

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

M.A. No. 590 of 2022 with M.A. No. 591 of 2022 Inre : O.A. No. 567 of 2020

Ex. LAC 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>08.09.2022</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>Heard Shri T.A. Khan, learned senior counsel assisted by Shri Mohammad Shafy, learned counsel for the applicant and Shri Rajesh Sharma, learned counsel for the respondents.</p> <p>For the reasons stated in affidavit filed in support of delay condonation application, delay of 61 days in filing of recall application is condoned. Delay condonation application stands disposed off accordingly.</p> <p>This application has been filed to recall the order dated 15.11.2021 in Original Application No. 567 of 2020 by which the Original Application has been dismissed on merit in default of the applicant. This is the second recall application. The earlier application had been dismissed being not pressed as applicant wanted to press the review application he had filed against the impugned order which he later not pressed with liberty to file a fresh recall application.</p> <p>Learned counsel for the applicant submits that applicant has been dismissed from service on account of being convicted in a criminal case under sections 498A, 304B, 504 & 506 IPC. Against the order of conviction and sentence applicant has preferred a criminal appeal in Uttarakhand High Court wherein applicant is enlarged on bail and effect of judgment and order has been suspended. This Tribunal has dismissed the Original Application on merits on the premise that merely filing appeal against the order of conviction does not mean automatic suspension of judgement, suspension can be inferred only if judgement is specifically suspended which is existing in the instant case but could not be brought to the notice of the Tribunal when the order was passed as no one was present from the side of the applicant when this was heard.</p> <p>He further submits that when the Original Application was listed for hearing at Circuit Bench, Nainital on 15.11.2021, the applicant and his counsel had no communication of it due to COVID-19 with the result no one appeared and the case was dismissed.</p>

Learned respondents' counsel, on the other hand, submits that recall application should be dismissed being not maintainable being order passed on merits and not in default.

The order on merits has been passed in default of the applicant assuming order of conviction is in effect, whereas it is stayed. Considering this, we are of the view that Original Application should be heard and decided on merit after hearing both the parties.

Recall application is, therefore, allowed. Impugned order dated 15.11.2021 in Original Application No. 567 of 2021 is recalled and Original Application is restored to its number.

O.A. No. 567 of 2020

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)

Diary No. 1 of 2022 Inre : O.A. No. (Nil) of 2022

Ex. Nk. Khyali Charan Joshi
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>08.09.2022</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 Ganesh Kandpal, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>Ld. Counsel for the applicant prays for and is granted two weeks further time to remove the defects.</p> <p>List on 08.12.2022.</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)

Ex. A. No. 72 of 2022 Inre : O.A. No. 289 of 2018

Ex. Hav. Shyam 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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>In para 4 of the Execution Application the applicant has stated that certain amount has been credited in applicant's account after the passing of the order, however, his contention is that no interest has been credited.</p> <p>Ld. Counsel for the respondents seeks four weeks time to seek instruction in the matter, which is allowed.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 197 of 2022 Inre : O.A. No. 418 of 2019

Smt. InduManodi

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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to seek instruction and to file affidavit of compliance.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 198 of 2022 Inre : O.A. No. 181 of 2021

Ex. L Nk. SubodhKandwal
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to seek instruction and to file affidavit of compliance.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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)

Ex. A. No. 199 of 2022 Inre : O.A. No. 164 of 2021

Ex. Nk. Madho 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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>In compliance of order Shri Rajesh Sharma, Ld. Counsel for the respondents submits that Government Sanction has been accorded on 18.05.2022.</p> <p>Affidavit of compliance annexing therewith copy of PPO be filed within four weeks.</p> <p>List on 08.12.2022. .</p> <p>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
{See rule 11(1)}
ORDER SHEET
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(CIRCUIT BENCH AT NAINITAL)

Ex. A. No. 200 of 2022 Inre : O.A. No. 143 of 2020

Ex. Hav. Anand Singh Ram 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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to seek instruction and to file affidavit of compliance.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 201 of 2022 Inre : O.A. No. 496 of 2020

Ex. Nk. Kashi Chand
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to seek instruction and to file affidavit of compliance.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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)

Ex. A. No. 202 of 2022 Inre : O.A. No. 566 of 2019

Ex. L/Nk. Praveen Chandra Joshi
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p style="text-align: center;">HeardShriKishore Rai, Ld. Counsel appearing for the applicant and ShriRajesh Sharma, Ld. Counsel appearing for the respondents.</p> <p style="text-align: center;">Ld. Counsel for the respondents submits that order under execution has been complied with which is affirmed by the Ld. Counsel for the applicant.</p> <p style="text-align: center;">In view of the above, the Execution Application has rendered infructuous and is therefore dismissed as such.</p> <p style="text-align: center;">(Vice Admiral AbhayRaghunathKarve) (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)

Ex. A. No. 203 of 2022 Inre : O.A. No. 159 of 2021

Smt. Devki Devi
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>As prayed by the Ld. Counsel for the respondents, three weeks further time is granted to seek instruction and to file affidavit of compliance.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 204 of 2022 Inre : O.A. No. 161 of 2021

Ex. Nk. PremBahadur
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>An affidavit of compliance has been filed by the respondents, which is taken on record.</p> <p>Ld. Counsel for t heap submits that order has been complied with in respect of grant of disability element of pension for a period of two years only. It is not mentioned in the affidavit as to what happened in RSMB which has been held.</p> <p>Respondents are, therefore, directed to bring the report of RSMb on record within three weeks.</p> <p>List on 08.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>

Form No. 4
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(CIRCUIT BENCH AT NAINITAL)

M.A. No. 577 of 2022 with M.A. No. 578 of 2022 Inre : O.A. No. 422 of 2021

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Ex. Nk. PremBhallabh Bhatt
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral AbhayRaghunathKarve) (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)

M.A. No. 579 of 2022 with M.A. No. 580 of 2022 Inre : O.A. No. 425 of 2021

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Soban Singh Bisht
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral AbhayRaghunathKarve) (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)

M.A. No. 581 of 2022 with M.A. No. 582 of 2022 Inre : O.A. No. 560 of 2020

Union of India & Others
By Legal Practitioner for the Applicants

Applicants

Versus

Ex. Sep. Sri Chand
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p style="text-align: center;">Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">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.</p> <p style="text-align: center;">Accordingly, Leave to Appeal is dismissed.</p> <p style="text-align: center;">(Vice Admiral AbhayRaghunathKarve) (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. 726 of 2022 with M.A. No. 900 of 2022

Nk. Rajeev Tomar
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>08.09.2022</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>Memo of appearance filed by ShriNeerajUpreti, 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>Heard Shri S.S. Yadav, Ld. Counsel appearing for the applicant and ShriNeerajUpreti, Ld. Counsel appearing for the respondents.</p> <p>This Original Application has been filed against order dated 20.04.2016 passed by the respondent No. 3 by which applicant has been dismissed from service.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant was enrolled in the Indian Army on 08.01.2001 and while in service involved in a criminal case under Section 307 Indian Penal Code in which he was detained in Jail. It is further submitted that applicant has been dismissed from service being detained in Jail in the criminal case in which he has been finally acquitted by the Court of Sessions vide order dated 24.03.2021. It is further submitted that after being acquitted the applicant could not immediately approached the Tribunal for the redressal of his grievance due to COVID. Thus it is submitted that delay in filing of Original Application i.e. 07 years and 01 is not intentional, but for the reasons stated above.</p> <p>The Ld. Counsel for the respondents has vehemently opposed the prayer on the premise that long delay of more than 07 years has not been properly and satisfactorily explained on day-to-day basis.</p> <p>Upon hearing submissions of Ld. Counsel of both side and considering the facts and circumstances of the case we are of the opinion that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 726 of 2022</u></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Issue notice to the respondents.</p> <p>ShriNeerajUpreti, Advocate has accepted notice on behalf of all the respondents, hence, service of notice is waived.</p> <p>Respondents to file Counter Affidavit within four weeks. Applicant will have two weeks time to file Rejoinder Affidavit next thereafter.</p> <p>List on 07.12.2022.</p> <p style="text-align: center;">(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p style="text-align: left;">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. 727 of 2022

Col. Jagjeet 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>08.09.2022</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>Memo of appearance filed by Shri Neeraj Upreti, 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>Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>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.</p> <p>List on 07.12.2022.</p> <p>(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. 728 of 2022 with M.A. No. 901 of 2022

Ex. Sep. Pancham 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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>Memo of appearance filed by ShriRajesh 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>Heard ShriSuresh Chandra Bhatt and ShriAbhishekDutt, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension.</p> <p>There is a delay of 04 years and 16 days in filing of Original Application.</p> <p>Being a pensionary matter in which cause of action accrues every month, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 728 of 2022</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>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.</p> <p>List on07.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 729 of 2022 with M.A. No. 902 of 2022

Ex. L/Nk. Ritesh Pant
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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p>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>Heard ShriN.K. Papnoi, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of benefit of rounding off of disability pension.</p> <p>There is a delay of 03 months and 07 days in filing of Original Application.</p> <p>Being a pensionary matter in which cause of action accrues every month, delay is condoned. Delay condonation application stands disposed off.</p> <p><u>O.A. No. 729 of 2022</u></p> <p>Matter needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit.</p> <p>List on07.12.2022.</p> <p>(Vice Admiral AbhayRaghunathKarve) (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. 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>08.09.2022</u> <u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></p> <p style="text-align: center;">Heard ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original 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 AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>AKD/SB/-</p>