been moved by Shri V.P. Pandey, Advocate, stating that the applicant is the resident of Uttarakhand, and as such, this case be listed before Circuit Bench at Nainital.</p> <p>Accordingly, as prayed, we direct this case to be listed on the date already fixed in this case (01.09.2014) before Circuit Bench at Nainital.</p> <p>The application stands disposed of accordingly.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SRY</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**EX-A. No. 109 of 2013 with M.A. No 1081 of 2014
(Inre O.A. No. 310 of 2014)**

Radheyshyam 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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri A.K. Singh, learned counsel for the applicant states that after receiving the requisite PPO issued by the respondents, since there were certain mistakes in preparing the same, the same has been returned to the respondents with an affidavit of the applicant pointing out the mistakes crept in the PPO after service of the copy thereof on the learned counsel for the respondents on 28.08.2014, and the respondents have been asked to rectify the mistakes crept in the PPO.</p> <p>Shri Anand Kumar Singh, learned standing is directed to seek instructions and file affidavit with respect to the same and if certain mistakes are found therein, as pointed out by the learned counsel for the applicant, the same be rectified in accordance with law.</p> <p>List this case on 15.10.2014.</p> <p>(Lt. Gen A.M. 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. 30 of 2010

P Venkat Reddy

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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Learned standing counsel prays for and is granted three weeks further and no more time to file objection against amendment application.</p> <p>List on 30.09.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 16 of 2011 with M.A. No 700 of 2014

Jagbir 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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Since counter and rejoinder affidavits have been exchanged, the case is ripe for hearing. The matter relates to grant of disability pension, list on 17.11.2014 before appropriate Bench for final hearing.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 215 of 2012

N.K. 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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Virat Anand Singh, Advocate, holding brief of Shri Alok Kishor, states that the learned counsel for the applicant has not been able to come to the Tribunal today, and seeks adjournment for the day.</p> <p>As prayed, the case is adjourned to 11.11.2014.</p> <p>(Lt. Gen A.M. 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. 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>29.08.2014</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 Shri anand Kumar Singh on behalf of respondent Nos. 1 to 5 is taken on record. His name be shown as counsel for the said respondents, when the case is listed next.</p> <p>Since counter and rejoinder affidavits have been exchanged, the case is ripe for hearing.</p> <p>List on 04.12.2014 for final hearing.</p> <p>(Lt. Gen A.M. 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. 71 of 2014 with M.A. No 645 of 2014

Anoop 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>29.08.2014</u> <u>Hon’ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon’ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant is directed to supply a copy of Misc. Application No.645 of 2014 to the Departmental Representative, Major Narender Singh, during the course of the day, who will seek instructions with respect to the documents filed along with the said application from the officials of the Rai Bareli district, within three weeks.</p> <p>List on 29.09.2014.</p> <p>(Lt. Gen A.M. 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 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>29.08.2014</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, Shri R.Chandra, learned counsel for the applicant, is present.</p> <p>Departmental Representative, Major Narender Singh, prays for and is granted three weeks' time to file counter affidavit.</p> <p>List on 24.09.2014.</p> <p>(Lt. Gen A.M. 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. 171 of 2014

Pintu Verma

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>29.08.2014</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, Dr.S.K. Singh, learned counsel for the applicant is present. He desires to move an amendment application. He may do so and move the amendment application before the Registry of the Tribunal, within two weeks, after serving its copy to the learned counsel for the respondents.</p> <p>List on 08.10.2014.</p> <p>(Lt. Gen A.M. 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. 1074 of 2010

Om Prakash Chourasia

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>29.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Inspite of the amendment application having been moved on behalf of the applicant, as far back as in the month of April, 2012, no objection to it has been filed on behalf of the respondents.</p> <p>No doubt, the case was dismissed in July 2012 for want of prosecution and even after the same having been restored in the month of November, 2013, objection on behalf of the respondents could not be filed till date.</p> <p>As prayed by Departmental Representative, Major Narender Singh, as a measure of last opportunity, three weeks and no more time is granted to him to file objection to the said amendment application with specific rider that no further time will be granted.</p> <p>List on 25.09.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 1362 of 2010

Rakesh 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>29.08.2014</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, learned counsel for the applicant, Col (Retd.) Y.R. Sharma appears and intends to move amendment application, for which he was already granted time.</p> <p>As prayed by the learned counsel for the applicant, he may move the desired amendment application, within three weeks.</p> <p>List on 20.11.2014.</p> <p>(Lt. Gen A.M. 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. 119 of 2013

Kamla Devi

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>29.08.2014</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, learned counsel for the applicant, Shri R. Chandra appears and prays for grant of time to move amendment application.</p> <p>As prayed by the learned counsel for the applicant, he may move the desired amendment application, within two weeks.</p> <p>List on 30.09.2014.</p> <p>(Lt. Gen A.M. 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. 948 of 2010

Raghunandan Prasad

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>29.08.2014</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, learned counsel for the applicant, Shri P.N. Chaturvedi appears and prays for grant of time to move amendment application.</p> <p>As prayed by the learned counsel for the applicant, he may move the desired amendment application, within three weeks.</p> <p>List on 29.10.2014.</p> <p>(Lt. Gen A.M. 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

DY- No. 1109 of 2014
(Inre M.A. No. 144 of 2014)

Smt. Sushila 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>28.08.2014</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. No one appears for the applicant; neither there is any request to adjourn/pass over the case for the day.</p> <p>Accordingly, Dy. No.1109 of 2014, Smt. Sushila Devi vs. Union of India and others, is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. 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. 688 of 2014 with M.A. No 1072 of 2014

Balbir 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>28.08.2014</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>Misc. Application No.688 of 2014</u></p> <p>This is an application for condonation of delay in filing the Original Application relating to grant of Battle Casualty status. It has been averred that since September, 1997 during Operation Rakshak in Jammu & Kashmir, the applicant received injuries, on account of which he is unable to move and has to be on wheel chair.</p> <p>Objection has been received on behalf of the respondents, wherein so many points have been raised, but the fact regarding injuries sustained by the applicant has not been denied, therefore, we discard the objection filed by the respondents.</p> <p>Accordingly, delay condonation application is allowed and the delay in filing the Original Application is condoned.</p> <p>(Lt. Gen A.M. 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. 174 of 2014

Balbir 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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri Rohit Kumar, learned counsel for the applicant, on this Original application, which has been filed with the prayer to quash the rejection order dated 13.02.2014 and grant of Battle Casualty status to the applicant with all consequential benefits.</p> <p>Since it has been averred that the applicant received injury during Operation Rakshak in Jammu & Kashmir in the year 1997, and as such, he is unable to move and has to be on wheel chair. He has prayed by means of this application that the claim which has been made by him for grant of Battle Casualty status has been rejected vide order dated 13.02.2014 be quashed.</p> <p>Admit.</p> <p>Let the counter affidavit be filed on behalf of the respondents, within six weeks. In the event of the counter affidavit being filed, the applicant may file rejoinder affidavit within next four weeks.</p> <p>List on 27.10.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 689 of 2014

Mishri Lal

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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Learned standing counsel prays for and is granted two weeks' further time to file objection against delay condonation application.</p> <p>List on 19.09.2014.</p> <p>Vakaltnama filed by Shri Jitendra Narain Mishra, on behalf of respondent No.4, is taken on record. His name be shown as counsel for the said respondents, when the case is listed next. He may also file objection against delay condonation application by the next date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 1070 of 2014
(Inre M.A. No. 596 of 2014)

Dinesh 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>28.08.2014</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. No one appears for the applicant; neither there is any request to adjourn/pass over the case for the day.</p> <p>Accordingly, M.A. No.1070 of 2014, Dinesh Kumar Singh vs. Union of India and others, is dismissed for non-prosecution.</p> <table border="0"><tr><td>(Lt. Gen A.M. Verma) Member (A)</td><td>(Justice Abdul Mateen) Member (J)</td></tr></table> SRY	(Lt. Gen A.M. Verma) Member (A)	(Justice Abdul Mateen) Member (J)
(Lt. Gen A.M. Verma) Member (A)	(Justice Abdul Mateen) Member (J)		

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 39 of 2014

Subhash 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>28.08.2014</u> <u>Hon’ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon’ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Dharmesh Sinha, learned counsel for the applicant, prays for and is granted two weeks’ further time to file rejoinder affidavit. As prayed, list after two weeks on 18.09.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SRY</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**EX-A. No. 103 of 2013
(Inre O.A. No 47 of 2012)**

Lt Col Jose KK

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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard the applicant, Lt. Col. Jose K.K., in person.</p> <p>This is an Execution Application seeking implementation of the order dated 09.04.2013 passed by this Tribunal in Original application No.47 of 2012.</p> <p>Objection to the aforesaid Execution Application has been filed on behalf of the respondents and in paragraph 5 thereof, it has been stated that the respondents have neither relieved the applicant from the post of Chief Record Officer nor has any one been posted against the aforesaid post. Therefore, there is no infraction of the order dated 09.04.2013.</p> <p>Today, Shri Mukund Tewari, learned standing counsel, has brought to our notice that since the Chief Record Officer, Shri D.R. Singh, who held the post till September, 2013, has now retired, as such, as on date, the Execution Application has been rendered infructuous.</p> <p>Accordingly, we dismiss this Execution Application as having been rendered infructuous.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 399 of 2013
(Inre O.A. No 47 of 2012)

Lt Col Jose KK
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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This is an application moved on behalf of the applicant under Section 31 of the Armed Forces Tribunal Act, 2007 for grant of leave to appeal to the Hon'ble Apex Court against the judgment and order dated 09.04.2013 passed by this Tribunal in Original Application No.47 of 2012.</p> <p>It is quite apparent that against the same very judgment and order dated 09.04.2013, the applicant has filed Review Application No.18 of 2013. As per settled law, the applicant cannot be allowed to sail on two boats simultaneously. However, the said Review Application has been dismissed vide order of date.</p> <p>We have heard the learned counsel for both the parties and gone through the record. There being no point of law of general public importance involved in the decision, the application for leave to appeal deserves to be rejected.</p> <p>Accordingly, the Application for grant of leave to appeal (M.A. No.399 of 2013) is hereby rejected.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 155 of 2014 with M.A. No. 676 of 2014

Nandan Singh Rawat By Legal Practitioner for Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, prays for and is granted two weeks' further time to file reply to the objection filed on behalf of the respondents.</p> <p>List on 07.11.2014.</p> <p>The name of Shri Prakhar Kankan be shown as counsel for the respondents, when the case is listed next.</p> <p style="text-align: center;">(Lt. Gen A.M. 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. 463 of 2014

Govind Singh Rautela
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>28.08.2014</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. No one appears for the applicant; neither there is any request to adjourn/pass over the case for the day.</p> <p>Accordingly, M.A. No.463 of 2014, Govind Singh Rautela vs. Union of India and others, is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 532 of 2014 with M.A. No. 804 of 2014

Radhey Shyam Upadhya

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>28.08.2014</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 this case again on 29.09.2014.</p> <p>(Lt. Gen A.M. 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. 791 of 2014
(Inre EX.-A. No 06 of 2012 & T.A. No. 33 of 2010)

Ram Raj 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>28.08.2014</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 the request of Departmental Representative, Major Narender Singh, put up this case on Monday, i.e., 01.09.2014.</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

O.A. No. 144 of 2013 with M.A. No. 115 of 2014

CHM Kunjumon Varghese
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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Sri R. Chandra, learned counsel for the applicant, prays that since the matter pertains to Jabalpur, therefore, it will be convenient to the client as well as to the counsel, if this case is listed before the Circuit Bench at Jabalpur.</p> <p>As prayed, list this case at Circuit Bench, Jabalpur on 14.10.2014.</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

**R.A. No. 18 of 2013
(Inre O.A. No 47 of 2012)**

Lt Col Jose KK

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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard the applicant, Lt. Col. K.K. Jose, in person. Since he insisted for arguing the case in absence of his counsel, we permitted him to argue.</p> <p>This is an application seeking review of the judgment and order dated 09.04.2013 passed by this Tribunal in Original Application No.47 of 2012.</p> <p>While going through the aforesaid judgment under review, which is on record, same points have been raised by the applicant, which were raised earlier at the time of argument in Original Application and which culminated into judgment dated 09.04.2013. The scope of review being limited, the argument raised by the applicant cannot be appreciated and gone into again, so as to provide him re-hearing.</p> <p>Accordingly, the Review Application No.18 of 2013 is hereby rejected.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>SRY</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**R.A. No. 22 of 2013
(Inre O.A. No. 47 of 2012)**

Union of India & Others

By Legal Practitioner for Applicant

Applicants

Versus

Lt Col Jose KK

By Legal Practitioner for Respondents

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri Mukund Tewari, learned Standing Counsel.</p> <p>This is an application seeking review of the judgment and order dated 09.04.2013 passed by this Tribunal in Original Application No.47 of 2012.</p> <p>On going through the application, we find that the instant application is misconceived and has been drafted with totally non-application of mind.</p> <p>It is, accordingly, rejected.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) 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. 170 of 2014

Ashok Kumar Sahai
By Legal Practitioner for Applicant

Applicant

Versus

Union of India and others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri K.K. Singh Bisht, learned counsel for the applicant on this O.A, which has been filed with the prayer for quashing the impugned order dated 23.06.2014 issued by the Joint Controller Defence Accounts (Air Force) and further restraining the respondents from making any deductions from the pension of the applicant alleged to paid in excess. It has been further prayed that the Corrigendum PPO No.08/14/A/0343 dated 23.06.2014 (Annexure No.1) be quashed and the recovery being made from his pension be stayed.</p> <p>Learned counsel for the applicant has submitted that the applicant has not been at fault for the alleged extra payment made to him; rather it was the mistake committed by the respondents themselves for extra payment alleged to have been made to the applicant.</p> <p>In support of his argument, the learned counsel for the applicant has placed reliance on a judgment of Hon'ble Apex Court in the case of <i>Syed Abdul Quadir and others vs. State of Bihar and others, reported in (2009) 3 SCC 475</i>, wherein paragraph 59, it has been held that excess amount that has been paid to the appellants was not because of any misrepresentation or fraud on their part and the appellants were unaware of the amount being paid to them; rather the</p>

excess payment made was the result of wrong interpretation of the Rule and negligence and carelessness on the part of the officials, as such for the wrongs committed by the respondents, the applicant cannot be burdened with the recovery of the amount paid to him.

Learned counsel for the applicant submits that for redressal of his grievances, the applicant has made a representation dated 06.06.2013 to the Directorate of PP & R, Air HQS, West Block, R.K. Puram, New Delhi, but the same has not been decided so far.

In the interest of justice, following the law laid down by Hon'ble Apex Court in the case referred to above, we are of the view that a direction be issued to the Directorate of PP & R, Air HQS, West Block, R.K. Puram, New Delhi to dispose of the applicant's aforesaid representation dated 06.06.2013, by means of a reasoned and speaking order, within two months from the date of receipt of a certified copy of this order, and till disposal of the applicant's representation by respondent No.5, the recovery pursuant to the impugned order with respect to the pension paid to the applicant shall be kept in abeyance.

It is further observed that the applicant shall make a fresh representation, within ten days from today, indicating the facts contained in the earlier representation, to respondent No.5 as well as respondent No.2, and both the respondents are directed to see that the applicant's representation is decided by them, within two months from the date of receipt of a certified copy of this order, and till disposal of the applicant's representation by them, the recovery pursuant to the impugned order with respect to the pension paid to the applicant shall be kept in abeyance.

The Original Application stands disposed of, accordingly.

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

(Justice Abdul Mateen)
Member (J)

SRY

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 128 of 2009 with M.A. No. 489 of 2014

Raj Kumar 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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This case has been wrongly listed today. List it on the date already fixed.</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

DY- No. 1153 of 2014
(Inre O.A. No. 1443 of 2013)

Ravi Prakash Upadhyay
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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This case (Review Application) seeking review of order dated 15.05.2014 passed in Original Application No.13 of 2013, has been received from the applicant through post on 11.07.2014, with certain defects, which have been reported and sent to the applicant asking him to remove the said defects, but till date the defects have not been removed.</p> <p>List this case again on 10.12.2014.</p> <p>The office is directed to inform the applicant again with regard to the defects as pointed out, asking him to remove the same and directing him to appear before the Tribunal on the date fixed, either in person or through counsel.</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. 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>28.08.2014</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 the request of Shri Rohit Kumar, learned counsel for the applicant, the case is adjourn for the day, with a view to give him time to prepare the case thoroughly and then argue.</p> <p>As prayed, list on 04.12.2014.</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. 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>28.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>During the course of argument by the learned standing counsel along with Departmental Representative, Major Narender Singh, it comes out that as per Transferred Application, the applicant was discharged on 01.12.2002, but it has not come either in the writ petition (Transferred Application), counter affidavit, rejoinder affidavit or other affidavits filed on behalf of the parties, as to who was the sanctioning authority for discharge of the applicant and under which authority the applicant was discharged.</p> <p>Learned Standing counsel is granted time to seek instructions and bring on record the aforesaid query, together with the query already made vide order dated 31.07.2014, by means of affidavit, within three months.</p> <p>List on 28.11.2014 for further hearing.</p> <p>(Lt. Gen A.M. 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. 1063 of 2014

Naik Roopendra Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 or appearance filed by Shri D.S. Tiwari 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>This Misc. Application No. 1063 of 2014 has been filed by the applicant for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 7 months and 24 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection.</p> <p>List on 24.9.2014.</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. 1066 of 2014

Basant 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>27.08.2014</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 or appearance filed by Shri Dileep Singh 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>This Misc. Application No. 1066 of 2014 has been filed by the applicant for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 1 year, 2 months and 21 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection.</p> <p>List on 22.9.2014.</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. 1067 of 2014

Baiju Kumar NK

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 or appearance filed by Shri Ishraq Farooqui on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>This Misc. Application No. 1067 of 2014 has been filed by the applicant for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 4 months and 23 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' time to file objection.</p> <p>List on 26.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 168 of 2014

Jay Kumar 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>27.08.2014</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. Deepti Prasad Bajpai on behalf of respondents no. 1 and 2 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Heard Shri P.K. Shukla, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents.</p> <p>This Original Application has been filed by the applicant, who happens to be the son of Late Sep. Bikramajit, with the prayer that the date of birth of the applicant entered in Part II order as 2.11.1993 be directed to be corrected as per High School Certificate, annexed as Annexure No. '4' to the Original Application, mentioning therein the date of birth of the applicant as 8.3.1995 because whenever he applies for being recruited in the Army his High School Certificate is being discarded on the ground that in the declaration given by his late father in the Army the date of birth of the applicant is shown to be 2.11.1993 resulting that he becomes ineligible for being recruited in the Army under Ex. Serviceman Quota.</p> <p>Learned counsel for the applicant states that the applicant made</p>

a representation dated 5.5.2011 to respondent no. 2 for correction of his date of birth duly entered in Part II order of his late father, vide Annexure No. '1' to the Original Application, but the said representation has not yet been disposed of.

Keeping this Original Application for a long time will deprive the applicant of the opportunity for being recruited in the Army under the Ex. Serviceman Quota, we direct respondent no. 2 to dispose of the aforesaid representation of the applicant within a period of three weeks from today taking into consideration the High School Certificate of the applicant wherein his date of birth has been mentioned as 8.3.1995 and, accordingly, correct the aforesaid Part II order in accordance with laws by the aforesaid period.

With the aforesaid direction this Original Application No. 168 of 2014 is disposed of finally.

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

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 169 of 2014

R. Iyyappan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 Ashutosh Kumar Srivastava on behalf of respondents no. 1 to 5 is taken on record.</p> <p>After hearing Sri R. Chandra, learned counsel for the applicant, at some length, Shri Chandra prays that this Original Application No. 169 of 2014 be dismissed as withdrawn with liberty to file afresh before the Armed Forces Tribunal having jurisdiction.</p> <p>Accordingly, this Original Application No. 169 of 2014 is dismissed as withdrawn with liberty to file afresh before the Armed Forces Tribunal having jurisdiction..</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 170 of 2014

Ashok Kumar Sahai

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 Shri Rajesh Kumar on behalf of respondents no. 1, 2, 5 and 6 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>As prayed by learned counsel for the applicant, put up this case tomorrow, i.e. on 28.8.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

Ex.A. No. 15 of 2014

(Inre: T.A. No. 988 of 2010 with M.A. No. 439 of 2014)

V.D. Jha

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 the request of Major Narender Singh, Departmental Representative, two days' time is granted to him to obtain instruction as to whether P.P.O. has been issued to the applicant or not.</p> <p>List on 1.9.2014.</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. 99 of 2014 with M.A. No. 707 of 2014

Bhajurama 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>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chandra, learned counsel for the applicant, states that since the applicant has received dismissal order, which was not in existence at the time of filing the present Original Application, the Original Application needs to be amended. He, therefore, prays for and is granted three weeks' time to file amendment application.</p> <p>List on 29.9.2014.</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. 129 of 2014

Vipin Pratap Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Prakhar Kankan, learned Standing Counsel, prays for and is granted a week's time and no more to file counter affidavit after serving a copy of the same, within three days, on learned counsel for the applicant. Rejoinder affidavit, if any, may be filed within three weeks' thereafter.</p> <p>List this case on 14.10.2014.</p> <p>When the case is next listed, the name of Shri Prakhar Kankan be shown as counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 674 of 2014 with M.A. 912 of 2014

Smt. Chandra Kali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri P.K. Shukla, learned counsel for the applicant.</p> <p>This Misc. Application No. 674 of 2014 has been filed by the applicant for condoning the delay in filing the Original Application.</p> <p>The Original Application has been filed by the applicant, who is widow of Late Ex. Sepoy/Driver (MT) No. 927992 Shridhar, aged about 92 years, mentioned in the affidavit sworn by the applicant.</p> <p>The respondents have filed objection, being Misc. Application No. 912 of 2014, to the delay condonation application.</p> <p>We have gone through the objection, filed by the respondents, and we are of the view that the objection does not bear any weight. Accordingly the objection is rejected and the delay in filing the Original Application is hereby condoned.</p> <p>The applicant, through this Original Application, claims pensionery benefits of her late husband and to grant enhanced family pension.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 172 of 2014

Smt. Chandra Kali
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard. Admit.</p> <p>Since the matter relates to family pension and the applicant, who happens to be about 92 years old, came before this Tribunal claiming enhanced family pension, we hereby direct the respondents to file counter affidavit, if any, within three weeks from today. No further time shall be granted to the respondents to file counter affidavit.</p> <p>List on 29.9.2014.</p> <p>Learned counsel for the applicant is directed to supply the respondents within a week photocopies of the documents relating to her late husband to establish that her husband was serving the Army since it has been submitted by learned counsel for the respondents that the respondents are not in possession of the documents to establish that the husband of the applicant was serving the Army.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 128 of 2009 with M.A. No. 489 of 2014

Raj 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>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>A request has been made on behalf of Shri Yashpal Singh, learned counsel for the applicant, for adjournment of the case for the day since Shri Yashpal Singh could not come to this Tribunal due to some personal reason. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 28.10.2014.</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. 1205 of 2010

Shukhdev Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</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 7.1.2013 time was granted to the respondents to file original copy of the counter affidavit but no counter affidavit was filed. Again on 6.3.2013 and 9.7.2013 time was granted to the respondents to file copy of the counter affidavit, but it is surprising that copy of the counter affidavit has not yet been filed.</p> <p>Major Narender Singh, Departmental Representative, prays for and is granted one week's time to file counter affidavit along with copies of the documents necessary for deciding the matter.</p> <p>List this case on 14.10.2014 showing the names of Col. B.P. Singh (Retd.) as learned counsel for the applicant and Shri Ishraq Farooqui as learned counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 10 of 2014

Lt SK Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. No one appears for the appellant. This appeal has been transferred from the High Court of Madhya Pradesh, Gwalior Bench. This appeal arises out of the judgment and order passed by an Hon'ble Single Judge of the Madhya Pradesh High Court, which has been transferred to this Bench of the Tribunal vide order dated 27.3.2014, passed by a Division Bench of the Madhya Pradesh High Court taking into consideration the provisions of Section 34 of the Armed Forces Tribunal Act, 2007 to be adjudicated upon by this Tribunal.</p> <p>Since no one appeared for the appellant, this appeal (T.A. No. 10 of 2014) is dismissed for non-prosecution.</p> <p>Memo of appearance filed by Shri Rajesh Kumar on behalf of respondents no. 1 and 2 is taken on record.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 287 of 2012

Mohd Farooq @ Farooq 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>27.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states that certain documents need to be filed in this case to enable him to assist the Court and prays six weeks' time to file the same. Time prayed for is granted.</p> <p>List on 19.11.2014.</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

DY- No. 1305 of 2014

Avilash Kumar & Others

By Legal Practitioner for Applicants

Applicants

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</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. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, this DY-No. 1305 of 2014 is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1055 of 2014

Bhola Dutt Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</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 Shri S.P. Tripathi on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>This Misc. Application No. 1055 of 2014 has been filed for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 11 years, 2 months and 8 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection. Rejoinder to the objection, if any, may be filed by the applicant within two weeks thereafter.</p> <p>List on 28.10.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

Ex.A. No. 56 of 2012
(Inre: O.A. No. 412 of 2011)

Raj 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>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri S.B. Tiwari, learned counsel for the applicant, on Execution Application No. 56 of 2012 arising out of judgment and order dated 23.12.2011, passed by this Tribunal in O.A. No. 412 of 2011, and Review Application No. 266 of 2012.</p> <p>After hearing learned counsel for the applicant and Major Narender Singh, Departmental Representative, we feel that certain documents are necessary to be perused, viz. (a) Original Pension documents, (b) order of the Pension Authority, (c) Gazette Notification, and (d) certificate from the Pension Disbursing Authority that the applicant is not in receipt of family pension of honorary Nb. Subedar, and (e) what was additional amount of pension that was given to honorary Nb. Subedar in the year 1982. The respondents are also directed to bring on record that after retirement of the husband of the applicant on 21.3.1981 from the post of Nb. Subedar under what circumstances since the year 1982 he was provided pension of honorary Nb. Subedar, as claimed by the applicant.</p> <p>List on 18.11.2014.</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. 266 of 2012

Union of India & Others

By Legal Practitioner for Applicants

Applicants

Versus

Raj Devi

By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>For orders, see our order of date passed in Execution Application No. 56 of 2012 (Inre: O.A. No. 412 of 2011).</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. 570 of 2014

Bijendra Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states that he is not prepared with the case today and seeks adjournment.</p> <p>As prayed, list on 12.11.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 118 of 2011

Aditya Nand 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>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Prakhar Kankan, learned Standing Counsel, states that supplementary counter affidavit is ready and will be filed in the Registry during the course of the day after service a copy of the same on learned counsel for the applicant.</p> <p>Supplementary rejoinder affidavit, if any, may be filed within two weeks.</p> <p>List on 17.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 376 of 2012 with T.A. Nos. 50 & 52 of 2012

Hav Priyadarsan Pradhan

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p>List this case on 8.9.2014 before some other Bench and not before this Bench.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 201 of 2013

Smt. Ram Kali

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</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. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, this Original Application No. 201 of 2013 is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 232 of 2013

Hav Priyadarsan Pradhan

In person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p>List this case on 8.9.2014 before some other Bench and not before this Bench.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 233 of 2013

Hav Priyadarsan Pradhan
In person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p>List this case on 8.9.2014 before some other Bench and not before this Bench.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 234 of 2013

Hav Priyadarsan Pradhan
In person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p>List this case on 8.9.2014 before some other Bench and not before this Bench.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 322 of 2013

Manish Shukla

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Learned counsel for the applicant states that he intends to file amendment application by tomorrow amending certain paragraph of the Original Application as well as the prayer clause after serving a copy of the same on learned counsel for the respondents. Time prayed for is granted.</p> <p>The respondents may file counter affidavit within three weeks. List on 25.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 61 of 2014

Sukhvir Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</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. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, this Original Application No. 61 of 2014 is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 187 of 2009

Abdul Rashid Ansari

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Learned counsel for the applicant states that supplementary counter affidavit is ready and will be filed in the Registry during the course of day after serving a copy of the same on learned counsel for the applicant. Supplementary rejoinder affidavit, if any, may be filed within three weeks.</p> <p>List this case on 26.9.2014.</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. 1159 of 2010

GD Munni 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>26.08.2014</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. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, this Transferred Application No. 1159 of 2010 is dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 50 of 2012

Hav Priyadarshan Pradhan

In person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: center;">Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p style="text-align: center;">List this case on 8.9.2014 before some other Bench and not before this Bench.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) Member (A)</p> <p style="text-align: center;">(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 52 of 2012

Hav Priyadarshan Pradhan
In person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant appeared in person and prays that 8.9.2014 be fixed in this case. Time prayed for is granted.</p> <p>List this case on 8.9.2014 before some other Bench and not before this Bench.</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. 80 of 2013

Smt. Chanchala 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>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri R. Chandra, learned counsel for the applicant, and Shri D.S. Tiwari, learned Standing Counsel, in part.</p> <p>List this case on 25.11.2014, on which date Shri D.S. Tiwari, will apprise this Court as to whether in the Release Medical Board disability of the applicant has been found and whether the applicant or his family will be entitled to any pension under Para 173 and Para 178 of the Pension Regulation of the Army as also the law on this point.</p> <p>When the case is listed next, the name of Shri D.S. Tiwari be shown as learned counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 38 of 2012

Subhash Chandra Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Yashpal Singh, learned counsel for the applicant, states that he is not prepared with the case today. He, therefore, prays for adjournment of the case for the day.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 26.11.2014.</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. 39 of 2012

Selina John

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>26.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>The case is taken up in the revised list. Major Narender Singh, Departmental Representative, states that Maj. R.D. Singh (Retd.), learned counsel for the applicant, is ill and has gone for medical check-up. He prays for adjournment of the case for the day. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 27.11.2014.</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. 1046 of 2014

Ganesh Prasad 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>25.08.2014</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. Deepti Prasad Bajpai on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, her name be shown as counsel for the said respondents.</p> <p>This Misc. Application No. 1046 of 2014 has been filed by the applicant for condoning the delay in filing the Original Application.</p> <p>As per office report there is delay of 16 years, 3 months and 19 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application. Rejoinder affidavit, if any, may be filed within three weeks thereafter.</p> <p>List on 29.10.2014.</p>

	(Lt. Gen A.M. Verma) Member (A)	(Justice Abdul Mateen) Member (J)
	PG.	

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

O.A. No. 162 of 2014

Dhananjai Paswan		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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p style="text-align: justify;">Memo of appearance filed by Ms. Deepti Prasad Bajpai on behalf of respondents no. 1 to 3 is taken on record.</p> <p style="text-align: justify;">Heard Shri Anand Kumar, learned counsel for the applicant, and learned counsel for the respondents on this Original Application, moved by the applicant claiming himself to be son of Ex. GS-162440L Late PNR Rajendra Ram.</p> <p style="text-align: justify;">This O.A. has been filed by the applicant claiming appointment on compassionate ground since his father has died on duty on</p>

10.12.1990 leaving behind him the applicant as well as his widow Smt. Mirza Devi, two daughters Km. Kiram and Km. Suman and two sons, barring the applicant, viz. Sarawan Kumar and Jitendra Kumar.

The submission of learned counsel for the applicant is that the applicant is entitled for being considered to be appointed under the provisions of Dying in Harness Rules on compassionate ground. He further prayed that a direction be issued to the respondents to appoint the applicant on compassionate ground at the earliest.

As it comes out that the claim made by the mother of the applicant, Smt. Mirza Devi, before the respondents was duly considered and vide letter dated 16.11.2013 the mother of the applicant was informed that the name of the applicant has been entered in list 'Ga' of candidates for appointment on compassionate ground and his name will be considered on the basis of seniority and availability of vacant posts, available from time to time, since only 5% posts can be filled in for appointment on compassionate ground, vide Annexure 'A-13' to the Original Application.

Since it has already been admitted by the respondents that the name of the applicant has been included in category 'Ga' for being appointed on compassionate ground and his name will be considered on the basis of seniority and availability of post as per quota of 5% prescribed for the same, we feel it not proper to further direct the respondents in this regard.

It is, however, expected from the respondents that the name of the applicant will be considered for appointment on compassionate ground at an early date as and when vacancy will arise.

With the aforesaid observation, this Original Application is disposed of finally.

(Lt. Gen A.M. Verma)

(Justice Abdul Mateen)

	Member (A)	Member (J)
	PG.	

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 163 of 2014

Ajay Kumar 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
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25.08.2014

Hon'ble Mr. Justice Abdul Mateen, Member (J)

Hon'ble Lt. Gen. A.M. Verma, Member (A)

Memo of appearance filed by Ms. Deepti Prasad Bajpai on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, her name be shown as counsel for the said respondents.

Heard Shri Ashok Kumar Singh, learned counsel for the applicant, on admission of this Original Application, filed by the applicant, after being aggrieved against the order of dismissal as a deserter dated 30.5.2014. The argument of learned counsel for the applicant is that the order of dismissal of the applicant is non est in the eyes of law since it has been passed without affording any opportunity to the applicant of being heard.

Learned counsel for the applicant prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within three weeks thereafter.

List on 11.11.2014.

(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

DY- No. 896 of 2014 with M.A. No. 900 of 2014

Shevendra Kumar Chauhan
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 data-bbox="406 277 568 311"><u>25.08.2014</u></p> <p data-bbox="406 315 1126 353"><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></p> <p data-bbox="406 356 1059 394"><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p data-bbox="406 439 1404 707">On 15.5.2014 time was granted to Shri P.N. Chaturvedi, learned counsel for the applicant, for filing a delay condonation application, which has already been filed on 31.7.2014 serving a copy of the same on learned counsel for the respondents on 30.7.2014 but no objection has been filed by the respondents till date.</p> <p data-bbox="406 734 1404 831">Learned counsel for the respondents prays for and is granted two weeks and no more to file objection, if any.</p> <p data-bbox="504 857 759 891">List on 15.9.2014.</p> <p data-bbox="451 1032 767 1108">(Lt. Gen A.M. Verma) Member (A)</p> <p data-bbox="943 1032 1270 1108">(Justice Abdul Mateen) Member (J)</p> <p data-bbox="406 1115 464 1146">PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

Ex.A. No. 29 of 2014
(Inre: O.A. No. 282 of 2011)

Sudhakar Tripathi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.08.2014</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 Shri D.S. Tiwari 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>This Execution Application No. 29 of 2014 has been filed by the applicant aggrieved against non-implementation of the judgment and order dated 24.7.2013 passed by this Tribunal in O.A. No. 282 of 2011 whereby while quashing the discharge order dated 31.3.2011, issued by DSC Records, Cannanore, this Tribunal allowed this Original Application and directed the respondents to reinstate the applicant in service and to pay all consequential benefits to him from the date of retirement, i.e. from 1.4.2011 for 5 years or till he attains 55 years of age.</p> <p>In any case, as prayed by learned counsel for the respondents, two weeks' time is granted to obtain instruction as to why the aforesaid judgment and order dated 24.7.2013, passed by this Tribunal, has not yet been implemented and if the same has been complied with, necessary order be placed before this Court on the next date.</p> <p>List on 16.9.2014.</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

M.A. No. 1035 of 2014
(Inre: Ex. A. No. 115 of 2013 & O.A. No. 226 of 2013)

Ram 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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>After hearing Misc. application No. 1035 of 2014 at some length, Shri Sudhir Kumar Singh, learned counsel for the applicant, prays that this application be dismissed as withdrawn.</p> <p>Accordingly, Misc. Application No. 1035 of 2014 is dismissed as withdrawn.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 127 of 2014

Sarvind 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>25.08.2014</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, a person claiming himself to be Sarvind Kumar, the applicant, appeared and states that his counsel, Shri Indra Prasad Yadav, is not well and confined to bed. He, therefore, prays for adjournment of the case for the day. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 13.11.2014.</p> <p>In the meantime the respondents may file objection, if any, on the admission of the Original Application.</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. 428 of 2014 with M.A. No. 429 of 2014
(Inre: O.A. No. 417 of 2012)

Rajendra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.K. Shukla, learned counsel for the applicant, states that this case will be argued by Shri V.K. Pandey, and, since Shri V.K. Pandey has not come to this Court due to some personal reason, prays for adjournment of the case for the day. Accordingly, this case is adjourned for the day.</p> <p>As prayed, list on 17.11.2014.</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. 694 of 2014 with M.A. No. 1034 of 2014

Santosh Kumar 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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Misc. Application No. 1034 of 2014 has been filed by the applicant elaborating the reasons for the delay in filing the Original Application in addition to Misc. Application No. 694 of 2014, filed earlier, with the prayer for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 15 years, 7 months and 27 days in filing the Original Application.</p> <p>Learned Standing Counsel prays for and is granted three weeks' time to file objection on the aforesaid two applications.</p> <p>List on 22.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 147 of 2013

V.K. Kushwaha

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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chandra, learned counsel for the applicant, prays for and is granted further four weeks and no more time to file rejoinder affidavit.</p> <p>List on 8.10.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 193 of 2013

Hav Ajay 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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chandra holding brief of Shri K.C. Ghildiyal, learned counsel for the applicant, states that he intends to file rejoinder affidavit on the objection raised by the respondents in regard to maintainability of the present Original Application. As prayed, four weeks' time is granted to file rejoinder affidavit.</p> <p>List on 30.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 210 of 2013 with M.A. No. 911 of 2014

Lalit Praksh Bhatt

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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>In this case counter affidavit has already been filed. Shri Arvind Kumar Pandey, learned counsel for the applicant, states that he has received copy of the counter affidavit. He prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>List on 30.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 252 of 2013 with M.A. No. 426 of 2014 & M.A. No. 1048 of 2014

Ram Balak 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>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>In this case the delay in filing the Original Application has already been condoned on 22.11.2013 and the Original Application has been admitted. Further counter and rejoinder affidavits have also been exchanged.</p> <p>The matter relates to disability pension of the applicant.</p> <p>List this case for hearing on 24.11.2014.</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. 23 of 2013

L.M. Butola

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.08.2014</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 a request has been made by Shri R. Chandra, Advocate, stating that since Shri Rakesh Johri, learned counsel for the applicant, has gone out of station, this case be adjourned for the day. Accordingly, the case is adjourned for the day.</p> <p>In this case counter and rejoinder affidavit have been exchanged and the case is ripe for hearing.</p> <p>List this case for hearing on 5.12.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 198 of 2013

Vishnu Prasad Upadhiya
By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.08.2014</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 this case on 4.9.2014 along with O.A. No. 196 of 2013.</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. 29 of 2011

Jugul Kishor

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>25.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states that he is not prepared with the case today and prays for adjournment of the case for the day to enable him to prepare the case and to come with the books and judgments.</p> <p>As prayed, list on 18.9.2014.</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. 382 of 2014

(Inre: Ex. A. No. 34 of 2013 & O.A. No. 253 of 2011)

Tapeshwar Singh

By Legal Practitioner for Applicant

Applicant

Versus

G.O.C.-in-C. & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states at the Bar that the amount of Rs. 500/-, directed to be deposited at the Bar Association of this Tribunal within ten days on 12.5.2014, has been deposited, but there is no office report regarding the same.</p> <p>Office is directed to report whether Rs. 500/- has already been deposited by learned counsel for the applicant at the Bar Association of this Tribunal or not.</p> <p>List on 13.10.2014.</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. 733 of 2014 with M.A. No. 933 of 2014

Paras Nath Tiwari
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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chandra, learned counsel for the applicant, states that he has received objection filed by the respondents on the delay condonation application. He, therefore, prays two weeks' time to file rejoinder affidavit.</p> <p>As prayed, list on 1.9.2014.</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. 749 of 2014

(Inre: Ex. A. No. 96 of 2013 & T.A. No. 899 of 2010)

Dev Lal

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>14.08.2014</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 Shri Mukund Tewari on behalf of respondents no. 1, 2 and 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Heard Shri Shailendra Kumar Singh, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, on Execution Application No. 96 of 2013.</p> <p>An application dated 12.8.2014 for dismissal of the Execution Application has been filed by the respondents on the ground that the Execution Application has been rendered infructuous for reason that the judgment and order dated 8.3.2013, passed in T.A. No. 899 of 2010, has been complied with. Learned counsel for the applicant has raised objection stating that the aforesaid judgment and order has not been</p>

complied with in its letter and spirit and prays time to file objection to the application dated 12.8.2014.

As prayed by learned counsel for the applicant, three weeks' time is granted to file objection to the application dated 12.8.2014.

List on 12.9.2014.

(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. 894 of 2014 with M.A. No. 895 of 2014
(Inre: T.A. No. 100 of 2011)

Chandan 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>14.08.2014</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. No one appears on behalf of the applicant, neither there is any request to adjourn/pass over the case.</p> <p>Accordingly, Misc. Application No. 894 of 2014 as well as Misc. Application No. 895 of 2014 are dismissed for non-prosecution.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 987 of 2014

(Inre: Ex. A. No. 33 of 2011 & 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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>For orders, see our order passed in Execution Application No. 33 of 2013 (Inre: O.A. No. 275 of 2011).</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A) No. 86 of 2014

Rajan Singh Rajput

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. Dr. Ashish Asthana, learned counsel for the applicant, is not present. He, however, on 13.8.2014, informed this Court that he shall not be available on 14.8.2014 and prayed for adjournment.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List on 10.10.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**Ex.A. No. 33 of 2013 with M.A. No. 987 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>14.08.2014</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 Shri Mukund Tewari on behalf of the respondents is taken on record. When the case is listed next, his name be shown as counsel for the respondents.</p> <p>Case called out. Shri Lalit Kumar, Learned counsel for the applicant, is not present. Although, on 13.8.2014, when the case of Shri Lalit Kumar was listed, Dr. Ashish Asthana, Advocate, informed this Court that Shri Lalit Kumar will remain out of station on 14.8.2014 and prayed that the case of Shri Lalit Kumar be adjourned for 16/17.9.2014.</p> <p>In this case, today, in pursuance of the order of this Court dated 20.5.2014 the Deputy Director General DSC, General Staff Branch, IHQ as MoD (Army), West Block III, R.K. Puram, New Delhi-110 066, was directed to appear in person and to show cause as to why the judgment and order dated 23.9.2011, passed by this Tribunal in O.A. No. 275 of 2011, could not be implemented.</p> <p>Today, Brig. Narender Kumar is present in Court and states in affidavit the order passed by this Court on 20.5.2014 was never</p>

communicated to him and he had no knowledge about his personal appearance before this Court. He has also tendered his unconditional apology in writing, by means of an affidavit dated 6.8.2014 along with Misc. Application No. 987 of 2014 with the prayer for recall of the order dated 8.7.2014.

In view of the above, we feel it justifiable at present, in the aforesaid circumstances, that the operative portion of the order beginning with the paragraph "*Let show cause notice be issued to the Deputy Director Generalin compliance of the earlier order dated 25.5.2014*" shall be kept in abeyance. We also feel at present that Brig. Narender Kumar, who is present today in Court need not appear in person again unless ordered otherwise.

List this case along with Misc. Application No. 987 of 2014 for further orders before this Court on 16.9.2014.

(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. 06 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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Major Narender Singh, Departmental Representative, on the basis of instruction states that the judgment and order dated 13.8.2013, passed by this Tribunal in T.A. No. 94 of 2009, has been executed in its letter and spirit, for which he has also placed certain documents before this Court to impress upon that the aforesaid judgment and order has been complied with.</p> <p>The respondents are, therefore, directed to file an affidavit bringing these documents including copy of P.P.O. within a week after serving a copy of the same upon learned counsel for the applicant.</p> <p>Learned counsel for the applicant is directed to obtain instruction with respect to the affidavit, if filed by the respondents, within a week thereafter from his client as to whether he has received the P.P.O., issued by the respondents, or not and file an affidavit accordingly within ten days thereafter.</p> <p>List on 26.9.2014.</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. 661 of 2013

Vikas Pandey

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri V.A. Singh, learned counsel for the applicant, prays for and is granted, as a matter of last opportunity, two weeks' time to move an application for amending the delay condonation application.</p> <p>List on 3.9.2014.</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

M.A. No. 555 of 2014 with M.A. No. 801 of 2014

Pintu Verma

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Dr. V.K. Singh, learned counsel for the applicant, on Misc. Application No. 555 of 2014 for condoning the delay in filing the Original Application relating to discharge of the applicant from the services of the respondents. The respondents have filed their objections, vide Misc. Application No. 801 of 2014.</p> <p>As per office report there is delay of 2 years, 8 months and 7 days in filing the Original Application.</p> <p>We have considered both the applications. The grounds taken in the affidavit filed along with the delay condonation application seems to be genuine. Accordingly, the delay in filing the Original Application is hereby condoned.</p> <p>Office is directed to register the Original Application.</p> <p>Learned counsel for the applicant thereafter says that he intends to move an amendment application to amend the prayer</p>

with respect to grant of disability pension to the applicant.

As prayed, ten days' time is granted to learned counsel for the applicant to move amendment application.

List for admission on 29.8.2014.

(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. 681 of 2014 with M.A. No. 682 of 2014
(Inre: O.A. No. 71 of 2011)

Mohd Muneer
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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri K.K. Mishra, learned counsel for the applicant, states that he is not in possession of the file and prays time to construct the file.</p> <p>As prayed, the case is adjourned for the day.</p> <p>List on 16.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 144 of 2013 with M.A. No. 115 of 2014

CHM Kunjumon Varghese
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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chandra, learned counsel for the applicant, prays for and is granted, as a matter of last opportunity, ten days' time to file rejoinder affidavit.</p> <p>List on 28.8.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 188 of 2013

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri R. Chaubey, learned counsel for the applicant, prays for and is granted, as a matter of last opportunity, ten days' time to file rejoinder affidavit.</p> <p>List on 29.8.2014.</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

DY. No. 1073 of 2014

Mehboob Khan

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states that the matter be adjourned today to enable him to move certain application.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 4.9.2014.</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. 13 of 2011

Baban Prasad Tiwari

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>14.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Rohit Kumar, learned counsel for the applicant, has moved an application on 13.8.2014 for adjournment of the case for the day</p> <p>Accordingly, list the case on 30.10.2014.</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

DY- No. 576 of 2014

Mitesh Kumar Sinha
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This Original Application has been filed by the applicant before this Regional Bench of the Tribunal without considering the basic requirements of the Armed Forces Tribunal Act, 2007, i.e. neither the order, under challenge, has been passed within the jurisdiction of this Regional Bench nor the applicant is residing within the jurisdiction of this Regional Bench, nor he was last posted within the jurisdiction of this Regional Bench.</p> <p>Shri M.K. Srivastava, learned counsel for the applicant, therefore, prays that this Original Application be dismissed as withdrawn with the Leave to file afresh before the appropriate Court having jurisdiction in accordance with law.</p> <p>Accordingly, this Original Application is dismissed on the point of jurisdiction with the Leave to the applicant to file afresh before the appropriate forum, if so advised, in accordance with law.</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

DY- No. 914 of 2014

Hav Umesh Kumar 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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri P.N. Chaturvedi, learned counsel for the applicant, on the point of delay in filing the Original Application, which, as per office report, is delayed by 5 years and 9 months.</p> <p>The Original Application has been filed by the applicant being aggrieved against an order dated 4.3.2014, passed by respondent no. 4, rejecting the statutory representation of the applicant, which was preferred by him against the award of adverse entry in his Annual Confidential Report of the year 2007. The rejection order dated 4.3.2014 has been communicated to the applicant on 18.3.2014, vide Annexure 'A-1(vi) to the Original Application.</p> <p>The submission of learned counsel for the applicant is that as per the provisions of Sections 21 and 22 of the Armed Forces Tribunal Act, 2007 the limitation for filing an Original Application is within six months from the date of the order and, therefore, this Original Application has been filed within the stipulated period of limitation.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, the objection raised by the office that the Original Application is delayed by 5 years and 9 months</p>

is turned down. The Original Application is treated to have been filed within time.

The office is directed to register the Original Application.

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

(Justice Abdul Mateen)
Member (J)

PG.

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 157 of 2014

Hav 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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard. Admit.</p> <p>Ms. Deepti Prasad Bajpai, learned Senior Standing Counsel, has accepted notice on behalf of the respondents. She is directed to file her memo of appearance in the office today.</p> <p>Ms. Deepti Prasad Bajpai prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within three weeks thereafter.</p> <p>List on 27.10.2014.</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. 749 of 2014
(Inre EX-A 96 of 2013 & T.A. No. 899 of 2010)

Dev Lal 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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>As prayed by Shri Mukund Tewari, learned counsel for the respondents, list/put up this case tomorrow, i.e. on 14.8.2014.</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

M.A. No. 934 of 2014
(Inre O.A. No. 266 of 2013)

Union of India & Others

Applicants
By Legal Practitioner for Applicants

Versus

Akhil Sharma

Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Heard Shri A.K. Singh, learned counsel for the applicants, on this Misc. (Leave to Appeal) Application No. 934 of 2014.</p> <p>This application has been filed by the applicants against the judgment and order dated 10.7.2014, passed by this Court in Original Application No. 266 of 2013, whereby this Court, while partly allowing the Original Application, quashed the orders dated 6.8.2013 and 13.8.2013 and observed that the applicant is entitled for disability pension, as recommended on 27.9.2010 by the Invaliding Medical Board to the tune of 100% disability for life and constant attendance allowance to the applicant, which is due from the date of discharge, i.e. 9.12.2010 and further directed to implement the order within a period of three months from the date of the judgment, i.e. 10.7.2014.</p> <p>While hearing learned counsel for the applicant as well as learned counsel for the respondent and while going through the record we do not find any valid and cogent reason or a point of law of general</p>

public importance is involved in the judgment so as to grant leave to file appeal before the Hon'ble Supreme Court.

Accordingly, this Misc. (Leave to Appeal) Application No. 934 of 2014 is hereby rejected.

(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. 55 of 2013 with O.A. No 254 of 2010

Syed Mohd Addel
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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. The applicant, Syed Mohd Addel, appeared in person.</p> <p>The matter relates to issuance of P.P.O. towards disability pension of the applicant with respect to which a Judgment and order dated 10.1.2013 has been passed by this Tribunal in O.A. No. 254 of 2010.</p> <p>While allowing the Original Application respondents no. 3, 5 and 2 were directed to calculate the disability pension of the applicant for two years as assessed by the Release Medical Board and to make payment within four months from the date copy of this Order is issued. Further a direction was issued to carry out his Review Medical Board and re-assess the disability of the applicant.</p> <p>However, inspite of issuance of P.P.O., produced by the applicant, and directing the Treasury Officer, Lucknow, to make necessary payment of disability pension to the applicant, the Treasury Officer, Lucknow, paid no heed to make necessary payment to the applicant.</p> <p>Let notice be issued to the Officer-in-Charge, Treasury Office,</p>

Lucknow, through the District Magistrate, Lucknow, directing him to appear in person before this Court on 3.9.2014 and to show cause as to why, inspite of issuance of P.P.O. No. D/0021/2014 dated 24.4.2014 issued by PCDA (Pension), Allahabad, necessary payment has not yet been made to the applicant.

The Registrar is directed to take necessary step for compliance of this order forthwith.

List this case on 3.9.2014.

It is, however, clarified that by the time necessary payment is made by the office of the Treasury Officer, Lucknow, the Officer-in-Charge, Treasury Office, Lucknow, need not appear before this Court on 3.9.2014.

(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. 77 of 2013 with M.A. No 996 of 2014
(Inre T.A. 1407 of 2010)**

Ram Yagya Ojha
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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri D.S. Tiwari, learned counsel for the respondents, states that necessary P.P.O. has already been issued and has placed a photocopy of the P.P.O. before this Court. He is directed to file the same along with an affidavit within two weeks after serving a copy of the same on learned counsel for the applicant. Learned counsel for the applicant may file objection, if any, within two weeks thereafter.</p> <p>List on 2.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**EX-A No. 78 of 2013 with M.A. No 413 of 2014
(Inre O.A. 491 of 2012)**

Lt Col Kapil 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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Rohit Kumar, learned counsel for the applicant, states that the order dated 9.1.2013, passed by this Tribunal, has already been complied with and, therefore, he do not want to press this Execution Application. He prays that this Execution Application be dismissed as withdrawn.</p> <p>As prayed, this Execution Application No. 78 of 2013 is dismissed as withdrawn.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX-A No. 118 of 2013
(Inre: T.A. No 06 of 2011)

Jagdish

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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.N. Chaturvedi, learned counsel for the applicant, states that he do not want to press this Execution Application.</p> <p>Accordingly, this Execution Application No. 118 of 2013 is dismissed as not pressed.</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. 351 of 2013 with M.A. No 638 of 2013 & M.A. No 561 of 2014

Vikesh Kumar Balmiki
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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Ram Chandra, learned counsel for the applicant, states that he intends to file rejoinder affidavit. As prayed, four weeks' time is granted to file rejoinder affidavit.</p> <p>List on 18.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 137 of 2013 with M.A. No 440 of 2014

Nk Mukesh Chaudhary
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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri Rohit Kumar, learned counsel for the applicant, states that he intends to file rejoinder affidavit. As prayed, a week's time is granted to file rejoinder affidavit.</p> <p>List on 2.9.2014.</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. 780 of 2010

Mangal Saran

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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>A request has been made by Shri S.K. Lodha, Advocate, holding brief of Shri P.D. Verma, learned counsel for the applicant, for adjournment of case for the day since Shri P.D. Verma is suffering from heart problem.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List on 7.10.2014.</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. 986 of 2010

Rajveer 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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri P.S. Chauhan, learned counsel for the applicant, states that he intends to amend this Transferred Application and prays four weeks' to move amendment application.</p> <p>Time prays for is granted.</p> <p>List on 24.9.2014.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1122 of 2010

Vishnu Deo Tiwari

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Case called out. A person claiming himself to be Vishnu Deo Tiwari, the applicant, appeared and states that his counsel Shri S.K. Pandey is suffering from viral fever. He, therefore, prays that the case be adjourned for the day.</p> <p>As it comes out from the order-sheet that on the last occasion, i.e. on 1.5.2014, the applicant appeared in person and sought adjournment on the ground of illness of his counsel.</p> <p>In any case since the counsel for the applicant is ill, the case is adjourned for the day.</p> <p>Wing Cdr. S.K. Pandey & Sgt. S. Dutta, Departmental Representatives are present along with the record . They are directed to appear again with the record on the next date.</p> <p>Written arguments filed by Shri D.S. Tiwari, learned counsel for the respondents, after serving a copy of the same on</p>

the applicant, is taken on record.

List on 24.9.2014.

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

(Justice Abdul Mateen)
Member (J)

PG.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1206 of 2010

PS Tomar

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>13.08.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>As prayed by learned counsel for the applicant, list this case on 17.10.2014 along with T.A. No. 1201 of 2010.</p> <p>When the case is next listed, the name of Shri Rajesh Kumar be shown as counsel for the respondents.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>