

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

**M.A. No. 983 of 2016 Inre O.A. No. (Nil) of 2016**

**Naval Kishor Bhatt** Applicant  
By Legal Practitioner for Applicant

Versus

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Pankaj Negi, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay is taken on record.</p> <p>Relief claimed by the applicant is with regard to payment of disability pension which inhibits in itself recurring cause of action. Accordingly we condone the delay and <b>admit</b> O.A.</p> <p>Counter affidavit filed by the respondents is taken on record. Ld. Counsel for the applicant may file rejoinder affidavit within four weeks.</p> <p>List the case on <b>02.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**M.A. No 2730 of 2016 with M.A. No. 385 of 2017  
& M.A. No. 462 of 2017 Inre O.A. No. Nil of 2016**

**Pradeep Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay is taken on record.</p> <p>The issues raised in the O.A. require hearing. Accordingly we condone the delay and <b>admit</b> O.A.</p> <p>Counter affidavit filed by the respondents is taken on record. Ld. Counsel for the applicant may file rejoinder affidavit within four weeks.</p> <p>List the case on <b>02.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 325 of 2017 Inre O.A. No. Nil of 2017**

**Smt Ganga 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><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Verma, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay is taken on record.</p> <p>The controversy involved relates to family pension which inhibits in itself recurring cause of action. Accordingly we condone the delay and <b>admit</b> O.A.</p> <p>Counter affidavit filed by the respondents is taken on record. Ld. Counsel for the applicant may file rejoinder affidavit within four weeks.</p> <p>List the case on <b>03.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 147 of 2015**

**Jagat 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><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>We have heard Ld. Counsel for the parties and perused the records.</p> <p>A preliminary objection has been raised by Ld. Counsel for the respondents that the applicant is claiming interest @ 8% in pursuance to earlier order dated 15.10.2014 passed in T.A. No. 11 of 2013.</p> <p>While approaching the Tribunal the applicant has claimed the following relief:-</p> <p style="text-align: center;"><i>(i) To direct the respondents to pay the interest @ 8% p.a. on the arrears of disability pension with effect from the date of applicant's discharge from service i.e. 31<sup>st</sup> May 2002 till the date of actual payment of the same as per para 21 of the order dated 15<sup>th</sup> October 2014 passed by the Hon'ble Tribunal in T.A. No 11 of 2013 (Navy) (Annexure-A (1) none of which has been paid to the applicant till date.</i></p> <p>A perusal of the relief claimed by the applicant shows that he has approached the Tribunal for the same relief which has already been granted in earlier T.A. (supra) except rounding of disability in accordance with the pronouncement of Hon'ble Apex Court dated 10<sup>th</sup> December 2014 in the case of <b><i>Union of India and Ors vs. Ram Avtar &amp; ors</i></b> (Civil Appeal No 418 of 2012).</p> <p>Technically saying, the O.A. seems to be not</p>

maintainable for the reason that the provisions contained in Order 2 Rule 2, Code of Civil Procedure to claim whole relief while preferring petition seems to be violated. However so far as rounding of disability pension is concerned, since the claim of the applicant is based on Apex Court judgment, we give liberty to the applicant to approach the appropriate forum afresh, if so advised, but question with regard to payment of interest and arrears in pursuance to earlier judgment of the Tribunal (supra) seems to be not maintainable for the reason that the issue which has already been settled by earlier T.A. (supra) and relief claimed has been granted, cannot be raised again in another petition. The applicant has option to move appropriate application in accordance with provisions contained in Armed Forces Tribunal Act, 2007 or before any other forum, but so far as second petition for compliance of earlier judgment is concerned, the same is not maintainable. The analogy may be drawn from the settled proposition of law that judgment and decree passed in an earlier suit cannot be subject matter of another suit, being barred by constructive res judicata and being hit by Section 11, Code of Civil Procedure.

In view of the above we feel that the O.A. is not maintainable and deserves to be rejected with liberty to approach appropriate forum, if so advised.

It is accordingly **rejected** with liberty aforesaid.

No order as to costs.

**(Lt Gen Gyan Bhushan)**  
**Member (A)**

**(Justice D.P. Singh)**  
**Member (J)**

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[See rule 11(1)]  
**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**O.A. No. 73 of 2017**

**Durga Singh Panchpal**  
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><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Amendment application filed by Ld. Counsel for the applicant is taken on record. Having heard Ld. Counsel for the parties, we allow the amendment application. Let necessary amendment be carried out forthwith.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>List the case on <b>03.08.2017</b> for hearing.</p> <p>Meanwhile, the applicant may file rejoinder affidavit.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**O.A. No. 75 of 2017**

**Randheer 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><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri M.C. Pant, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit.</p> <p>Rejoinder affidavit may be filed by Ld. Counsel for the applicant within next four weeks.</p> <p>List the case on <b>03.08.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p><small>anb</small></p>

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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 846 of 2017**  
**Inre O.A. No. Nil of 2017**

**Smt Dhanuli Devi**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents</p> <p>Present: Shri D.S. Mehta, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p>Replication, if any, may be filed by the applicant within next four weeks.</p> <p>List the case on <b>01.08.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>



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**ORDER SHEET**  
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**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 847 of 2017**  
**Inre O.A. No. Nil of 2017**

**Sita Devi**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri R.C. Shukla, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents</p> <p>Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondents, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p>Replication, if any, may be filed by the applicant within next four weeks.</p> <p>List the case on <b>01.08.2017</b> for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 848 of 2017**  
**Inre O.A. No. Nil of 2017**

**Kanti Ballabh Bhatt**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Memo of appearance filed by Shri R.C. Shukla, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents</p> <p style="text-align: center;">Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondent, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p style="text-align: center;">Replication, if any, may be filed by the applicant within next four weeks.</p> <p style="text-align: center;">List the case on <b>01.08.2017</b> for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 849 of 2017**  
**Inre O.A. No. Nil of 2017**

**Diwan Singh Bora**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Chet Narain Singh, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the respondent, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p>Replication, if any, may be filed by the applicant within next four weeks.</p> <p>List the case on <b>01.08.2017</b> for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 850 of 2017**  
**Inre O.A. No. Nil of 2017**

**Surendra Singh Negi** Applicant  
By Legal Practitioner for Applicant

Versus

**Union of India & Ors** Respondents  
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Memo of appearance filed by Dr. Gyan Singh, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p style="text-align: center;">Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondent, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p style="text-align: center;">Replication, if any, may be filed by the applicant within next four weeks.</p> <p style="text-align: center;">List the case on <b>02.08.2017</b> for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 851 of 2017**  
**Inre O.A. No. Nil of 2017**

**Satendra Singh**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Ors**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Memo of appearance filed by Shri Amit Sharma, Advocate is taken on record. His name shall be shown in the cause list as Ld. Counsel for the respondents.</p> <p style="text-align: center;">Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the respondent, four weeks' time is granted to file objection to the application for condonation of delay.</p> <p style="text-align: center;">Replication, if any, may be filed by the applicant within next four weeks.</p> <p style="text-align: center;">List the case on <b>02.08.2017</b> for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 860 of 2017**  
**Inre O.A. No. 52 of 2017**

**Bhupal Singh Jantwal**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>19.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Manoj Kumar, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;"><b><u>M.A. No. 860 of 2017</u></b></p> <p>Heard Ld. Counsel for the applicant. Cause shown in is sufficient.</p> <p>Order dated 15.05.2017 dismissing the O.A. for non prosecution is recalled subject to payment of cost of Rs. 200/- (rupees two hundred) which shall be remitted to Bar Association of Armed Forces Tribunal, Lucknow.</p> <p>Subject to payment of cost, the case shall be restored to its original number and shall be listed on <b>03.08.2017</b> for orders.</p> <p>M.A. is disposed of accordingly.</p> <p style="text-align: center;"><b><u>O.A. No. 52 of 2017</u></b></p> <p>Counter and rejoinder affidavits shall be exchanged by Ld. Counsel for the parties by the next date fixed.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4  
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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**Ex-A/19 of 2012 with M.A. No. 56 of 2017**  
**Inre T.A. No. 67 of 2010**

**Jagdish Singh Mahara**  
By Legal Practitioner for Applicant

Applicant

Versus

**DG Inf & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri G.D. Joshi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Dr. Gyan Singh, Ld. Counsel for the respondents made a statement across the Bar that medical opinion has been submitted before Hon'ble Supreme Court and the matter is likely to be heard on 05.07.2017.</p> <p>As prayed, list the case on <b>02.08.2017</b> for orders at Circuit Bench, Nainital.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No 1431 of 2014 with M.A. No. 1432 of 2014**  
**Inre Dy No. 162 of 2013**

**Balam Ram** 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><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Objection on application for condonation of delay filed by the Ld. Counsel for the respondents is taken on record.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted four weeks' time to file replication.</p> <p style="text-align: center;">As prayed, list the case on <b>04.08.2017</b> for orders at Circuit Bench, Nainital.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <span style="float: right;"><b>(Justice D.P. Singh)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Member (J)</b></span></p> <p>anb</p>



Form No. 4  
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**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 317 of 2017 Inre: OA No. (NIL) of 2017**

**Joga 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><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay filed by Ld. Counsel for the respondents is taken on record. Ld. Counsel for the applicant states that he does not intend to file replication.</p> <p>Controversy relates to payment of pension of the rank of Hony Nb. Sub which inhibits in itself recurring cause of action.</p> <p>Accordingly, delay in preferring the O.A. is condoned.</p> <p><b>Admit.</b></p> <p>Counter affidavit may be filed by Ld. Counsel for the respondents within four weeks. Applicant shall thereafter have two weeks to file rejoinder affidavit.</p> <p>List the case on <b>01.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>While filing counter affidavit, respondents shall place on record the relevant portion of copy of the 6<sup>th</sup> Pay Commission Report, orders of various Armed Forces Tribunals and decision rendered by Hon'ble Supreme Court on the subject as well as decision taken by the respondents with regard to payment of pension of the rank of Hony Nb Subedar and chart prepared thereon.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p style="text-align: left; font-size: small;">anb</p>

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

**M.A. No. 318 of 2017**  
**Inre. O.A. No. (Nil) of 2017**

**Khem Singh**

By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay in preferring the O.A. is taken on record. Ld. Counsel for the applicant does not intend to file replication.</p> <p>We have heard Ld. Counsel for the parties on application for condonation of delay. Cause shown is sufficient. Delay is accordingly condoned.</p> <p>The controversy involved in the O.A. requires hearing.</p> <p><b>Admit.</b></p> <p>Respondents may file counter affidavit within four weeks. Applicant shall thereafter have two weeks to file rejoinder affidavit.</p> <p>List the case on <b>01.08.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 319 of 2017**  
**Inre O.A. No. (Nil) of 2017**

**Bhuwan Chandra Joshi**  
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><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay in preferring the O.A. is taken on record. Ld. Counsel for the applicant does not intend to file replication.</p> <p>We have heard Ld. Counsel for the parties on application for condonation of delay. Cause shown is sufficient. Delay is accordingly condoned.</p> <p>The controversy involved in the O.A. requires hearing.</p> <p><b>Admit.</b></p> <p>Respondents may file counter affidavit within four weeks. Applicant shall thereafter have two weeks to file rejoinder affidavit.</p> <p>List the case on <b>01.08.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 566 of 2017 Inre M.A. No. 276 of 2015**

**Smt Jayanti 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><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p style="text-align: center;">Present: Shri Ghanshyam Singh Chauhan, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the parties, list the case on <b>13.07.2017</b> for orders at Regional Bench, Lucknow</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p><small>anb</small></p>

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

**M.A. No. 699 with R.A. No 18 of 2017**  
**Inre O.A. No. 137 of 2014**

**Union of India & Ors**

Applicant-respondents

By Legal Practitioner for Applicant-respondents

Versus

**Sunder Singh**

Respondent-applicant

By Legal Practitioner for Respondent-applicant

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Dr. Gyan Singh, Ld. Counsel for the applicant-respondents assisted by Capt Priyank Malviya, OIC Legal Cell and Shri Lalit Kumar, Ld. Counsel for the respondent-applicant.</p> <p>As prayed by Ld. Counsel for the parties, list the case on <b>24.05.2017</b> for orders at Regional Bench, Lucknow</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 378 of 2011**

**Mohan Singh Bisht**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Ors**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri M.S. Chauhan, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is part heard matter.</p> <p>List for further hearing before the appropriate Bench on <b>01.08.2017</b> at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 333 of 2013**

**Jeewan Chandra**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Ors**

Respondents

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri G.D. Joshi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is part heard matter.</p> <p>List for further hearing before the appropriate Bench on <b>02.08.2017</b> at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 146 of 2015**

**Devendra Singh Bhandari**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Supplementary counter affidavit filed by the Ld. Counsel for the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' time to file supplementary rejoinder affidavit.</p> <p>This is part heard matter.</p> <p>List the case on <b>02.08.2017</b> for further hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>



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

**O.A. No. 64 of 2013**

**Chandra Ballabh Bhatt (Deceased)**  
**Through Smt Madhuri Bhatt & Another**  
By Legal Practitioner for Applicants

Applicants

Versus

**Chief of Naval Staff & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel for the applicants and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents.</p> <p>As prayed, list the case on <b>02.08.2017</b> at Circuit Bench, Nainital for hearing.</p> <p>On said date, respondents shall produce the record including medical report prepared at the time of accident on 27.10.1996 including discharge slip/certificate of the Hospital and all subsequent records including injury report/Court of inquiry and service record of the applicant. Respondents shall also produce report of the 1<sup>st</sup> appellate authority relating to the applicant and documents, if any, on the basis of which 1<sup>st</sup> and 2<sup>nd</sup> appellate authorities have taken the decision.</p> <p>On the next date of listing, representative of the Navy shall appear to assist the Court.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p style="text-align: left; margin-left: 20px;">anb</p>

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

**O.A. No. 42 of 2017**

**Kundan Singh Bhandari**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, Ld. Counsel for the respondents is granted four weeks' time to file counter affidavit. Applicant shall have two weeks thereafter to file rejoinder affidavit.</p> <p>List the case on <b>02.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 48 of 2017**

**Smt Radhika Devi**

Applicant

By Legal Practitioner for Applicant

Versus

**Union of India & Ors**

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by the respondents is taken on record. Applicant may file rejoinder affidavit within four weeks.</p> <p>List the case on <b>02.08.2017</b> at Circuit Bench, Nainital for hearing.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 125 of 2017 with M.A.No. 705 of 2017**

**Vinod Kumar Mehta** Applicant  
By Legal Practitioner for Applicant

Versus

**Union of India & Ors** Respondents  
By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh, Advocate on behalf of the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present: Shri K.K. Bisht, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List the case on <b>03.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On next date of listing, Ld. Counsel for the respondents shall produce the record including Medical Board opinion.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**R.A. No. 13 of 2013 with M.A. No. 2455 of 2016**  
**Inre O.A. No. 233 of 2010**

**Ravi Pratap Pandey**  
By Legal Practitioner for Applicant

Applicant

Versus

**Union of India & Ors**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is part heard matter of another Bench.</p> <p>List the case on <b>02.08.2017</b> for hearing before appropriate Bench at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p>

anb

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

**M.A. No. 2005 of 2016 With M.A. No 2269 of 2016**  
**Inre: O.A. No. Nil of 2016**

**Bhagwan 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><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Amendment application filed by the Ld. Counsel for the applicant is taken on record.</p> <p>After hearing Ld. Counsel for the parties at some length, we allow the amendment sought for.</p> <p>Let amendment be incorporated by Ld. Counsel for the applicant during course of the day.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>19.05.2017</b> for hearing before Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**MA No. 837 of 2017 with MA No. 838 of 2017 & MA No.477 of 2016**

**Pushkar Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri S.S.Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection filed by Dr. Gyan Singh, Ld. Counsel for the respondents is taken on record.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>03.08.2017</b> before the appropriate Bench at Circuit Bench, Nainital for orders.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**MA No. 839 of 2017 with MA No. 840 of 2017 & MA No.476 of 2016**

**Liladhar Bhatt**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri S.S.Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection filed by Dr. Gyan Singh, Ld. Counsel for the respondents is taken on record.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>03.08.2017</b> before the appropriate Bench at Circuit Bench, Nainital for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>arb</p>



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

**O.A. No. 55 of 2017**

**Jai Prakash**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>18.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.</p> <p>As prayed, list the case on <b>04.08.2017</b> for orders at Circuit Bench, Nainital.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**DY-No. 634 of 2017**

**Kheem 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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh, Ld. Counsel for the respondents is taken on record. His name shall be shown in the cause list.</p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>It is submitted by Ld. Counsel for the applicant that application for condonation of delay is already on record at page 22 to 24 of the paper book. Since it could not be noticed on earlier date, we grant two weeks time to Ld. Counsel for the respondents to file objection. Ld. Counsel for the applicant may file replication within next two weeks.</p> <p>List the case on <b>03.07.2017</b> for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 2005 of 2016 With M.A. No 2269 of 2016**  
**Inre: O.A. No. Nil of 2016**

**Bhagwan 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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The applicant is permitted to carry out amendment to the relief clause claiming pension of the rank of Hony Nb Sub through appropriate amendment application.</p> <p>Ld. Counsel for the respondents submits that he shall file counter affidavit to the amended application by tomorrow.</p> <p>As prayed, list the case on <b>18.05.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 313 of 2017**  
**Inre O.A. No. Nil of 2017**

**Jagat Singh Bora & Others**  
By Legal Practitioner for Applicants

**Applicants**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri M.C. Pant, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Cap Priyank Malviya, OIC Legal Cell.</p> <p>Objection to application for condonation of delay filed by Dr. Gyan Singh, Ld. Counsel for the respondents is taken on record. Ld. Counsel for the applicant does not intend to file replication to it.</p> <p>The applicant claims pension of Hony Nb Sub in terms of 6<sup>th</sup> Pay Commission as well as orders of the different Armed Forces Tribunals and Hon'ble the Apex Court. However the applicant has not made specific prayer for grant of pension of the rank of Hony Nb Sub. He is permitted to move amendment application.</p> <p>Ld. Counsel for the respondents undertakes to file counter affidavit by tomorrow. Ld. Counsel for the applicant may also file amendment application.</p> <p>List the case on <b>18.05.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

Form No. 4

[See rule 11(1)]  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**M.A. No. 314 of 2017  
Inre: O.A. No. Nil of 2017**

**Deep Lal Sah**

By Legal Practitioner for Applicants

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri CS Rawat, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List the case on <b>18.05.2017</b> to enable Ld. Counsel for the respondents to file objection on application for condonation of delay. It shall also be open to Ld. Counsel for the respondents to file counter affidavit.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Memb(A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**M.A. No. 315 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Sher Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection on application for condonation of delay filed by Ld. Counsel for the respondents is taken on record.</p> <p>The controversy involved in the O.A. relates to grant of pension of Hony Nb Sub in terms of 6<sup>th</sup> pay commission and decision of Hon'ble the Apex Court.</p> <p>Delay is condoned and application is <b>admitted</b>.</p> <p>Ld. Counsel for the respondents undertakes to file counter affidavit by tomorrow.</p> <p>List the case on <b>18.05.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b>                      <b>(Justice D.P. Singh)</b> <b>Membe(A)</b>                                      <b>Member (J)</b></p> <p>anb</p>

Form No. 4

[See rule 11(1)]  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 185 of 2014**

**Lal Bahadur Gurung**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri I.P. Kohli, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by Ld. Counsel for the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted three weeks' time to file rejoinder affidavit.</p> <p>As prayed, list the case on <b>01.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member(A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**T.A. No. 565 of 2010**

**Khima Nand**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri HS Sharma, Ld. Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>01.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, Ld. Counsel for the respondents shall submit original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>



Form No. 4

[See rule 11(1)]  
**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 37 of 2011**

**Narayan Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is part heard matter of another Bench.</p> <p>List the case on <b>01.08.2017</b> before the appropriate Bench for re-hearing at Circuit Bench, Nainital</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p><b>(Lt Gen Gyan Bhushan)</b> <b>Member(A)</b></p> <p><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

T.A. No. 9 of 2011

**Sohan Singh Bisht**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Ashish Joshi, Ld. Counsel for the petitioner and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is part heard matter of another Bench.</p> <p>List the case on <b>01.08.2017</b> before the appropriate Bench for re-hearing at Circuit Bench, Nainital</p> <p>On the date fixed, Ld. Counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member(A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>

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

**O.A. No. 19 of 2015**

**Smt Manju Joshi & Others**

By Legal Practitioner for Applicants

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PS Bohra, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by SCapt Priyank Malviya, OIC Legal Cell.</p> <p>List the case on <b>31.07.2017</b> at Circuit Bench, Nainital, to enable Ld. Counsel for the respondents to move application for amendment.</p> <p>On the date fixed, Ld. Counsel for the respondents shall submit original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member(A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>Anb</p>

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

**O.A. No. 46 of 2017**

**BS Rawat**

By Legal Practitioner for Applicants

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Applicant**

**Respondents**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance on behalf of the respondents has been filed by Shri R.C.Shukla, Advocate. The same is taken on record. His name shall be shown in the cause-list.</p> <p>Present: Shri V.P.Pandey, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List the case on <b>03.07.2017</b> at Lucknow for orders.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member(A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>Anb</p>

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

**O.A. No. 68 of 2017**

**Bhim 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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is allowed to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List the case on <b>01.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>LN/</p>

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

**O.A. No. 70 of 2017**

**Dashrath Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by the respondents is taken on record. The applicant may file rejoinder affidavit by tomorrow.</p> <p>List/put up the case tomorrow i.e. <b>18.05.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>The respondents shall submit original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>LN/</p>

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

**O.A. No. 80 of 2017**

**Darpan Singh Karki**

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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance on behalf of the respondents has been filed by Dr. Chet Narain Singh, Advocate, which is taken on record. His name shall be shown in the cause-list.</p> <p>Present: Shri KKS Bisht, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Four weeks' time, as prayed, is granted to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.</p> <p>List the case on <b>01.08.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, Ld. Counsel for the respondents shall submit original documents pertaining to the case for perusal of the Bench.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p style="text-align: left; margin-left: 20px;">anb</p>

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

**M.A. No. 841 of 2017**  
**Inre: OA No. (Nil) of 2017**

**Bachuli 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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri CS Rawat, Ld. Counsel for the applicant and Shri BP Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p>List the case on <b>31.07.2017</b> for orders at Circuit Bench, Nainital.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>anb</p>



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

**MA No. 837 of 2017 with MA No. 838 of 2017 & MA No.477 of 2016**

**Pushkar Singh**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri S.S.Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List/put up this case tomorrow i.e. <b>18.05.2017</b> to enable learned counsel for the respondents to file objection to the application for condonation of delay in moving application for restoration.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>arb</p>

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

**MA No. 839 of 2017 with MA No. 840 of 2017 & MA No.476 of 2016**

**Liladhar Bhatt**

**Applicant**

By Legal Practitioner for Applicant

Versus

**Union of India & Others**

**Respondents**

By Legal Practitioner for Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri S.S.Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List/put up this case tomorrow i.e. <b>18.05.2017</b> to enable learned counsel for the respondents to file objection to the application for condonation of delay in moving application for restoration.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p>arb</p>

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

**O.A. No. 55 of 2017**

**Jai Prakash**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>This case has come up in the supplementary cause-list.</p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List/put up this case tomorrow i.e. <b>18.05.2017</b> to enable learned counsel for the respondents to file counter affidavit.</p> <p>Copy of the counter affidavit has been served on learned counsel for the applicant, who undertakes to file rejoinder affidavit by tomorrow.</p> <p style="text-align: center;"><b>(Lt Gen Gyan Bhushan)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice D.P. Singh)</b> <b>Member (J)</b></p> <p style="text-align: left; margin-left: 20px;"><small>anb</small></p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
CIRCUIT BENCH, NAINITAL

**O.A.No.125 of 2016**

**Smt. Leela Devi Karki**  
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><b><u>17.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri PS Bohra, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>Heard learned counsel for the parties and perused the record.</p> <p>This is an application by the wife of Late Signal Man Hari Singh Karki for grant of family pension on account of sad demise of her husband Late Hari Singh Karki. Admittedly, the applicant's husband was enrolled in Indian Army on 15<sup>th</sup> May 1961 and was discharged from service w.e.f. 16<sup>th</sup> July 1968 under Army Rule 13(3) Item III (iii) in low medical category after serving approximately 7 years and 63 days.</p> <p>Learned counsel for the applicant has submitted that the applicant was not granted any pension after his discharge and she is also not being paid family pension. On the other hand, learned counsel for the respondents submitted that since the husband of the applicant has not served for 15 years which is minimum pensionable service, as such the husband of the applicant was not authorized service pension. Therefore, the applicant is also not being paid the family pension.</p> <p>Keeping the fact that the applicant's husband has served only for 7 years and 63 days, she does not seem to be entitled for family pension in view of Para 132 of the Pension Regulations for the Army Part-I (1961). For convenience, Para 132 of the Pension Regulations is reproduced as under :</p> <p style="text-align: center;"><i>"132. The minimum period of qualifying service (without weightage) actually rendered and required for earning service pension shall be 15 years."</i></p> <p>Learned counsel for the applicant submitted that since the</p>

applicant's husband was discharged on medical ground, as such he was entitled to disability pension. However, from perusal of the record, it appears that neither in the relief nor in the grounds, the applicant has prayed for payment of disability pension of her husband, hence it will not be appropriate to look into the matter at this stage.

Accordingly, the O.A. lacks merit and is dismissed with liberty to the applicant to approach appropriate forum, in accordance with law, for payment of disability pension.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice D.P.Singh)  
Member (J)

PKG

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CICUIT BENCH NAINITAL)**

**EX-A. No. 251 of 2016 with M.A. No. 2742 of 2016, M.A. No. 403 of 2017 & R.A.  
No. 117 of 2016 Inre O.A. No. 133 of 2016**

**Ghanshyam Tiwari**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>29.06.2017</b> before appropriate Bench at Lucknow.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**M.A. No. 463 of 2014**

**Govind Singh Rautela**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K. Singh Bisht, Ld. Counsel holding brief for Shri Ashok Kumar, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Cap Priyank Malviya, OIC Legal Cell.</p> <p>Objection of amendment application filed by Ld. Counsel for the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks' time to file replication.</p> <p>As agreed by Ld. Counsel for the parties, list the case on <b>30.06.2017</b> for orders at Lucknow.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

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

**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 537 of 2016 with R.A. No. 20 of 2016 and M.A. No. 2233 of 2016 Inre  
M.A. No. 1652 of 2014**

**Smt. Sagro Devi**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo filed by Dr. Gyan Singh, Ld. Counsel for the respondents is taken on record. His name shall be shown in the cause list as counsel for the respondents.</p> <p>Present: C.S. Rawat, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the respondents assisted by Cap Priyank Malviya, OIC Legal Cell.</p> <p>List the case before the appropriate Bench on <b>31.07.2017</b> at Circuit Bench, Nainital.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 2027 of 2016 with M.A. No. 554 of 2017**

**Inre: O.A. No. Nil of 2016**

**Kharak Singh**

By Legal Practitioner for Applicants

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Singh Bisht, learned counsel for the applicant and Dr. Gyan Singh, learned counsel for the applicant.</p> <p>Ld. Counsel for the applicant prays for and is granted four weeks time to file reply to objection on application for condonation of delay.</p> <p>List the case on <b>31.07.2017</b> for orders at Circuit Bench, Nainital.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 322 of 2017**

**Inre: O.A. No. Nil of 2017**

**Govind Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri K.K.S. Bisht, Ld. Counsel holding brief for Shri CS Rawat, learned counsel for the applicant and Shri R.K.S. Chauhan, learned counsel for the respondents.</p> <p>The controversy involved in the case relates to grant of pension to the rank of Hony Nb Subedar. Since grant of pension is recurring cause of action, we <b>admit</b> the case.</p> <p>Let the case be registered at O.A.</p> <p>List the case for orders on <b>18.05.2017</b> to enable Ld. Counsel for the respondents to file counter affidavit.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**R.A. No. 23 of 2015 Inre T.A. No. 101 of 2011**

**B.S. Ghuman**

By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>Counter affidavit filed by Ld. Counsel for the respondents is taken on record.</p> <p>List the case on <b>31.07.2017</b> for orders at Circuit Bench, Nainital.</p> <p>Meanwhile Ld. Counsel for the applicant may file rejoinder affidavit.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 54 of 2017**

**Kedar Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Devendra Singh Bohra, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks' time to file rejoinder affidavit.</p> <p>List the case on <b>31.07.2017</b> for hearing at Circuit Bench, Nainital.</p> <p>On the date fixed, Ld. Counsel for the respondents shall submit original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
CIRCUIT BENCH, NAINITAL

**O.A.No.71 of 2017**

**Ramesh Chandra**

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><b><u>16.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P.Singh (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present : Shri CS Rawat, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>Counter affidavit filed by the learned counsel for the respondents is taken on record.</p> <p>Being aggrieved with the denial of the pensionary benefits of Hony Naib Subedar, in view of law settled by Hon'ble Supreme Court, the applicant has preferred the present O.A. for grant of pension of Hony Naib Subedar.</p> <p>A preliminary objection has been raised by the learned counsel for the respondents that the representation moved in May 2016 submitted by the applicant is still pending for adjudication by the authority concerned. Since the applicant has not been exhausted alternative remedy and an appeal preferred by the applicant is still pending before the Appellate Authority, the Court is not inclined to interfere in the matter.</p> <p>In view of the above, we direct the respondents to consider and decide the representation of the applicant moved in May 2016 (Annexure 6 to the present O.A.) by passing a speaking and reasoned order, keeping in view the judgment of Armed Forces Tribunal, Regional Bench, Chandigarh in <i>Virender Singh &amp; ors vs. Union of India &amp; ors</i> (O.A.No. 42 of 2010) decided on 08.02.2010, expeditiously say within a period of three months from the date of production of a certified copy of this order and extend consequential benefits to the applicant, in the light of the observations made by Hon'ble Supreme Court. It shall be open to the learned counsel for parties to communicate the order passed today to the competent</p>

authority to look into the matter and adjudicate accordingly.

With the observations made above, the O.A. is decided accordingly.

(Lt Gen Gyan Bhushan)  
Member (A)

(Justice D.P.Singh)  
Member (J)

PKG

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

**EX-A. No. 27 of 2017**  
**Inre: T.A. No. 61 of 2013**

**Satye Singh Rawat**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Ramesh Chandra Shukla, Advocate is taken on record. His name be shown as learned counsel for the respondents when the case is next listed.</p> <p>Present: Shri Kishore Rai, learned counsel for the petitioner and Shri Ramesh Chandra Shukla, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 27 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 05.04.2016 passed in T.A. No. 61 of 2013.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>List this case on <b>31.07.2017</b> for orders to enable learned counsel for the respondents to seek instructions and file compliance report.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>

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

**EX-A. No. 28 of 2017**  
**Inre: O.A. No. 236 of 2014**

**Smt Bhawani Devi**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Dr. Chet Narain Singh, Advocate is taken on record. His name be shown as learned counsel for the respondents when the case is next listed.</p> <p>Present: Shri Kishore Rai, learned counsel for the applicant and Dr. Chet Narain Singh, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 28 of 2017</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 21.04.2016 passed in O.A. No. 236 of 2014.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>List this case on <b>31.07.2017</b> for orders to enable learned counsel for the respondents to seek instructions and file compliance report.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>



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

**ORDER SHEET**  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 333 of 2017**  
**(Inre: EX-A. No. 29 of 2012 & T.A. No. 232 of 2010)**

**Kishan Singh**  
By Legal Practitioner for Petitioner

**Petitioner**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Memo of appearance filed by Shri Amit Sharma, Advocate is taken on record. His name be shown as learned counsel for the respondents when the case is next listed.</p> <p>Present: Shri Gopal Datt Joshi, learned counsel for the petitioner and Shri Amit Sharma, learned counsel for the respondents.</p> <p><b><u>EX-A. No. 29 of 2012</u></b></p> <p>This is an Execution Application under Section 29 of the Armed Forces Tribunal Act, 2007 filed by the applicant for non implementation of the judgment and order dated 05.08.2013 passed in T.A. No. 232 of 2010.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to show cause as to why the aforesaid order of the Tribunal has not been complied with.</p> <p>List this case on <b>31.07.2017</b> for orders to enable learned counsel for the respondents to seek instructions and file compliance report.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**DY-No. 2438 of 2016**

**Inre: O.A. No. Nil of 2016**

**Smt Hema Devi**

By Legal Practitioner for Applicants

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri MS Chauhan, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the applicant.</p> <p>This is an application for condonation of delay. Learned counsel for the respondents submits that there is delay of four days in filing the application. Learned counsel for the applicant makes an oral prayer for condoning the delay. Even on oral prayer the cause shown is sufficient and the delay in filing the original application is for short term. Accordingly, we condone the delay.</p> <p>It has been submitted by learned counsel for the applicant that PLI insurance amount has been deducted from the salary of the applicant. Being aggrieved, the applicant has filed the present application.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>31.07.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

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

**M.A. No. 320 of 2017**  
**Inre: O.A. No. Nil of 2017**

**Smt Guddi 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><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri CS Rawat, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted six weeks and no more time to file objection on application for condonation of delay. Replication, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>31.07.2017</b> for orders.</p> <p style="text-align: center;">(Lt Gen Gyan Bhushan) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**M.A. No. 321 of 2017**

**Inre: O.A. No. Nil of 2017**

**Givind Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri CS Rawat, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>This is an application for condonation of delay. Learned counsel for the applicant submits that the case pertains for payment of pension of Hony Nb Sub which is recurring cause of action. Accordingly, we condone the delay.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>List this case on <b>17.05.2017</b> for orders.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 326 of 2016**

**Diwan Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri PS Bohra, learned counsel for the applicant and Dr Chet Narain Singh, learned counsel for the respondents.</p> <p>Learned counsel for the respondents prays for and is granted six weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant within two weeks, thereafter.</p> <p>List this case on <b>31.07.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 52 of 2017**

**Bhupal Singh Jantwal**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: None for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>List revised.</p> <p>On call of the case, neither the applicant nor his counsel is present nor is there any request to pass over the case.</p> <p>Accordingly, O.A. No 52 of 2017 is dismissed for non prosecution.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 53 of 2017**

**Ishwar Singh Chiral**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri N.K. Papnoi, Advocate, holding brief of Shri DS Mehta, learned counsel for the applicant and Shri Bhanu Pratap Singh, learned counsel for the respondents.</p> <p>Counter affidavit filed today in the Court by learned counsel for the respondents is taken on record.</p> <p>Learned counsel for the applicant prays for and is granted four weeks time to file rejoinder affidavit.</p> <p>List this case on <b>31.07.2017</b> for hearing.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 54 of 2017**

**Kedar Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Devendra Singh Bohra, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on <b>16.05.2017</b> for orders. Rejoinder affidavit, if any, may be filed by the date fixed.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>



Form No. 4

[See rule 11(1)]

**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
**(CIRCUIT BENCH NAINITAL)**

**O.A. No. 55 of 2017**

**Jai Prakash**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Kishore Rai, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p>As prayed, list this case on <b>17.05.2017</b> for orders to enable learned counsel for the respondents to file counter affidavit. Rejoinder affidavit, if any, may be filed by learned counsel for the applicant.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 195 of 2010**

**Anil Kumar Arya**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>As agreed by learned counsel for the parties, list this case on <b>03.07.2017</b> for further hearing before appropriate Bench being part heard matter.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. (A) No. 81 of 2012**

**Manoj Singh**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the applicant and Dr Gyan Singh, learned counsel for the respondents.</p> <p>As agreed by learned counsel for the parties, list this case on <b>03.07.2017</b> for further hearing before appropriate Bench being part heard matter.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**T.A. No. 59 of 2011**

**Hayat Singh Bankoti**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Lalit Kumar, learned counsel for the petitioner alongwith petitioner, Shri Hayat Singh Bankoti and Shri Amit Sharma, learned counsel for the respondents.</p> <p>As agreed by learned counsel for the parties, list this case on <b>03.07.2017</b> for further hearing before appropriate Bench being part heard matter.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>SB</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 58 of 2017**

**Raghubar Dutt Ray**  
By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**  
By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri Kishore Rai, learned counsel for the applicant and Shri Amit Sharma, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the respondents, list this case on <b>16.05.2017</b> for hearing to enable him to file counter affidavit.</p> <p>On the date fixed, learned counsel for the respondents shall produce original documents pertaining to the case for perusal of the Bench.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>RS/-</p>

Form No. 4

[See rule 11(1)]

**ORDER SHEET**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
(CIRCUIT BENCH NAINITAL)**

**O.A. No. 77 of 2017 With M.A. No. 623 of 2017**

**Smt Tulsi Devi**

By Legal Practitioner for Applicant

**Applicant**

Versus

**Union of India & Others**

By Legal Practitioner for Respondents

**Respondents**

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>15.05.2017</u></b> <b><u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u></b> <b><u>Hon'ble Lt Gen Gyan Bhushan, Member (A)</u></b></p> <p>Present: Shri CS Rawat, learned counsel for the applicant and Shri RC Shukla, learned counsel for the respondents.</p> <p>Counter affidavit filed by learned counsel for the respondents is taken on record.</p> <p>From the pleadings on record contained in para 4.1 and 4.2 , it appears that husband of the applicant met with vehicle accident in Operation Falcon but while filing counter affidavit respondents took a defence that he was moving to participate in an active operation in Operation Rhino. The documents filed in O.A. wherein it has been mentioned that the incident happened in Operation Falcon has not been disputed while filing the counter affidavit. Thus at the face of record, apparently the respondents tried to suppress the material facts which is quite serious and constitute contempt of the Court in view of settled proposition of law.</p> <p>Let a notice be issued to the Capt Sudhir Kumar, Record Officer, The Kumaon Regiment, Ranikhet who has filed the affidavit to present in person in the Court on the date fixed and to show cause as to why appropriate action be not taken against him.</p> <p>List this case on <b>31.07.2017</b> for hearing.</p> <p>(Lt Gen Gyan Bhushan) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>ukt</p>