

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 915 of 2014

Abhimanyu Singh

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>09.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, no one appears for the applicant and Capt. Priti Tyagi, Departmental Representative, is present for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 04.02.15 for orders 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 1253 of 2014

Sukhpal Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, no one appears for the applicant and Capt. Priti Tyagi, Departmental Representative, is present for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 05.02.15 for orders 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 452 of 2010

Rajendra Prasad 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>09.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, no one appears for the applicant and Capt. Priti Tyagi, Departmental Representative, is present for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 06.02.15 for orders 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 135 of 2012

Parikhhan 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>09.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, no one appears for the applicant and Capt. Priti Tyagi, Departmental Representative, is present for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 06.04.15 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 28 of 2009

Pramod Bhosle

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>On call of the case, no one appears for the applicant and Capt. Priti Tyagi, Departmental Representative, is present for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 07.04.15 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 395 of 2010

Jitendra Kumar 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>09.01.2015</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: Col(Retd) R.N. Singh, learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative, for respondents.</p> <p>It is informed by the Bench Secretary that Advocates are abstaining themselves from judicial work today. As such the case is adjourned for the day.</p> <p>List on 08.04.15 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 915 of 2014

Abhimanyu Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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. 1253 of 2014

Sukhpal Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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. 1513 of 2014
(Inre: T.A. No. 58 of 2013)

P Raghavan

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>09.01.2015</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 Rajeev Sharma, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that this petition has already been restored and the cost imposed has already been deposited. He further submits that since in this case counter and rejoinder affidavits have been exchanged and the matter being old one, having transferred to this Bench from the Kochi Bench of this Tribunal, this case be listed for hearing.</p> <p>Accordingly, we direct that this case be listed on 10.4.2015 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. 452 of 2010

Rajendra Prasad 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>09.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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. 721 of 2010 with M.A. No. 1171 of 2014 & M.A. No 1455 of 2014

Jai Prakash 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>09.01.2015</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: Col. B.P. Singh (Retd.), learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>Initially this petition was filed before the Hon'ble Allahabad High Court in the year 2000 and subsequently, on being transfer, this petition has been registered before this Tribunal as T.A. No. 721 of 2010. The matter relates to severe reprimand as well as reduction in rank.</p> <p>This petition has already been admitted, vide our order dated 27.10.2014 granting time to the respondents to file counter affidavit, but no counter affidavit has yet been filed by the respondents. Capt. Priti Tyagi, Departmental Representative, prays for and is granted three weeks and no more time to file counter affidavit.</p> <p>List on 3.2.2014 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. 135 of 2012

Parikhhan 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>09.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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. 28 of 2009

Pramod Bhosle

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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. 1271 of 2010

Raj 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>09.01.2015</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 no one appeared for the applicant.</p> <p>The Bench Secretary of this Court informs that the Advocates are abstaining from judicial work today.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>This case has not yet been admitted, though it has been listed for hearing.</p> <p>List this case on 10.4.2015 for admission before the appropriate Court having jurisdiction, as per roster of that date.</p> <p>The Registry is also directed to inform the Court by the next date of listing with respect to the position and outcome of Writ Petition No. 2441 of 2001. So far as Writ Petition No. 7132 of 2001, filed before the Delhi High Court, the Registrar General, Delhi High Court, vide his letter dated 6.9.2015 has informed that the writ petition was disposed of on 8.2.2008 and the judgment is available on its</p>

website. The Registry of this Court is directed to download the said judgment and place on record.

(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. 25 of 2015
(Inre : O.A. No. 181 of 2014)

Kitabuddin 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>08.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>List revised.</p> <p>Present: Shri V.K. Pandey, learned counsel for the applicant and Smt. Deepti P. Bajpai, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 25 of 2015.</u></p> <p>This is an application for recall of the order dated 16.12.2014, in which it is stated that the counsel was not present and as such the Original Application No. 181 of 2014 was dismissed for non-prosecution.</p> <p>We have gone through the affidavit filed along with the recall application and are of the opinion that the reasons shown for recall of the order dated 16.12.2014 seems to be genuine.</p> <p>Accordingly, Misc. Application No. 25 of 2015 is allowed and</p>

the order dated 16.12.2014, passed by this Court dismissing the Original Application No. 181 of 2014 is hereby recalled. The Original Application is hereby restored to its original number, provided the applicant deposits Rs. 500/- as cost within ten days from today in the Bar Association of the Armed Forces Tribunal.

List on 27.03.2014 before the appropriate Court having jurisdiction, as per roster of that date.

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

(Justice Abdul Mateen)
Member (J)

rpm.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 125 of 2010

Joginder Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>08.01.2015</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 Dileep Singh, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, the Bench Secretary has informed that Shri P.N. Chaturvedi, learned counsel for the applicant, has moved an application for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 4.3.2015 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 10 of 2013

Ramjeet Maurya

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>08.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>List revised.</p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant and Shri R.K. Singh, learned counsel for the respondents.</p> <p>On call of the case, Shri V.P. Pandey appears and states that Shri S.K. Singh, his senior counsel, will argue the case, has not come to the court and prays for adjournment.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List on 30.03.2015 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

DY. No. 980 of 2014

Asha Ram

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>08.01.2015</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, the Bench Secretary has informed that Shri P.N. Chaturvedi, learned counsel for the applicant, has moved an application for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 9.3.2015 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 794 of 2010 with M.A. No. 1686 of 2014

Surendra Singh 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>08.01.2015</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: Smt. Deepti P. Bajpai, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, the Bench Secretary has informed that Shri P.N. Chaturvedi, learned counsel for the applicant, has moved an application for adjournment of the case.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 09.04.2015 for admission 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>rpm.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

M.A. No. 05 of 2015

(Inre : EX.A. 06 of 2014 & 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>08.01.2015</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 Man Mohan Bose, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 05 of 2015.</u></p> <p>This application has been moved by the applicant with the caption "Restoration Application" with respect to an order dated 2.12.2014.</p> <p>We have gone through the order dated 2.12.2014, passed by this Court, and found that by the aforesaid order Execution Application No. 06 of 2014 has been dismissed as infructuous with certain observation.</p> <p>As such, this application with the caption "Restoration Application" is not maintainable and is, accordingly, rejected with the liberty to the applicant to move appropriate application, if so advised.</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. 581 of 2014

Hav Awadhesh Kumar Pathak
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>08.01.2015</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.P. Pandey, learned counsel for the applicant, and Ms. Deepti Prasad Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for and is granted two weeks and no more time to file certain documents, as directed ;by this Court on earlier occasion.</p> <p>List on 11.3.2015 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. 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>08.01.2015</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 Dileep Singh, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri R. Chandra stated that earlier this O.A. was filed with the prayer for quashing the order of severe reprimand and for a direction to the respondents to promote the applicant to the post of Naib Subedar. He further submits that since the applicant has already retired on 30.6.2014 the prayer clause of the O.A. needs to be amended. He, therefore, prays for adjournment to enable him to move amendment application.</p> <p>We have also gone through the file and found that at the initial stage a Bench of this Tribunal had observed that the applicant without availing the alternative remedy has filed the present O.A.</p> <p>As prayed by learned counsel for the applicant, list this case on 8.4.2015 before the appropriate Court having jurisdiction, as per roster</p>

of that date. to enable him to file amendment application in the meantime. On that date learned counsel will also satisfy this Court in regard to maintainability of this O.A. since the applicant without availing the alternative remedy has filed the present O.A. before this Tribunal.

(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. 209 of 2013 with M.A. No. 1006 of 2014

Hav Daroga Rai

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>08.01.2015</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 Rohit Kumar, learned counsel for the applicant, and Shri Ishraq Farooqui, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>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 9.2.2015 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. 210 of 2010

AK Chatterjee

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>08.01.2015</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 B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant, neither there is any request to adjourn/pass over the case. Accordingly, O.A.(A) No. 210 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. 780 of 2010

Mangal Saran

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>08.01.2015</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 Shailendra Kumar Lodhi holding brief of Shri P.D. Verma, learned counsel for the applicant and Shri Dileep Singh, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Shailendra Kumar Lodhi informs this Court that Shri P.D. Verma will argue this case and since he could not come to this Court today as he is not well, this case be adjourned for the day. As prayed, this case is adjourned for the day</p> <p>Accordingly, list this case on 24.3.2015 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. 794 of 2010 with M.A. No. 1686 of 2014

Surendra Singh Yadav

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>08.01.2015</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....., learned counsel for the applicant and Shri, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Llist on..... 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>08.01.2015</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 Ashutosh Kumar Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case we have gone through the order-sheets and noticed that this case, though listed for hearing, has not yet been admitted.</p> <p>The Registry is, therefore, directed to list this case for admission on 16.1.2015 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

M.A. No. 1514 of 2014

Mohd Rasool

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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Smt. Deepti P. Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Misc. Application moved by the applicant for condoning the delay in filing the Original Application.</p> <p>As per office report, there is delay of 07 months and 04 days in filing the Original Application.</p> <p>Learned counsel for the respondents prays for and is granted two weeks' time to file objection on the delay condonation application.</p> <p>List on 10.12.2014 before the appropriate Court having jurisdiction, as per roster.</p>

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

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 70 of 2010

Jagadisha H.G.

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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri KC Ghildiyal, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p>

	RP.
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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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri V.P. Pandey, learned counsel for the applicant, and Smt. Deepti P. Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Shri V.P. Pandey, learned counsel for the applicant requested some more time to incorporate the amendment. As requested, two days time is granted to incorporate the necessary amendment.</p> <p>List on 11.12.2014 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 202 of 2012

Vijay Kant Shukla
By Legal Practitioner for Applicant

Applicant

Versus

Chief of the Army & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Vinay Pandey, advocate appeared and stated that Shri P.N. Chaturvedi, counsel for the applicant has gone out of station and has not come to this Court today. He, therefore, prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 30.1.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 435 of 2012

Islam 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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri P.K. Shukla, learned counsel for the applicant, and Smt. Deepti P. Bajpai, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri P.K. Shukla appeared and stated that he has not prepared the brief of the case and requested for adjournment. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 19.01.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 520 of 2012

Narendra Pal Singh
By Legal Practitioner for Applicant

Applicant

Versus

Chief of the Army & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Vinay Pandey, advocate appeared and stated that Shri P.N. Chaturvedi, counsel for the applicant has gone out of station and has not come to this Court today. He, therefore, prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 02.02.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 89 of 2009

Rajendra Prasad Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Vinay Pandey, advocate appeared and stated that Shri P.N. Chaturvedi, counsel for the applicant has gone out of station and has not come to this Court today. He, therefore, prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 04.02.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1290 of 2010

Arvind Kumar Katiyar
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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri MS Yadav, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Sgt SK Pandey, Departmental Representative.</p> <p>Heard Shri MS Yadav, learned counsel for the applicant as well as Shri Mukund Tewari, learned counsel for the respondents. Applicant counsel is directed to file Synopsis in Registry today to argue the case further.</p> <p>List on 20.01.2015 before the appropriate Court having jurisdiction, as per roster. It shall not be treated as tied up to this Court.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 63 of 2012

Sanjay 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>07.11.2014</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Vinay Pandey, advocate appeared and stated that Shri P.N. Chaturvedi, counsel for the applicant has gone out of station and has not come to this Court today. He, therefore, prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 29.1.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>RP.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1288 of 2010

Chandra Bhushan Yadav

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>07.01.2015</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 M.S. Yadav, learned counsel for the applicant, and Shri A.K. Singh, learned counsel for the respondents.</p> <p>Heard learned counsel for the applicant on this Writ Petition, filed before the Hon'ble Allahabad High Court and on being its transfer to this Tribunal registered as T.A. No. 1288 of 2010 for its admission, though this writ petition inspite of being not admitted continues to be listed for hearing and today it has been listed for admission after an order passed by this Court on 17.11.2014.</p> <p>The petitioner/applicant aggrieved against the DCM proceedings and subsequent punishment of dismissal from service and sentence to three months' R.I. on the charge of misappropriation of diesel and petrol, has filed this writ petition. Learned counsel for the applicant submits that though there being no evidence to the effect of misappropriation of diesel and petrol, the applicant has been falsely and severely punished.</p>

After going through the record and hearing learned counsel for the parties, we are of the opinion that this case needs adjudication. Accordingly, we **admit** this petition.

Since counter and rejoinder affidavits have already been exchanged in this case, list this case for hearing on 1.5.2015 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

T.A. No. 9 of 2013

Ranjeet 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>07.01.2015</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.P. Pandey, learned counsel for the applicant and Shri R.S. Mishra, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the parties on the question of admission of this T.A.</p> <p>This T.A. arises out of SCM proceedings initiated against the applicant and by means of which the applicant has been dismissed from service and sentenced to 2 months R.I.</p> <p>The question which has been raised by learned counsel for the applicant is to the effect that SCM proceedings was concluded within half an hour and the friend of accused available in other Unit, claimed by the applicant, was not made available to him.</p> <p>We find that the points raised by learned counsel for the applicant are arguable in nature. Accordingly, we admit this T.A.</p> <p>Since counter and rejoinder affidavits have already been</p>

exchanged in this case, list for hearing on 7.5.2015 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

**O.A. No. 356 of 2012 with M.A. No. 487 of 2013, M.A. No. 783 of 2013
& M.A. No. 1213 of 2014**

Ranjodh 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>07.01.2015</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 Lalit Kumar, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard learned counsel for the applicant. He submits that this O.A. be entertained ignoring the provision of Section 21 of the A.F.T. Act, 2007 which provides for alternative remedy. The argument which has been raised by Shri Lalit Kumar is to the effect that inspite of there being specific statutory remedy provided under Section 21 of the Act, it is not necessary for the applicant to avail that remedy and he can directly approach this Tribunal ignoring the efficacious alternative remedy available to him under Section 21 of the Act. Shri Lalit Kumar, in support of his argument, cited the judgment dated 19.10.2010 rendered by the Full Bench of the Principal Bench of this Tribunal in O.A. No.</p>

471 of 2010.

Shri Mukund Tewari, learned counsel for the respondents, on the contrary, placed reliance on the judgment of the Hon'ble Supreme Court in the case of *Commissioner of Income Tax & others v. Chhabil Dass Agarwal* reported in (2014) SCC 603 which provides that interference in matters where efficacious alternative remedy is available and when a statutory forum is created by law for redressal of grievances, writ petition should not be entertained ignoring said statutory dispensation. As such, the argument of learned counsel for the respondents is that the judgment of the Hon'ble Supreme Court is binding on all Courts and accordingly have an overriding effect upon the Full Bench of the A.F.T.

List on 5.5.2015 for admission 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

T.A. No. 34 of 2010 with M.A. No. 961 of 2014 & M.A. No. 1350 of 2014

Vinay 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>07.01.2015</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 S.P. Singh, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p><u>Misc. Application No. 961 of 2014.</u></p> <p>Let counter affidavit filed by the respondents be taken on record. This application is, accordingly, disposed of.</p> <p><u>Misc. Application No. 1350 of 2014.</u></p> <p>Let rejoinder affidavit filed by the applicant be taken on record. This application is, accordingly, disposed of.</p> <p>Heard learned counsel for the parties.</p> <p>The petitioner/applicant is aggrieved against DCM proceedings in which the applicant was dismissed from service and was sentenced</p>

to one year's R.I. However, on petition under Section 164(2) of the Army Act, filed by the applicant, the order of dismissal was converted into 'discharge', vide order dated 5.9.1995.

It is noteworthy to indicate that the applicant had filed a writ petition before the Punjab & Haryana High Court, vide Writ Petition No. 7960 of 1994 and the Hon'ble High Court, vide order dated 15.11.1994, had passed the following order :

“Keeping in view the peculiar facts of this case, as emerge from the pleadings of the parties and the record produced by the respondents, we are of the view that till the petition under Section 164(2) is decided, the petitioner would be entitled to the salary and other benefits as if he is continuing in service on the same rank from which he was dismissed. It will be open to the respondents to assign duties to the petitioner. If respondents decide to assign him the duties, the petitioner would be entitled to salary and other benefits arising out of service as are admissible to other members of the force. A regular identity card may not be issued to the petitioner, but any other authorization may be issued to entitle him to draw various articles from the canteen according to his entitlement.

The petitioner who is present in Court is directed to report to Unit 48 A.D.A. Regiment, Ambala on 21.11.1994 to get further orders/directions from the Commanding Officer.

Writ Petition is disposed of in the above terms.”

It seems that the applicant, in view of the order, quoted above, passed by the Punjab & Haryana High Court, was allowed to continue in service before deciding his petition under Section 164(2) of the Army Act and even after deciding the said petition under Section 164(2) converting his sentence from 'dismissal' to 'discharge' was

continuing in service and was also paid his due salaries upto the year 1997.

The applicant happens to be disabled. The claim now put forward by learned counsel for the applicant is that the applicant has been awarded disability pension for the period of 10 years, 2 months and 24 days, whereas, in any case, he was allowed to continue in service after final orders passed by the Hon'ble Punjab & Haryana High Court, at least till 2.8.1997, but the order of 'discharge' was communicated to him only after filing of contempt petition on 31.10.2002 before the Hon'ble Punjab & Haryana High Court for not complying the order dated 15.11.1994, referred to above.

As such, in view of the decision rendered by the Hon'ble Supreme Court in the case of *State of Punjab v. Amar Singh Harika* reported in *AIR 1966 S.C. 1313* the applicant is entitled to pension upto the date the order of dismissal which afterwards was converted into 'discharge' on a petition filed by the applicant under Section 164(2) of the Army Act was communicated to him, i.e. 31.10.2002.

Now, as to whether the applicant is entitled to disability pension upto 31.10.2002 or not is to be adjudicated upon. It has also been prayed that the applicant is entitled to full pension upto the year 2005. The claim of the applicant seems to be arguable in nature. Accordingly, we **admit** this T.A.

Since counter and rejoinder affidavits have already been exchanged in this case, list this case for hearing on 1.5.2015 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

T.A. No. 1409 of 2010

Sutan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>07.01.2015</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, learned counsel for the applicant and Shri Prakhar Kankan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Court at the initial stage, vide detailed order dated 4.8.2014, directed the respondents to produce the original record pertaining to the case for perusal. Subsequently, when the case was taken up on 28.10.2014 and the respondents were asked to produce the record, the respondents replied that the record has been weeded out and cannot be produced inspite of the affidavit filed by one Lt. Col. B.A. Dandapani stating that the confidential statement given by the petitioner/applicant will be produced at the time of hearing of the petition. Thereafter this Court observed that since four copies of SCM proceedings are usually got prepared and rest of the copies of SCM proceedings must be in the custody of the respondents, they</p>

were directed to produce one such copy before this Court on the next date. Copy of this order dated 28.10.2014 was also directed to be sent to the Chief of the Army Staff for his information and necessary action against the guilty officers, who, after having sufficient knowledge that the case of applicant is subjudiced, have destroyed the original record. However, this Court is still not aware what action ;has been taken by the COAS in this regard.

Let a reminder be sent to the COAS along with a copy of our order dated 28.10.2014 asking him to let this Court know what action he has taken or proposing to take in the matter.

As already observed that four copies are generally got prepared in any SCM proceedings and are kept separately, we again direct the respondents to produce one such copy before this Court on the next date.

List this case on 7.5.2015 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

T.A. No. 31 of 2012

Shatrughan Singh 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><u>07.01.2015</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 Virat Anand Singh, learned counsel for the applicant and Capt. Priti Tyagi, Departmental Representative.</p> <p>Learned counsel for the respondent is not present when the case is taken up.</p> <p>On call of the case learned counsel for the applicant states that in pursuance of the order dated 5.11.2014, passed by this Court, copies of Summary of Evidence as well as other statements of defence and prosecution witnesses will be filed in the Registry during the course of the day.</p> <p>Vide aforesaid order dated 5.11.2014 the respondents were also directed to produce the record pertaining to SGCM proceedings with statement of witnesses produced against the applicant and also the statements of defence witnesses produced by the applicant, but Capt. Priti Tyagi, Departmental Representative, showed her inability to</p>

produce the same today saying that no direction was issued by this Court for producing the record. She is directed to be careful in future and follow the orders passed by this Court.

Heard learned counsel for the applicant on the point of admission of this T.A.

It has been argued by learned counsel for the applicant that the matter relates to SGCM proceedings wherein the punishments awarded to the applicant as cashiered from service and 7 years' R.I.

Aggrieved against the punishment awarded to the applicant, this writ petition had been filed by the petitioner/applicant before the Hon'ble High Court, which, ultimately has been transferred to this Tribunal and registered as T.A. No. 31 of 2012. In this writ petition the applicant has argued that (1) the mandatory provision for holding the trial has been violated, and (2) the charges which have been framed against the applicant are false.

The points raised by learned counsel for the applicant seems to be arguable in nature. Accordingly we **admit** this petition.

Since counter and rejoinder affidavits have already been exchanged in this case, list for hearing on 8.5.2015 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.

ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1233 of 2010

Lal Babu 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>06.01.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Partly Allowed.</p> <p>For judgment and order see our judgment and order of date passed on separate sheets.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX-A. No. 44 of 2014
(Inre: OA(A) 7 of 2013)

Mukesh 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>06.01.2015</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 Lalit Kumar, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>This Execution application has been moved against respondents for non-compliance of Judgment and Order passed by this court in Original Application No. 07 of 2013, decided by Hon'ble Mr. Justice S.C. Chaurasia Member (J) and Hon'ble Air Marshal Anil Chopra, Member (A).</p> <p>As such, list this case on 07.01.2015 before the appropriate Court.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

EX-A. No. 54 of 2013 with M.A. No. 815 of 2014 & M.A. No 1233 of 2014
(Inre: O.A. No. 101 of 2010)

Raghunath Tripathi
In Person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.01.2015</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 Raghunath Tripathi, applicant in person and Capt. Priti Tyagi, Departmental Representative.</p> <p>As per office report that Notice was sent to the respondent no. 8 which has not yet been received back after service.</p> <p>Office is directed to inform the court about the outcome of the notice by next date.</p> <p>List on 04.02.2015 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>rpm.</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>06.01.2015</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 Dileep Singh, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri R. Chandra states that this case be argued by Shri. K.C. Ghildiyal, advocate and he has not come to the court today. Shri Chandra prays that this case be listed on 08.01.2015 when Shri Ghildiyal will be available.</p> <p>As prayed, list on 08.01.2015 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>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 157 of 2014

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>06.01.2015</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 Asutosh Kumar Srivastava, 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, counsel for the applicant, has expired. As such he has not come to court and requested for adjournment.</p> <p>Accordingly, the case is adjourned.</p> <p>List on 06.04.2015 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>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 315 of 2013

Sangram Singh Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>06.01.2015</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 Shailendra Kumar Singh, learned counsel for the applicant and Shri Rajesh Kumar, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri Shailendra Kumar Singh, learned counsel for the applicant appears and states that he has to go in funeral of Mrs. Chaturvedi, wife of Shri P.N. Chaturvedi, advocate, today and prays for adjournment of the case for next week.</p> <p>Accordingly, we direct to list this case on 21.01.2015 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>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 120 of 2009

BG Gowda

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>06.01.2015</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 Ashutosh Kumar Srivastava 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 R.K. Agrawal, learned counsel for the applicant, and Shri Ashutosh Kumar Srivastava, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>Heard Shri R.K. Agrawal, learned counsel for the applicant and gone through the writ petition of the case, it is transpired that applicant prayed for quashing the order of discharge and promotion for the post of Subedar.</p>

Since the discharge and promotion matters relates to other bench, hence list on 13.01.2015 before the appropriate Court having jurisdiction, as per roster of that date.

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

(Justice Abdul Mateen)
Member (J)

rpm.

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 150 of 2010

Devi Sharan Mishra

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>06.01.2015</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 B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, a person claiming himself Shri Devi Sharan Mishra, applicant, appears and states that his counsel Shri. P.N. Chaturvedi has not come to the court due to sad demise of his wife and requests for adjournment of the case. As such the case is adjourned for the day.</p> <p>As prayed, list on 07.04.2015 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>rpm.</p>

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

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A.(A). No. 149 of 2010

Raj 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>05.01.2015</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 G.S. Chauhan, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri G.S. Chauhan, learned counsel for the applicant, showed his inability to argue the matter on the ground that his file is not complete in view of the order dated 28.10.2014, passed by this Court.</p> <p>Further, while going through the file, we noticed that the applicant has not yet filed any application for condoning the delay and without there being any application for condoning the delay the matter cannot proceed further, though the office, erroneously, has already registered the case.</p> <p>Learned counsel for the applicant prays for and is granted three weeks' time to file delay condonation application.</p> <p>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>05.01.2015</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 Rohit Kumar, learned counsel for the applicant, and Shri D.S. Tiwari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Rohit Kumar, learned counsel for the applicant, states that he has not been able to prepare the case on the query made by this Court on 24.12.2014 regarding maintainability of this O.A. as well as with respect to delay in filing the same. He, therefore, prays for one week's further time to prepare the case.</p> <p>Accordingly, list this case on 15.1.2015 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

T.A. No. 22 of 2014

Parmanand

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 Rajesh Kumar, learned counsel for the applicant, and Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri Rajesh Kumar, learned counsel for the applicant, who has filed his Vakalatnama on behalf of the applicant on 12.12.2014, states that the applicant intends to withdraw this T.A. No. 22 of 2014 and prays that this case be dismissed as withdrawn.</p> <p>As prayed, this T.A. No. 22 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

EX.-A. No. 09 of 2012
(Inre: O.A. No. 295 of 2011)

Birendra Singh Tomar
By Legal Practitioner for Applicant

Applicant

Versus

SK Sharma, Secretary MoD
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 Veer Raghav Chaubey, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case learned counsel for the parties failed to inform this Court about the outcome of the Civil Appeal No. 2806 of 2013, pending before the Hon'ble Supreme Court. They, therefore, pray that this case be listed after two months to inform this Court about the outcome of the aforesaid Civil Appeal pending before the Hon'ble Supreme Court.</p> <p>As prayed, list this case on 17.3.2015 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. 16 of 2011, M.A. No 700 of 2014 & M.A. No. 1175 of 2014

Jagbir Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 Ishraq Farooqui, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case Shri K.K. Mishra, learned counsel for the applicant, states that this case relates to quashing of the Release Medical Board proceedings.</p> <p>Since this Court has no jurisdiction to try the matter, office is directed to list this case on 14.1.2015 before the appropriate Court having jurisdiction..</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. 402 of 2011

Dinesh Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 no one appears for the applicant. Rather, the Bench Secretary of this Court informs that learned counsel for the applicant has already filed an adjournment application since he will remain out of station today.</p> <p>Accordingly, the case is adjourned for the day.</p> <p>List this case on 13.3.2015 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. 175 of 2014

Lt Col Harshwardhan Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 Alok Mathur & Shri R.K. Verma, learned counsel for the applicant, and Shri Mukund Tewari, learned counsel for the respondents, along with Major Alifa & Capt. Priti Tyagi, Departmental Representatives.</p> <p>As directed earlier, the ACR of the applicant has been produced before this Court today.</p> <p>Learned counsel for the applicant prays for and is granted further two days' time to take steps for service of notice on respondent no. 4. If steps are taken, the office is directed to issue notice to respondent no. 4 directing him to file his counter affidavit within six weeks from the date of receipt of notice.</p> <p>Shri Mukund Tewari, learned counsel for the respondents, states that counter affidavit has been filed after serving a copy of the same on learned counsel for the applicant. As prayed, rejoinder affidavit, if any, may be filed by the applicant before the next date of</p>

listing.

List this case on 18.3.2015 before the appropriate Court having jurisdiction, as per roster of that date. The original record, which has been produced today by the respondents, shall also be produced on the next 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. 1885 of 2014

Hav Mahendra 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>05.01.2015</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 Ratnesh Lal on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed his name be shown as counsel for the said respondents.</p> <p>Present: Shri Nishant Verma, learned counsel for the applicant, Shri Ratnesh Lal, learned counsel for the respondents, along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri Nishant Verma, learned counsel for the applicant appears and requests that the said case be put up tomorrow, to enable him to satisfy the court whether this original application is maintainable or not.</p> <p>List for admission on 06.01.2015.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 457 of 2010

Amit Kumar Khatkar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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 states that his senior Shri K.C. Ghildiyal, who will argue the case, is not come to the court today and prays for adjournment. As such this case is adjourned for the day.</p> <p>As prayed, list on 22.01.2015 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>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1207 of 2010

Smt. Vimla 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>05.01.2015</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 Rohit Kumar, learned counsel for the applicant, and Shri Prakhari Kankar, learned counsel for the respondents along with Capt. Priti Tyagi, Departmental Representative.</p> <p>On call of the case, Shri Rohit Kumar, Learned Counsel for the applicant states that this case is wrongly listed to this court since the matter pertains to Family Pension with respect to quashing the impugned discharge order effective from 08 Dec 1994.</p> <p>List for order on 13.01.2015 before the appropriate Court having jurisdiction, as per roster.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

O.A. No. 16 of 2010

Brij 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>05.01.2015</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, Shri Mohd. Tarikh Khan, Advocate, appeared and stated that Shri M.K. Singh, learned counsel for the applicant has gone out of station. He, therefore prays for adjournment of the case. Accordingly, the case is adjourned for the day.</p> <p>As prayed, list on 12.03.2015 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>rpm.</p>

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

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 3

T.A. No. 1244 of 2010

Virendra Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.01.2015</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, Shri Vinay Pandey, advocate, holding brief of Shri P.N. Chaturvedi, learned counsel for the applicant, appears and states that the file of the case has been misplaced and prays two weeks' time to reconstruct the same.</p> <p>We have gone through the file and found that this case has not yet been admitted.</p> <p>As such, list this case for admission on 23.03.2015 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>rpm.</p>