

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

Diary No. 2106 of 2022

Ganesh Singh S/o Late Gnr. Gopal Singh (Retd.) Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Memo of Appearance filed by Shri Rajesh Sharma, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">On the case being taken up for hearing Shri P.S. Bohra and Shri Prabhat Bohra, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Defects pointed out by the registry have not been removed.</p> <p style="text-align: center;">Ld. Counsel for the applicant prays for and is granted four weeks time to remove the defects.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

Ex. A. No. 214 of 2018 Inre : O.A. No. 243 of 2014

Ex. Sep. Rajendra Singh	Applicant
By Legal Practitioner for the Applicant	
Versus	
Union of India & Others	Respondents
By Legal Practitioner for Respondents	

Notes of the Registry	Orders of the Tribunal
<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: justify;">On the case being taken up for hearing Shri C.S. Rawat, Ld. Counsel for the applicant, Shri Rajesh Sharma, Ld. Counsel for the respondent Nos. 1 to 4 and Ms. Vandana Singh and Shri S.P. Sharawat, Ld. Counsel for the respondent Nos. 5 and 6 are present.</p> <p style="text-align: justify;">Ms. Vandana Singh, Ld. Counsel appearing for the respondent Nos. 5 and 6 prays for and is granted three weeks time to file Supplementary Affidavit of Compliance.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: justify;">Name of Shri S.P. Sharawat be also shown along with Ms. Vandana Singh as Counsel for the respondent Nos. 5 and 6 when the case is listed next.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>(Vice Admiral Abhay Raghunath Karve) Member (A)</p> </div> <div style="text-align: center;"> <p>(Justice Umesh Chandra Srivastava) Member (J)</p> </div> </div> <p style="margin-top: 20px;">AKD/SB/-</p>	

Form No. 4
 {See rule 11(1)}
 ORDER SHEET
 ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
 (CIRCUIT BENCH AT NAINITAL)

Ex. A. No. 01 of 2020 Inre : O.A. No. 279 of 2018

Nishant Bhandari Grand son of (Late) Ex. Hav. Kharak Singh Bhandari Applicant
 By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
 By Legal Practitioner for Respondents

Notes of the Registry	<p style="text-align: center;">Orders of the Tribunal</p> <p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>On the last date i.e. 30.05.2022 the Branch Manager, State Bank of India, Tanakpur Branch was directed to remain physically present in the Court on the next date fixed and to bring calculation sheet on record by way of affidavit. In compliance of the same, an affidavit of Branch Manager has been filed today along with which statement of account has been enclosed. The Branch Manager himself is not present in Court nor any reason has been assigned for his non-appearance.</p> <p>In para 2 of the affidavit it has been stated that pension @Rs.23,479/- per month has been credited in the account of Ex. Hav. (Late) Kharak Singh Bhandari till December, 2020 and thereafter this account was closed. In para 3 of the affidavit the Branch Manager has stated that he has no knowledge of disability pension of Ex. Hav. (Late) Kharak Singh Bhandari nor any order in this regard has been received to the Bank from the CDA (P), Allahabad.</p> <p>In compliance affidavit filed by the respondent Nos. 1 to 5 it has been clearly stated that after the death of Ex. Hav. Kharak Singh Bhandari a fresh PPO has been issued on the name of Late Hav. Kharak Singh Bhandari and its copy has been sent to Central Pension Processing Centre, State Bank of India, New Delhi vide letter dated 22.03.2021. A copy of PPO has been filed along with affidavit of compliance.</p> <p>Since after the death of Ex. Hav. Kharak Singh Bhandari a fresh PPO has been issued by the PCDA (P), Allahabad and the concerned Bank is denying receipt of its copy, respondents are, therefore, directed to issue copy of the PPO to the concerned Bank afresh with direction to Bank to make compliance of it within two weeks from the date of its receipt.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p>Let copy of this order be given Dasti to the Ld. Counsel for the respondents for compliance.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>
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(CIRCUIT BENCH AT NAINITAL)

Ex. A. No. 42 of 2020 Inre : T.A. No. 4 of 2018

Smt. Sita Thapa

By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">An affidavit has been filed today by the respondents in compliance of the order. A copy of PPO has also been annexed along with affidavit of compliance which shows that order has been complied with.</p> <p style="text-align: center;">Ld. Counsel appearing for the applicant submits that date of birth of the family pensioner, namely, Sita Thapa is wrongly mentioned in the PPO. In the PPO the date of birth is mentioned as 14.07.1968 whereas her date of birth is 09.09.1970.</p> <p style="text-align: center;">However, his submission is that Execution Application may be disposed off with liberty to the applicant that in case she faces any difficulty in receiving pension on account of date of birth she may file application.</p> <p style="text-align: center;">In view of the above, Execution Application is disposed off in full and final satisfaction to the applicant.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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ORDER SHEET
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(CIRCUIT BENCH AT NAINITAL)

Ex. A. No. 15 of 2021 Inre : O.A. No. 367 of 2018

Ex. Sep. Ghura Nand
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Dinesh Gahtori, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">On the last date, four weeks further time was granted to the respondents to file compliance report annexing therein with copy of PPO as it was stated that Government Sanction has been accorded on 12.05.2022. The PPO has not been issued yet.</p> <p style="text-align: center;">Respondents are directed to file affidavit of compliance annexing therewith copy of PPO within four weeks from today else the officer responsible for issuing PPO shall remain physical present in the Tribunal on the next date fixed to explain the reason for non-issuing of PPO.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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Ex. A. No. 99 of 2022 Inre : O.A. No. 183 of 2021

Smt. Jasodha Devi W/o Late Ex. Sep. Har Ram
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>An affidavit of compliance which has been filed today by the respondents is taken on record. A copy of PPO has been annexed along with affidavit wherein date of birth of the family pensioner has been mentioned as 10.04.1959 whereas in documents submitted by the applicant her date of birth is 26.04.1959. Since the date of birth of the family pensioner is 26.04.1959 the PPO needs to be corrected accordingly.</p> <p>Respondents are, therefore, directed to issue a Corrigendum PPO mentioning therein correct date of birth within four weeks from today.</p> <p>List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

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Ex. A. No. 100 of 2022 Inre : O.A. No. 185 of 2014

Rfn. Lal Bahadur Gurung
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>An affidavit of compliance has been filed by the respondents, which is taken on record.</p> <p>In para 3 of the affidavit the respondents have stated that reservist pension of the applicant has been revised as per 7th CPC and is being paid to the applicant @Rs.9,000/- per month with effect from 01.01.2016, to which the submission of the Ld. Counsel for the applicant is that neither the pension of the applicant has been revised nor he is in receipt of the pension @Rs.9,000/- per month with effect from 01.01.2016, he is still getting pension Rs.6,235/- per month.</p> <p>Applicant to file updated copy of pass book of pension account for perusal of the Bench by the next date fixed.</p> <p>List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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ORDER SHEET
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(CIRCUIT BENCH AT NAINITAL)

M.A. No. 880 of 2021 with M.A. No. 881 of 2021 Inre : T.A. No. 08 of 2012

Prakash Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>Objection to delay condonation application filed by the respondents is taken on record.</p> <p>Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>This application has been filed to recall the order dated 29.02.2016 by which Transferred Application was dismissed for non-prosecution.</p> <p>It is submitted by the Ld. Counsel for the applicant that Transferred Application was listed for hearing on 29.02.2016 before the Tribunal, on which date the Ld. Counsel for the applicant did not appear before the Tribunal, with the result application was dismissed for non-prosecution. It is further submitted that applicant came to know about the dismissal of the Transferred Application only when he made inquiry in this regard. It is further submitted that recall application could not be filed within time due to non-communication of the applicant with his Counsel as he resides in a remote area in the Village of the Uttarakhand and not aware about the consequences of the dismissal of the case.</p> <p>Ld. Counsel appearing for the respondents submits that there is long delay of more than four years, which has not been properly and satisfactorily explained. Applicant was under legal obligation to explain the delay on day-to-day basis, which he has failed.</p> <p>Upon hearing submissions of Ld. Counsel of both sides and considering that matter pertains to disability pension which cannot be denied on the ground of delay and also being satisfied with the facts stated in affidavit filed in support of application, we are of the view that delay in filing of restoration application is condonable. Accordingly, delay is condoned. Delay condonation application stands disposed off.</p> <p>In view of the aforesaid, recall application is allowed. Order dated 29.02.2016 passed in Transferred Application is recalled and Transferred Application is restored to its number.</p> <p><u>T.A. No. 08 of 2012</u></p> <p style="text-align: center;">As prayed, list on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align: center;">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>

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M.A. No. 636 of 2022 with M.A. No. 637 of 2022 Inre : M.A. No. 477 of 2016

Ex. Sep. Pushkar Singh By Legal Practitioner for the Applicant	Versus	Applicant
Union of India & Others By Legal Practitioner for Respondents		Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant nor is there any mention to pass over the case.</p> <p>Shri Neeraj Upreti, Ld. Counsel for the respondents is present.</p> <p>The case is listed for hearing on delay condonation application. Since no one is present on behalf of the applicant to press the application, delay condonation application is dismissed for non-prosecution.</p> <p>The recall application is also dismissed being barred by time.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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ORDER SHEET
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O.A. No. 709 of 2021

Col. P.R. Kathuria (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri Rajesh Sharma, Ld. Counsel appearing for the respondents submits that Counter Affidavit will be filed during the course of the day.</p> <p style="text-align: center;">List on 06.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 126 of 2022

Ex. Hav. (Hony. Nb. Sub.) Sher Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Advocate holding brief of Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 127 of 2022

Ex. Nk. Surendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri M.S. Bhandari, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>Shri Rajesh Sharma, Ld. Counsel appearing for the respondents submits that Counter Affidavit will be filed during the course of the day.</p> <p>List on 06.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 129 of 2022

Smt. Raj Rani W/o Rfn. Sukhdev Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Shri Rajesh Sharma, Ld. Counsel appearing for the respondents submits that Counter Affidavit will be filed during the course of the day.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p style="text-align: left;">AKD/SB/-</p>

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

O.A. No. 131 of 2022

Lt. Col. Manish Khanna (Retd.)
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>Shri Neeraj Upreti, Ld. Counsel appearing for the respondents submits that Counter Affidavit will be filed during the course of the day.</p> <p>List on 07.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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ORDER SHEET
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O.A. No. 132 of 2022

Ex. Hav. Pratap Singh
 By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
 By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri C.S. Rawat, Shri Nitin Singh and Shri Digvijay Singh Bisht, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">Ld. Counsel for the respondents prays for and is granted three weeks further time to file Counter Affidavit.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>

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

O.A. No. 133 of 2022

Ex. Nk. Harish Chandra Singh Rautela
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri C.S. Rawat, Shri Nitin Singh and Shri Digvijay Singh Bisht, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>Shri Rajesh Sharma, Ld. Counsel appearing for the respondents submits that Counter Affidavit will be filed during the course of the day.</p> <p>List on 07.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

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

O.A. No. 135 of 2022

Ex. Sub. Rajendra Singh
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>It is submitted by the Ld. Counsel for the respondents that Counter Affidavit will be filed during the course of the day.</p> <p>List on 07.09.2022.</p> <p>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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ORDER SHEET
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(CIRCUIT BENCH AT NAINITAL)

O.A. No. 149 of 2022

Ex. Gnr. Ajay Kumar
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted three weeks further time to file Counter Affidavit.</p> <p>List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 179 of 2022

Ex. L/Nk. Ravi Bhatt
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align:center">On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align:center">It is submitted by the Ld. Counsel for the respondents that Counter Affidavit will be filed during the course of the day.</p> <p style="text-align:center">List on 07.09.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) Member (A) (Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 180 of 2022

Ex. Sub. Rampal Singh Rawat
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that Counter Affidavit will be filed during the course of the day.</p> <p style="text-align: center;">List on 07.09.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 181 of 2022

Smt. Basanti Devi W/o Ex. Sigm. (Late) Harish Chandra Singh Koranga Applicant
By Legal Practitioner for the Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p>On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the respondents prays for and is granted three weeks further time to file Counter Affidavit.</p> <p>List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 182 of 2022 with M.A. No. 231 of 2022

Smt. Asha Thapa D/o Late Jushya Thapa

Applicant

By Legal Practitioner for the Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p><u>M.A. No. 231 of 2022</u></p> <p>Objection to delay condonation application filed by the respondents is taken on record.</p> <p>Heard Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>This is an application for the grant of family pension.</p> <p>It is pleaded that applicant is the daughter of deceased soldier Late Jushya Thapa, as such is entitled to family pension on his death. In regard to delay of 08 years, 11 months and 13 days, a delay condonation application has been filed.</p> <p>Ld. Counsel for the respondents submits that long delay of more than 08 years has not been explained on day-to-day basis.</p> <p>It is a pensionary matter which cannot be declined on the ground of delay, therefore, delay, if any, in filing of application is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 182 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue notice to the respondents.</p> <p>Shri Neeraj Upreti, Advocate has accepted notice on behalf of the respondents. Hence, service of notice is waived.</p> <p>Respondents to file Counter Affidavit within four weeks.</p> <p>List on 05.12.2022.</p> <p style="text-align:center">(Vice Admiral Abhay Raghunath Karve) Member (A)</p> <p style="text-align:center">(Justice Umesh Chandra Srivastava) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

O.A. No. 461 of 2022

Ex. Sgt. Ashok Kumar Pandey
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon’ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon’ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">On the case being taken up for hearing Shri Prem Prakash Bhatt and Shri Prabhakar Joshi, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p style="text-align: center;">List on 05.12.2022.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
(CIRCUIT BENCH AT NAINITAL)

T.A. No. 01 of 2014

Sarbeswar Pattanaik
By Legal Practitioner for the Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>05.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Anil Kumar, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Transferred Application is dismissed.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;">(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>