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

Ex. A. No. 68 of 2022 Inre : O.A. No. 561 of 2020
Along with
M.A. No. 537 of 2022 with M.A. No. 538 of 2022 Inre : O.A. No. 561 of 2020

Ex. Sep. Pooran Singh Dasila 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 561 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 537 of 2022 with M.A. No. 538 of 2022 Inre : O.A. No. 561 of 2020
Along with
Ex. A. No. 68 of 2022 Inre : O.A. No. 561 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sep. Pooran Singh Dalisa Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condonation application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 69 of 2022 Inre : O.A. No. 566 of 2020
Along with
M.A. No. 539 of 2022 with M.A. No. 540 of 2022 Inre : O.A. No. 566 of 2020

Ex. Sep. Harish Chandra 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 566 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 539 of 2022 with M.A. No. 540 of 2022 Inre : O.A. No. 566 of 2020
Along with
Ex. A. No. 69 of 2022 Inre : O.A. No. 566 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sep. Harish Chandra Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condonation application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 70 of 2022 Inre : O.A. No. 554 of 2020
Along with
M.A. No. 533 of 2022 with M.A. No. 534 of 2022 Inre : O.A. No. 554 of 2020

Ex. Nk. Khushi Ram 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 554 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 533 of 2022 with M.A. No. 534 of 2022 Inre : O.A. No. 554 of 2020
Along with
Ex. A. No. 70 of 2022 Inre : O.A. No. 554 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Nk. Khushi Ram Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Kishore Rai, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condoantion application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 71 of 2022 Inre : O.A. No. 551 of 2020
Along with
M.A. No. 541 of 2022 with M.A. No. 542 of 2022 Inre : O.A. No. 551 of 2020

Ex. Nk. Kishan Singh alias Krishan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 551 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 541 of 2022 with M.A. No. 542 of 2022 Inre : O.A. No. 551 of 2020
Along with
Ex. A. No. 71 of 2022 Inre : O.A. No. 551 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants
Versus
Ex. Nk. Kishan Singh alias Krishan Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condoantion application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 73 of 2022 Inre : O.A. No. 545 of 2020
Along with
M.A. No. 535 of 2022 with M.A. No. 536 of 2022 Inre : O.A. No. 545 of 2020

Ex. Sep. Pratap Singh Karmiyal 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 545 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 535 of 2022 with M.A. No. 535 of 2022 Inre : O.A. No. 545 of 2020
Along with
Ex. A. No. 73 of 2022 Inre : O.A. No. 545 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sep. Pratap Singh Karmiyal Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condoantion application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 74 of 2022 Inre : O.A. No. 557 of 2020
Along with
M.A. No. 549 of 2022 with M.A. No. 550 of 2022 Inre : O.A. No. 557 of 2020

Ex. Sep. Mahesh Chandra Joshi 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 557 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 549 of 2022 with M.A. No. 550 of 2022 Inre : O.A. No. 557 of 2020
Along with
Ex. A. No. 74 of 2022 Inre : O.A. No. 557 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sep. Mahesh Chandra Joshi Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condonation application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 75 of 2022 Inre : O.A. No. 556 of 2020
Along with
M.A. No. 551 of 2022 with M.A. No. 552 of 2022 Inre : O.A. No. 556 of 2020

Ex. Sep. Khim 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. This application has been filed for implementation of order dated 06.04.2021 in Original Application No. 556 of 2020. It is submitted by the Ld. Counsel for the applicant that despite there being direction to implement the order within four months from the date of order the same has not been complied with. Ld. Counsel for the respondents submits that respondents have filed a Leave to Appeal against the decision of this Tribunal which has been dismissed today, therefore, a reasonable time be granted to seek instructions, which is allowed. Instructions be sought within four weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 551 of 2022 with M.A. No. 552 of 2022 Inre : O.A. No. 556 of 2020
Along with
Ex. A. No. 75 of 2022 Inre : O.A. No. 556 of 2020

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Sep. Khim Singh Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others and Shri Tarun P.S. Takuli, Ld. Counsel for the respondent. For the facts averred in affidavit filed in support of delay condonation application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

M.A. No. 543 of 2022 with M.A. No. 544 of 2022 Inre : O.A. No. 424 of 2021

Union of India & Others Applicants
By Legal Practitioner for the Applicant

Versus

Ex. Sep. Puran Singh Sirari Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Neeraj Upreti, Ld. Counsel for the applicants – Union of India & Others. For the facts averred in affidavit filed in support of delay condonation application, delay of 62 days in filing of Leave to Appeal is condoned. Delay condonation application stands disposed off. This is an application for leave to appeal under Section 30 read with Section 31 of the Armed Forces Tribunal Act, 2007. After perusing the orders impugned, we find that no much or less point of law of general public importance involved for grant leave to appeal. Accordingly, Leave to Appeal is **dismissed**. **(Vice Admiral Abhay Raghunath Karve)** **Member (A)** **(Justice Umesh Chandra Srivastava)** **Member (J)** AKD/SB/-

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

O.A. No. 256 of 2021

Jai Bahadur Chand 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**
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondent Nos. 1 to 3 are present. Notice to respondent No. 4 could not be issued due to steps being not taken by the applicant. Ld. Counsel for the applicant prays for and is granted two weeks time to take steps. On steps being taken, issue notice to respondent No. 4 returnable within four weeks. List on **08.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 702 of 2021

Jagjeevan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Anil Anthwal and Shri Prabhakar Narayan, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Ld. Counsel for the applicant seeks and is allowed two weeks time to file Rejoinder Affidavit. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 153 of 2022

Ex. L/Nk. Tej 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 154 of 2022

Ex. L/Nk. Navdeep Gaur 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**
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 156 of 2022

Ex. Hav. Chakradhar Prasad Painuly 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**
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 475 of 2022

Ex. Nk. Inder Ram 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing shri Nitin Singh, Advocate holding brief of Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. As prayed, three further time is granted to file Counter Affidavit. List on **08.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 477 of 2022

Smt. Jethuli Devi Late Pnr Pratap 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri N.K. Papnoi, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Counter Affidavit has been filed by the respondents, which is taken on record. After Counter Affidavit being filed, the Ld. Counsel appearing for the applicant submitted that Original Application may be dismissed as withdrawn with liberty to file afresh with better particulars to which Ld. Counsel for the respondents has no objection. Accordingly, Original Application is **dismissed** as withdrawn with liberty to file afresh. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 478 of 2022

Ex. Nk. Tribhuwan Kumar Dalakoti 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri N.K. Papnoi, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Counter Affidavit has been filed by the respondents, which is taken on record. Ld. Counsel for the applicant prays for and is granted two weeks time to file Rejoinder Affidavit. List on **07.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 481 of 2022

Ex. Nb. Sub. Manoj Prasad Kuniyal 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. As prayed, three weeks further time is granted to file Counter Affidavit. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 482 of 2022

Ex. Sub. Krishan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. As prayed, three weeks further time is granted to file Counter Affidavit. List on **06.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

R.A. No. 52 of 2022 with M.A. No. 527 of 2022 Inre : O.A. No. 433 of 2021

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Rect. Susheel Tamta Respondent
By Legal Practitioner for Respondent

Notes of the Registry	**Orders of the Tribunal**
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Rajesh Sharma, Ld. Counsel for the applicants (original respondents) and Shri Abhishek Dutt, Ld. Counsel for the respondent (original applicant) are present. This is an application to review the order dated 22.02.2022 in Original Application No. 433 of 2021. Ld. Counsel for the respondent wants to file objection. Objection may be filed within three weeks. List on **08.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

R.A. No. 53 of 2022 with M.A. No. 528 of 2022 Inre : O.A. No. 432 of 2021

Union of India & Others Applicants
By Legal Practitioner for the Applicants

Versus

Ex. Hav. Rajan Kumar Respondent
By Legal Practitioner for Respondent

Notes of the Registry	Orders of the Tribunal
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others. For the reasons stated in affidavit filed in support of delay condonation application, delay of 02 months and 02 days in filing of Review Application is **condoned**. Delay condonation application stands disposed off accordingly. **R.A. No. 53 of 2022** The Review Applicants have filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants have prayed for review and setting aside the judgement and order dated …. of this Tribunal passed in Original Application No. 432 of 2021. It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed. For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :- "*1. Application for review of judgment.- (1) any person considering himself aggrieved-* *(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,* *(b) by a decree or order from which no appeal is allowed, or* *(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record , or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order."*

In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of ***Parsion Devi and others vs. Sumitri Devi and others***, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

> *"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."*

Further, the Hon'ble Supreme Court in Para 26 of its judgment in the case of ***S. Madhusudhan Reddy Versus V. Narayana Reddy and Others***, Civil Appeal Nos. 5503-04 of 2022, decided on 18.08.2022, has observed as under :-

> *"26. As can be seen from the above exposition of law, it has been consistently held by this Court in several judicial pronouncements that the Court's jurisdiction of review, is not the same as that of an appeal. A judgment can be open to review if there is a mistake or an error apparent on the face of the record, but an error that has to be detected by a process of reasoning, cannot be described as an error apparent on the face of the record for the Court to exercise its powers of review under Order XLVII Rule 1 CPC. In the guise of exercising powers of review, the Court can correct a mistake but not substitute the view taken earlier merely because there is a possibility of taking two views in a matter. A judgment may also be open to review when any new or important matter of evidence has emerged after passing of the judgment, subject to the condition that such evidence was not within the knowledge of the party seeking review or could not be produced by it when the order was made despite undertaking an exercise of due diligence. There is a clear distinction between an erroneous decision as against an error apparent on the face of the record. An erroneous decision can be corrected by the Superior Court, however an error apparent on the face of the record can only be corrected by exercising review jurisdiction. Yet another circumstance referred to in Order XLVII Rule 1 for reviewing a judgment has been described as "for any other sufficient reason". The said phrase has been explained to mean "a reason sufficient on grounds, at least analogous to those specified in the rule"*

In the light of the legal position crystalized above, we have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is **rejected.**

(Vice Admiral Abhay Raghunath Karve)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/SB/-

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

O.A. No. 709 of 2022 with M.A. No. 883 of 2022

Smt. Deoki Devi W/o Ex. Spr. Dhan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. This Original Application has been filed for the grant of family pension. There is a delay of 01 year, 09 months and 21 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 709 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 710 of 2022 with M.A. No. 884 of 2022

Santosh Singh S/o Late Hav. Kishan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. This Original Application has been filed for the grant of pension. There is a delay of 20 years, 07 months and 25 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 710 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 711 of 2022

Lt. Col. Sagar Shahi 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. This Original Application has been filed for the grant of disability pension. Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List on **05.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 712 of 2022 with M.A. No. 885 of 2022

Lt. Col. Pankaj Ahuja (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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. This Original Application has been filed for the grant of pensionary benefits. There is a delay of 03 months and 05 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 712 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 713 of 2022 with M.A. No. 886 of 2022

Kundal Singh S/o Late Sep. Bhur 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel appearing for the applicant and Shri Rajesh Sharma, Ld. Counsel appearing for the respondents. Applicant has filed this Original Application for setting aside the order dated 07.05.2018 passed by the respondent No. 4 and to grant life time arrears (LTA) of family pension payable to his mother. It is submitted by the Ld. Counsel for the applicant that marriage of the mother of the applicant was solemnised with his father Late Sep. Bhur Singh on 20.01.1946 and as such she was entitled to family pension after the death of father of the applicant till her life. There being a delay of 40 years and 13 days in filing of Original Application an application for condonation of delay has been filed. Ld. Counsel for the respondents seeks and is allowed four weeks time to file objection. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 714 of 2022 with M.A. No. 887 of 2022

Ex. Sub. Mahendar Singh Rawat 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Rajesh Sharma, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. In view of order dated 10.01.2022 of the Hon'ble Apex Court in Miscellaneous Application No. 21/2022 in MA 665/2021 in Suo Motu Writ Petition (C) No.3/2020, there is no delay in filing of Original Application, however, an application for condonation of delay has been moved which being not required is dismissed. **O.A. No. 714 of 2022** Applicant has filed this Original Application for issuing an ECHS Card in respect of his disabled son Ganesh Singh Rawat. The applicant's contention is that his son is disabled and as such is entitled to ECHS Card in view of letter No. B/49701-PR/AG/ECHS/2018 dated 08.01.2018. Matter needs adjudication. Admit. Issue notice to the respondents. Shri Rajesh Sharma, Advocate has accepted notice on behalf of the respondents, therefore, service of notice is waived. Respondents may file Counter Affidavit within four weeks. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 715 of 2022 with M.A. No. 888 of 2022

Ex. Sep. Banshi Ram 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Neeraj Upreti, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel appearing for the applicant and Shri Neeraj Upreti, Ld. Counsel appearing for the respondents. There is a delay of 24 years, 08 months and 24 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 715 of 2022** This Original Application has been filed for the grant of disability pension to the applicant on the premise that applicant was invalided out from service on account of being in low medical category. The contention is that disability the applicant suffers is attributable to military service, therefore, applicant is entitled to disability pension. Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. List on **05.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 716 of 2022 with M.A. No. 889 of 2022

Ex. Sub. Amrendra 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Neeraj Upreti, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. This Original application has been filed for the grant of disability pension. There is a delay of 03 months and 05 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 716 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. List on **06.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 717 of 2022 with M.A. No. 890 of 2022

Lt. Col. Ikbal Miyan Ansari (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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Neeraj Upreti, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. This Original application has been filed for the grant of disability pension. There is a delay of 03 months and 05 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 717 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. List on **06.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 722 of 2022 with M.A. No. 894 of 2022

Ex. Nb. Sub. Bhim 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Neeraj Upreti, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri N.K. Papnoi, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. This Original application has been filed for the grant of disability pension. There is a delay of 03 months and 06 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 722 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. List on **06.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 723 of 2022 with M.A. No. 894 of 2022

Ex. Nk. Himmat 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance of filed by Shri Neeraj Upreti, Advocate on behalf of the applicant is taken on record. His name be shown as Counsel for the respondents when the case is listed next. Heard Shri N.K. Papnoi, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. This Original application has been filed for the grant of disability pension. There is a delay of 17 years, 11 months and 19 days in filing of Original Application. Being a pensionary matter, delay in filing of Original Application is condoned. Delay condonation application stands disposed off. **O.A. No. 723 of 2022** Matter needs adjudication. Admit. Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. List on **06.12.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 125 of 2022

Rfn. Kuldeep 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri M.S. Bhandari, Ld. Counsel appearing for the applicant and Shri Neeraj Upreti, Ld. Counsel appearing for the respondents are present. A Counter Affidavit has been filed by the respondents which is taken on record. In para 4 and 5 of the Counter Affidavit the respondents have stated that applicant was granted two days Part of Annual Leave with effect from 23.03.2018 and was supposed to report the Unit on 25.03.2018. However, when he did not report the Unit, a Court of Inquiry was convened to investigate into the circumstances under which the applicant was overstaying leave and based on the report of the said Court of Inquiry he was declared deserter with effect from 25.03.2018 after having rendered 14 years, 05 months and 22 days of qualifying service which is nowhere stated in the Counter Affidavit whether on account of being deserter the applicant has been dismissed from service or not. Respondents are, therefore, directed to file a Supplementary Counter Affidavit stating therein the current status of the applicant. They shall also file the copy of dismissal order, if any, along with Supplementary Counter Affidavit, which may be filed within two weeks. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 131 of 2022

Lt. Col. Manish Khanna (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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. Counter Affidavit filed by the respondents is taken on record. As prayed, list on **08.09.2022.** **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 133 of 2022

Ex. Nk. Harish Chandra Singh Rautela 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. On the case being taken up for hearing Shri Nitin Singh, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Original Application is **partly allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 135 of 2022

Ex. Sub. 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Anil Anthwal, Advocate holding brief of Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 136 of 2022

Ex. Sep. Dhan 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**
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** On the case being taken up for hearing Shri Rajveer Singh, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Counter Affidavit filed by the respondents is taken on record. List on **07.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 138 of 2022

Ex. Nk. Kushal 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 158 of 2022

Ex. Nk. Raghunandan 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Nitin Singh, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

O.A. No. 178 of 2022

L/Nk. Naresh Naudiyal 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Counter Affidavit filed by the respondents is taken on record. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed**. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-

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

Ex. A. No. 294 of 2022 Inre : O.A. No. 408 of 2019

Ex. Hav. (Hony. Nb. Sub.) Jaspal 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
	07.09.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** 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. This application has been filed for implementation of order dated 31.05.2022 of this Tribunal in Original Application No. 408 of 2019 by which respondents have been directed to pay Rs.2,83,935/- to the applicant along with interest @6% per annum with effect from the year 2014 within a period of three months from the date of order. Ld. Counsel for the applicant states that respondents have not complied the order yet. Ld. Counsel for the respondents to seek instruction within four weeks. List on **06.12.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** AKD/SB/-