

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. 82 of 2010

Rakesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Dismissed.</p> <p>For Judgment and Order, see our Judgment and Order of date passed on separate sheets.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY-No. 2216 of 2014

Bhupendra Singh Bhadauria

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>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>We have gone through the record. On the last date, the question which had cropped up was to the effect that after conviction in GCM proceedings the applicant has preferred a petition under Section 164(2) of the Army Act and during its pendency the applicant has also preferred this O.A. under Section 15 of the A.F.T. Act, 2007 and as per office report this O.A. is time barred by 2 months and 7 days amongst other defects.</p> <p>On the last date, i.e. on 12.1.2015, learned counsel for the applicant had argued that since he has preferred a petition under Section 164(2) of the Army Act before the COAS, vide Annexure '3-A', which indicates with respect of filing of petition before the COAS under Section 164 of the Army Act, but since the applicant has argued that the petition preferred by him before the COAS is under Section 164(2) of the Army Act and the limitation is to be counted from the date of disposal of the said petition, which has not</p>

yet been decided after the lapse of six months, this O.A. under Section 15 of the A.F.T. Act is within time and not delayed by 2 months and 7 days, as reported by the office. As such, application under Section 5 of the Limitation Act is not required to be filed.

Therefore, this Court, on the last date, directed Capt. Priti Tyagi, Departmental Representative, to apprise this Court the outcome of the petition under Section 164(2) of the Army Act, filed by the applicant before the COAS and its date of decision. Capt. Priti Tyagi, on the basis of instruction received by her, informs this Court today that the above petition of the applicant before the COAS has already been dismissed, but she is unable to inform this Court on which date it has been dismissed.

Capt. Priti Tyagi is directed again to inform this Court on the next date, by means of an affidavit, the outcome of the petition, filed by the applicant under Section 164(2) of the Army Act and date of its decision as also whether this appeal is maintainable without an application under Section 5 of the Limitation Act.

As prayed by Capt. Priti Tyagi, ten days' time is granted to file an affidavit, as directed above.

List on 29.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.

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

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

Dhebe Shashikant Babu

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for admission on 23.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

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

Sukhvir Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for admission on 23.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1591 of 2014

Prakash Rai

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for admission on 24.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 75 of 2011

Ashok Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for admission on 25.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

Pradeep Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for orders on 26.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

Hari Shanker 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>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List on 26.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 01 of 2009

Rakesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for hearing on 28.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 87 of 2013

Kuldeep Singh

By Legal Practitioner for Applicant

Applicant

Versus

Chief of the Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>We have gone through the order-sheets and we find that this O.A. has not yet been admitted.</p> <p>Accordingly, list for admission on 28.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 200 of 2013

Dinesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List for hearing on 13.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 489 of 2010

Anil Chaudhary

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>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri A.K. Singh, lerned counsel for the applicant, and Capt. PritiTyagi, Departmental Representative.</p> <p>Leaned counsel for the applicant prays that an early date be given for disposal of this T.A., which is of the year 2010.</p> <p>As prayed by learned counsel for the applicant, list for hearing 29.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1036 of 2010

Jasawant Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>16.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>We have gone through the order-sheets. It comes out that this T.A. has not yet been admitted.</p> <p>Accordingly, list for admission on 26.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**EX-A. No. 33 of 2014
(Inre: T.A. No. 63 of 2010)**

Nandan Singh Rawat
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>However, we have gone through the record and find that this Execution Application has been filed by the applicant aggrieved against non-implementation of the judgment and order dated 20.8.2013, passed by this Tribunal in T.A. No. 63 of 2010 whereby this Tribunal while allowing this T.A. and quashing the SCM proceedings directed the respondents to reinstate the petitioner in service notionally and grant him pensionery and other monetary benefits, to which the petitioner is entitled under the Rules.</p>

Earlier this case was listed before this Court on 27.10.2014 and on that date we had directed respondent no. 3, Officer-in-Charge, Kumaon Regiment, Ranikhet, to deposit Rs. 1,00,000/- with the Registrar of this Tribunal as part of pensionery benefits of the applicant, which shall be paid to the applicant on the basis of judicial order of this Court.

Respondent no. 3, who happens to be Col. Murali Krishna, Officiating Officer-in-Charge, OIC Records, Kumaun Regiment, Ranikhet, appeared on the last date, i.e. on 15.12.2014, along with a cheque of Rs. 1,00,000/- and this Court directed him to deposit the said cheque with the Registrar of this Tribunal to be given to the applicant after verifying his identity. Col. Murali Krishna was further directed to calculate finally the pensionery benefits accruing towards the applicant within a period of one month from that date and to ensure that the PPO is issued to the applicant within the aforesaid period of one month.

Today, Capt. Priti Tyagi, Departmental Representative, is present in Court. She informs this Court, on the basis of instructions, that conditional Government sanction has been received with respect to payment of remaining pensionery and other benefits to the applicant, but PPO has not yet been issued and payment to the applicant has not yet been made.

On 15.12.2014, in the presence of Col. Murali Krishna, this Court had directed Col. Murali Krishna to appear again today if the remaining pensionery benefits of the applicant are not provided to the applicant and PPO is not issued to apprise this Court as to why the delay has occurred inspite of order dated 15.12.2014. This Court notes with concern the flouting of order of this Court by Col. Murali Krishna

intentionally by not being present himself before this Court today inspite of specific order passed by this Court in his presence on 15.12.2014.

Col. Murali Krishna is, therefore, directed to present himself before this Court on the next date and to explain as to why he has intentionally and deliberately flouted the order of this Court, passed on 15.12.2014, otherwise he will be dealt with severely.

List this case on 22.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.

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

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1868 of 2014 with M.A. No 1869 of 2014

(Inre: O.A.(A). No. 3 of 2013

Shymbir 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 3.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 490 of 2012

Pradeep Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 4.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 285 of 2014

BB Chaudhari

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 5.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 5.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 6 of 2014

Sep Ramesh 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 6.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 16 of 2014

Gyaneshwari

By Legal Practitioner for Applicant

Applicant

Versus

Rekh Ram Sahu & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Further, this case has been wrongly listed before this Court.</p> <p>Accordingly, list on 27.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 129 of 2013

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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 16.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 82 of 2014

Yogesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 2.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 251 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 17.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 17 of 2010 with M.A. No. 1373 of 2014

Parikarma 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 18.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 133 of 2011

Rakesh Johri

In person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Rakesh Johri, the applicant in person, and Capt. Priti Tyagi, Departmental Representative.</p> <p>The respondents' counsel is not present.</p> <p>While going through the record we find that the matter relates to promotion of the applicant and this Court has no jurisdiction to try this case.</p> <p>Accordingly, list on 10.2.2015 along with amendment application before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 122 of 2011

Sanjay Kumar Verma

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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 14.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 284 of 2011

Niraj 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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 15.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 2 of 2014

Rajneesh Kumar Patel

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>15.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>Accordingly, list on 16.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

Court No. 3

O.A. No. 250 of 2011 with M.A. No. 1551 of 2014

Smt. Januka 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>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p><u>Misc. Application No. 1551 of 2014.</u></p> <p>This application has been moved by the respondents with the prayer that the GCM proceedings, as directed by this Court, be taken on record, but, surprisingly, while going through the record, we found that the GCM proceedings are not on record. Office is directed to trace and place on record the GCM proceedings, if filed in the Registry by learned counsel for the respondents. Learned counsel for the respondents is also directed to inform this Court on the next date whether he has filed the GCM proceedings in the Registry or not, and, if filed, on which date.</p> <p>Since counter and rejoinder affidavits have already been exchanged in this case, we direct that this case be listed for hearing on 17.4.2015 along with M.A. No. 1551 of 2014 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen)</p> <p>Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1337 of 2010

Shailendra Kumar

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>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>We have gone through the record and found that this T.A. has not yet been admitted.</p> <p>List on 26.2.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 22 of 2013 with M.A. No. 1136 of 2014

Anil 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>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p><u>Misc. Application No. 1036 of 2013.</u></p> <p>This is an application, filed by the respondents with the prayer for taking objections against the amendment application, filed by the applicant, on record. The objections are, accordingly, taken on record and the application stands disposed of.</p> <p>List on 25.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

Col Dayanand

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p><u>Misc. Application No. 66 of 2015.</u></p> <p>This is an application for amendment, moved by the applicant. It be taken on record. From the application it comes out that copy of this application has not yet been served upon learned counsel for the respondents. Let the same be served upon learned counsel for the respondents before its next listing.</p> <p>List this amendment application for orders on 20.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>The order-sheets are also silent whether this T.A. has been admitted or not. If not, this case should be listed in the caption 'For Admission'.</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. 33 of 2012

SherpalChahar

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>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. PritiTyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant, except a person claiming himself to be Sherpal Chahar, the applicant, is present. He states that his counsel has not come to this Court today since the Advocates are abstaining themselves from judicial work. The respondents' counsel is also not present. It has also been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>List on 21.4.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

Court No. 3

T.A. No. 802 of 2010

Smt. Ashma Sultana Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>14.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. The respondents' counsel is also not present. It has been informed by the Bench Secretary that the Advocates are abstaining themselves from judicial work.</p> <p>We have gone through the order-sheets and found that this case has not yet been admitted, though it has been listed for hearing.</p> <p>Accordingly, we direct to list this case on 23.2.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1767 of 2014

Kuldeep Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 23.2.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

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

Hamendra 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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 20.2.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 237 of 2011

Vijai Shankar Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 25.2.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 603 of 2010

Rajendra 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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant is not present. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>However, a person claiming himself to be Rajendra Singh, the applicant, appeared in person.</p> <p>We have gone through the record. It comes out that the applicant was dismissed from service by means of SCM and was awarded R.I. for six months, which the applicant has already undergone.</p> <p>Aggrieved against the order of dismissal from service and award of six months' R.I. as also rejection of the petition filed by the applicant before the COAS, the applicant/petitioner filed Writ Petition No. 21708 of 2006 before the Hon'ble High Court at Allahabad,</p>

which, in turn, has been transferred to this Tribunal under Section 34 of the A.F.T. Act, 2007 and registered as T.A. No. 603 of 2010.

The applicant was tried by the SCM on the charge that he fired upon one Narottam Singh, the Guard Commander, but it was missed. The claim of the applicant that since no one injured in the firing, the punishment awarded to him is too excessive and disproportionate to the charge levelled against him. The applicant further submits that at the time of dismissal from service he had already served the Army for more than 12 years.

We are, therefore, of the opinion that this T.A. deserves adjudication. Accordingly, we **admit** this T.A.

Since counter and rejoinder affidavits have already been exchanged between the parties, the case is ripe for hearing.

Accordingly, list this case on 27.2.2014 for hearing before the appropriate Court having jurisdiction of that date.

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

(Justice Abdul Mateen)
Member (J)

PG.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1204 of 2010

T. Kishan

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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 2.3.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1063 of 2014 with M.A. No. 1435 of 2014

Naik Roopendra 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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 3.3.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1019 of 2010 with T.A. No. 1081 of 2010 & with M.A. No. 992 of 2014

Sanjio Kumar Prajapati

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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 1.3.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 590 of 2010

Rajesh Kumar 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>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. No one appears. It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 9.4.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1103 of 2010

R.N. Mishra
In person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>13.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>Case called out. The applicant, who is appearing in person, is not present.</p> <p>It has been informed by the Bench Secretary that the Advocates are abstaining from judicial work.</p> <p>Accordingly, list on 10.4.2015 before the appropriate Court having jurisdiction of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY-No. 1559 of 2014

Keshar Bahadur Tamang

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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Yash Pal Singh, learned counsel for the applicant, and Shri Prakhar Kankan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Yash Pal Singh, who has been appointed by this Court as Amicus Curiae, states that even after the order of this Court, passed earlier, the respondents have not yet provided the photo-copies of the entire SCM proceedings.</p> <p>Shri Mukund Tewari, Standing Counsel, who was present on earlier occasions, is also present in Court today. Shri Tewari, even after the stop order passed earlier, prays that a day's further time be granted to provide the entire photo-copies of SCM proceedings to Shri Yash Pal Singh. As prayed, one day's time is granted to the respondents for the same.</p> <p>List on 3.2.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY-No. 2216 of 2014

Bhupendra Singh Bhadauria
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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Major R.D. Singh (Retd.), learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This O.A. has been filed with certain defects and also delayed by 2 months and 7 days, as reported by the office, and since application under Section 5 of the Limitation Act has not been filed, this O.A. cannot be entertained.</p> <p>On the contrary, learned counsel for the applicant submits that the applicant, on being convicted in GCM proceedings, has preferred a petition under Section 164(2) of the Army Act before the COAS on 19.5.2014, which is pending for disposal since then and since six months have elapsed since the date of presentation of the petition before the COAS, the applicant has preferred this O.A. as per provisions of the A.F.T. Act, 2007.</p>

Shri D.S. Tiwari, learned counsel for the respondents, assisted by Capt. Priti Tyagi, Departmental Representative, states that they are not in position to inform this Court as to whether the petition under Section 164(2) of the Army Act, preferred by the applicant before the COAS has been decided or not.

It has further been contended by learned counsel for the applicant that since no information has been communicated to the applicant with respect to disposal of the petition under Section 164(2) of the Army Act, sending the applicant in Military custody is illegal.

Learned counsel for the respondents is directed to obtain specific instruction to let this Court know as to whether the petition under Section 164(2) of the Army Act, preferred by the applicant, has yet been decided or not and, if decided, on which date and its fate.

List on 16.1.2015 before the appropriate Court having jurisdiction, as per roster of that date.

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

(Justice Abdul Mateen)
Member (J)

PG.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1291 of 2014 with M.A. No. 1292 of 2014
(Inre : M.A. No. 329 of 2013 & O.A. No. 43 of 2011)

Kuldeep Chander Raina
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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Mukund Tewari on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case it has been informed by the Bench Secretary that the wife of Shri P.N. Chaturvedi has expired and Shri Chaturvedi has not come to this Court today due to sad demise of his wife.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List on 24.3.3015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 302 of 2011

Brijendra 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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Prakhar Kankan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case a person claiming himself to be Brijendra Kumar Singh, the applicant, appeared and stated that his counsel Shri P.N. Chaturvedi has not come to this Court day due to sad demise of his wife. The applicant, therefore, prays for adjournment. Accordingly the case is adjourned for the day.</p> <p>List on 20.3.2015 before the appropriate Court having jurisdiction, as per roster of that date. When the case is next listed the name of Shri P.N. Chaturvedi be shown as counsel for the applicant.</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. 37 of 2012 with M.A. No. 1040 of 2014,
M.A. No 1361 of 2014 & M.A. No 1606 of 2014**

Salil Chandra Jagdev

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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.A. Singh, learned counsel for the applicant, and Shri Ashutosh Kumar Singh, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This case has already been admitted and counter & rejoinder affidavits have been exchanged. Amended copy of the O.A. is already on record. The case is ripe for hearing.</p> <p>Accordingly, as prayed, list on 28.4.2015 for hearing before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

**O.A. No. 349 of 2012 with M.A. No. 701 of 2014,
& M.A. No. 1037 of 2014**

Jamuna Prasad Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.K. Shukla holding brief of Shri J.N. Mishra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri P.K. Shukla states that Shri J.N. Mishra has gone out of station. He, therefore, prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>Further on going through the file we noticed that the matter relates to promotion of the applicant. As such, list on 14.4.2014 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 298 of 2013

Ram Das

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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Awadhesh Kumar Kushwaha holding brief of Shri O.P. K;ushwaha, learned counsel for the applicant and Shri Prakhar Kankan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Awadhesh Kumar Kushwaha prays that the case be adjourned since Shri O.P. Kushwaha, learned counsel for the applicant is ill and could not come to this Court today. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 13.4.2015. before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 82 of 2010

Rakesh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.K. Mishra, learned counsel for the applicant, and Shri Prakhari Kankan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 119 of 2010

Ravindra Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri R. Chandra, as usual, states that this case will be argued by his senior Shri K.C. Ghildiyal, and since Shri Ghildiyal has not come to this Court the case be listed according to the choice of Shri Ghildiyal. This practice of adjourning the case is going on almost every day whenever cases of Shri Ghildiyal are listed as per choice of either Shri Chandra or Shri Ghildiyal but Shri Ghildiyal every time failed to appear on the specific dates. Today again Shri Chandra requests for listing this case on certain date, as per choice of Shri Ghildiyal. Today we turn down such request made by Shri Chandra.</p> <p>List on 15.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 924 of 2010

Shinde SM

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>12.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R. Chandra, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri R. Chandra, as usual, states that this case will be argued by his senior Shri K.C. Ghildiyal, and since Shri Ghildiyal has not come to this Court the case be listed according to the choice of Shri Ghildiyal. This practice of adjourning the case is going on almost every day whenever cases of Shri Ghildiyal are listed as per choice of either Shri Chandra or Shri Ghildiyal but Shri Ghildiyal every time failed to appear on the specific dates. Today again Shri Chandra requests for listing this case on certain date, as per choice of Shri Ghildiyal. Today we turn down such request made by Shri Chandra.</p> <p>List on 16.4.2015 before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

