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

Ex.A No. 99 of 2022 Inre O.A. No. 183 of 2021

Smt. Jasodha Devi W/o Late Ex sep Har 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Neeraj Upreti, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. On the case being taken up for hearing Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. It is submitted by learned counsel for the respondents that in compliance of the order, Govt. sanction has been accorded. It is further submitted to grant four weeks time to file affidavit of compliance annexing therewith copy of PPO which is allowed. List on **05.09.2022**. Registry is directed to delete the name of Shri Yogesh Kesarwani as counsel for the respondents as he is no more counsel in the case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

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

Rfn. Lal Bahadur Gurung 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Rajesh Sharma, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. On the case being taken up for hearing Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. It is submitted that order in question has been complied with however, no affidavit of compliance has been filed. Let it be filed within two weeks. List on **05.09.2022**. Registry is directed to delete the name of Dr. Shailendra Sharma Atal as counsel for the respondents as he is no more counsel in the case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. On the last date, applicant was directed to implead his daughter-in-law as party which has not been done. Let it be done by tomorrow. List on **01.06.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 427 of 2021

Ex.Nk Devendra 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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. As prayed, list on **01.06.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 429 of 2021

Ex. Nb 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **dismissed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 454 of 2021

Ex. HMT Bhagwan 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
	31.05.2022 **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 Sandeep Adhikari, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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
	31.05.2022 **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. Counter affidavit filed by the respondents is taken on record. List on **01.06.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 703 of 2021

Ex. Hav Rajesh Prasad Uniyal 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
	31.05.2022 **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 Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 707 of 2021

Ex. Nk Mangal 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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. As prayed, list on **01.06.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 128 of 2022

Ex. Nk Than 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
	31.05.2022 **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 NK Papnoi, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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 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
	31.05.2022 **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, Advocate holding brief of 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 **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 130 of 2022

Ex. L/Nk Rajendra Singh Bisht 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
	31.05.2022 **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 Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. As prayed, three weeks further time is granted to file counter affidavit. List on **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 132 of 2022

Ex. Hav 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
	31.05.2022 **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 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. As prayed, three weeks further time is granted to file counter affidavit. List on **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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
	31.05.2022 **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 Suresh Chandra Bhatt, 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 **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No.137 of 2022

Ex.Hav. Prem 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
	31.05.2022 **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 Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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
	31.05.2022 **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, Advocate holding brief of 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 **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 149 of 2022

Ex. Gnr Ajay Kumar 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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. As prayed, three weeks further time is granted to file counter affidavit. List on **05.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 150 of 2022 with M.A. No. 163 of 2022

Jasoda Devi W/o Late Sep Murari 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents. This application has been filed for grant of Sena Medal. It is submitted by learned counsel for the applicant that in view of services rendered by the applicant he is entitled to Sena Medal but the same has not been granted to him. There is delay of more than 19 years and a delay condonation application has been filed which is supported with affidavit. In affidavit filed in support of delay condonation application, the applicant has stated that delay is not deliberate but for the reasons stated in the affidavit. No written objection has been filed by the respondents rather their learned counsel has opposed the prayer on the premise that long delay of more than 19 years has not properly and satisfactorily explained. Upon hearing submission of both sides and considering the facts and circumstances of the case, we find that delay in filing application is condonable. Accordingly, delay is condoned. Delay condonation application stands disposed off. **O.A. No. 150 of 2022** The case 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 **06.09.2022** for exchange of pleadings. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 151 of 2022

Ex. Nk Mohan 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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. As prayed, three weeks further time is granted to file counter affidavit. List on **06.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 152 of 2022

Basanti Devi W/o Late Sep.Ram 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
	31.05.2022 **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, Advocate holding brief of 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. List tomorrow (**01.06.2022)** for hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 157 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
	31.05.2022 **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, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. As prayed, three weeks further time is granted to file counter affidavit. List on **06.09.2022**. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 198 of 2022

Smt. Kausha Devi W/o Late Spr Prem 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**
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Neeraj Upreti, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. On the case being taken up for hearing Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Neeraj Upreti, Ld. Counsel for the respondents are present. No counter affidavit has been filed in the matter. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit. List on **06.09.2022**. Registry is directed to delete the name of Shri Devesh Kumar Mishra as counsel for the respondents as he is no more counsel in the case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 199 of 2022

Ex. Nk Khushal 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Neeraj Upreti, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. On the case being taken up for hearing Shri Anil Anthwal, Advocate holding brief of Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present. No counter affidavit has been filed in the matter. Learned counsel for the respondents prays for and is granted four weeks time to file counter affidavit. List on **06.09.2022**. Registry is directed to delete the name of Shri Manu Kumar Srivastava as counsel for the respondents as he is no more counsel in the case. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

T.A. No. 1 of 2014

Sarbeswar Pattanaik Petitioner
By Legal Practitioner for the Petitioner

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	31.05.2022 **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 Kumar, Ld. Counsel for the petitioner and Shri Rajesh Sharma, Ld. Counsel for the respondents are present. Objection to supplementary affidavit has been filed today by the applicant which is taken on record. List on **05.09.2022** for final hearing. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

O.A. No. 408 of 2019 with M.A. No. 235 of 2022

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

Versus

Union of India & Others (Army) Respondents
By Legal Practitioner for Respondents

Notes of the Registry	**Orders of the Tribunal**
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri M.S. Bhandari, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents No. 1 to 4. Original Application is **allowed.** For orders, see our judgment passed on separate sheets. Misc. Applications, pending if any, shall be treated to have been disposed of. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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 with M.A. No. 524 of 2022

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

Versus

Union of India & Others (Army) Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Memo of appearance filed by Shri Rajesh Sharma, Advocate on behalf of respondents is taken on record. Registry is directed to show his name as learned counsel for the respondents on the next date of listing. Heard Shri Prabhakar Joshi and Shri Prem Prakash Bhatt, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. This application has been filed by the applicant for grant of disability pension. It is submitted by learned counsel for the applicant that applicant was discharged from service being in low medical category and disability was attributable to military service. However, his claim for grant of disability pension was wrongly denied. As per office note, there is no delay in filing Original Application, however, a delay condonation application has filed by the applicant which being not required is hereby dismissed. **O.A. No. 461 of 2022** The case 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 **05.09.2022** for exchange of pleadings. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT

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

R.A. 92 of 2021 Inre O.A. No. 567 of 2020

Ex. LAC 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
	31.05.2022 **Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)** **Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)** Heard Shri Vinay Bhatt and Mohammad Hasnain Raza, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents. Applicant has filed this application seeking review of order dated 15.11.2021 in O.A. No. 567 of 2020 by which the Original Application has been dismissed on merit. It is submitted that in the judgment passed in Original Application, the Bench has referred some rulings of the Hon'ble Apex Court and the High Court which are not applicable in the matter. It is further submitted that judgment and order in question has been passed in absence of the applicant therefore, they are ex parte. Learned counsel for the respondents has vehemently opposed the prayer on the premise that Review Application is not maintainable in view of the facts that judgment has been passed on merit and remedy against the same lies in appeal. During course of hearing, learned counsel for the applicant submitted that he had filed Recall Application against the judgment and order in question which he later got withdrawn in the belief that Review Application against the order is maintainable. He submitted that if the Bench is of the view that Review Application is not maintainable, it will be dismissed with liberty to the applicant to file afresh Recall Application. Upon hearing submissions of both sides and considering the facts and circumstances of the case, we find that in the Review Application, applicant has challenged merit of the case which cannot be seen in the review jurisdiction. The remedy against the order lies in appeal and in review, therefore, Review Application is not maintainable and is liable to be dismissed. Accordingly, Review Application is **dismissed** with liberty to file Recall Application. **(Vice Admiral Abhay Raghunath Karve)** **(Justice Umesh Chandra Srivastava)** **Member (A)** **Member (J)** SB/UKT