

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

Sl. No. 01

O.A. No. 658 of 2023 with M.A No. 791/2023

Ex. Nk Vipin Chander Singh Rawat Applicant
By Legal Practitioner for the Applicant: Col Suman Negi (Retd.)

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Neeraj Upreti, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. 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.2. Heard Col Suman Negi (Retd.), Ld. Counsel for the applicant and Shri Neeraj Upreti , Ld. Counsel for the respondents.3. This Original Application has been filed for the grant of disability pension to the applicant. There is a delay of 06 months and 16 days in filing of Original Application.4. Being a pensionary matter, delay is condoned.5. Delay condonation application stands disposed off. <p><u>O.A. No. 658 of 2023</u></p> <ol style="list-style-type: none">6. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly rejected by the respondents.7. Case needs adjudication.8. Admit.9. 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.10. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

Sl. No. 02

Ex.A/144/2023 Inre. O.A. No. 706 of 2021

Smt. Usha Devi

Applicant

By Legal Practitioner for the Applicant:

Shri Niranjana Bhatt, Advocate

Shri Kishore Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents:

Shri Rajesh Sharma, Advocate

Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. 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.2. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.3. The instant execution application has been filed by the applicant for noncompliance of the order dated 01.06.2022 passed by this Tribunal in OA No. 706/2021.4. Ld. Counsel for the respondents prays for and is granted two weeks' time to seek instructions and to file compliance report5. List on 19.02.2024. <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 03

M.A No. 827/2023 with MA No. 828/2023 Inre O.A No. 1032 of 2022

Union of India & Others

By Legal Practitioner for the Applicant:

Applicant

Shri Rajesh Sharma, Advocate

Versus

Ex. Hav Surendra Singh

By Legal Practitioner for Respondents:

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Rajesh Sharma, Ld. Counsel for the applicants – Union of India & Others.2. This application has been filed under Section 31 of the Armed Forces Tribunal Act, 2007 against the judgment and order dated 08.12.2022 of this Tribunal in Original Application No. 1032 of 2022.3. It is submitted by the Ld. Counsel for the applicants – Union of India & others that applicants want to file Appeal against the decision of this Tribunal, leave be granted for the same and delay of 04 months and 29 days in filing of application be condoned.4. In view of the facts stated in affidavit filed in support of delay condonation application, we find that cause shown is sufficient. Accordingly, delay is condoned. Delay condonation application stands disposed off accordingly.5. Upon hearing submission of Ld. Counsel for the applicants – Union of India and Others, we find that no point of law of general public importance is involved so that leave may be granted.6. Accordingly, Leave to Appeal is dismissed. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

R.A. No 32 of 2023 with .A. No 829 of 2023 Inre O. A. No. 180 of 2022

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Rajesh Sharma, Advocate

Versus

Ex Sub Rampal Singh Rawat

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. The applicant has filed this Review Application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008. By means of this Review Application, the applicant has made prayer to review the judgment and order dated 07.09.2022 passed in O.A. No 180 of 2022 and pass a fresh and final judgment.</p> <p>2. There is delay of 07 month and 23 days in filing of Review Application regarding which an application for condonation of delay has been filed.</p> <p>3. As per judgment of Larger Bench AFT, Principal Bench, New Delhi, dated 16.11.2021 passed in M.A. No 321 of 2018 in R.A. (Diary No 10920 of 2018 in O.A. No 64 of 2016, in the case of <i>Union of India & Ors Versus Ex Sep M Anthony Victor</i>, the delay in filing Review Application is condonable. In the said judgment, Hon'ble Principal Bench has held that:-</p> <p style="text-align: center;"><i>“The tribunal is conferred with power under the Act and the Rules framed thereunder to condone delay under Section 5 of the Limitation Act in filing the Review Application despite rule 18 of the Rules”.</i></p> <p>4. In view of decision of larger Bench of AFT, New Delhi,</p>

application for condonation of delay in moving Review application is allowed and delay in filing the Review Application is condoned.

5. The matter came up before us by way of Circulation as per provisions of Rule 18 (3) of the Armed Forces Tribunal (Procedure) Rules, 2008, whereby the applicant has prayed for review of the order dated 07.09.2022 passed in O.A No. 180 of 2022 and pass a fresh order. The aforesaid O.A. was allowed and respondents were directed to grant one notional increment to the applicant for the period from 01.07.2006 to 30.06.2007. The respondents were further directed to issue fresh Corrigendum PPO accordingly The respondents were further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order.

6. We have gone through the grounds and reasons indicated in the affidavit filed in support of the application and have also gone through the judgment and order sought to be reviewed. The judgment and order sought to be reviewed was passed in proper prospective after considering all the facts and circumstances. No illegality or irregularity or error apparent on the face of record has been shown to us so as to review the aforesaid judgment of this Court.

7. It is settled proposition of law that the scope of the review is limited and the applicant has to show that there is error apparent on the face of the record. For ready reference the Order 47 Rule 1 Sub Rule (1) of the Code of Civil Procedure 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 by this Code, 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 of the Court which passed the decree or made the order.”

8. 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. Hon'ble the 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 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."

9. In the instant case, the details mentioned in the review application had already been taken into consideration and discussed in detail and thereafter the order was passed. In view of

the principle of law laid down by Hon'ble the Apex Court in the case of Parsion Devi and Others (supra), we are of the considered view that there is no error apparent on the face of record in the impugned order dated 07.09.2022, which may be corrected in exercise of review jurisdiction.

10. Accordingly, R.A. No 32 of 2023 is **rejected**. There shall be no order as to costs. The applicant may be informed accordingly.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

UKT/RK

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

R A. No. 33 of 2023 with M.A. No 832 of 2023 Inre O.A. No 138 of 2022

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Rajesh Sharma, Advocate

Versus

Ex Nk Kushal Singh

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. The applicant has filed this Review Application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008. By means of this Review Application, the applicant has made prayer to review the judgment and order dated 07.09.2022 passed in O.A. No 138 of 2022 and pass a fresh and final judgment.</p> <p>2. There is delay of 07 month and 23 days in filing of Review Application regarding which an application for condonation of delay has been filed.</p> <p>3. As per judgment of Larger Bench AFT, Principal Bench, New Delhi, dated 16.11.2021 passed in M.A. No 321 of 2018 in R.A. (Diary No 10920 of 2018 in O.A. No 64 of 2016, in the case of <i>Union of India & Ors Versus Ex Sep M Anthony Victor</i>, the delay in filing Review Application is condonable. In the said judgment, Hon'ble Principal Bench has held that:-</p> <p style="text-align: center;"><i>“The tribunal is conferred with power under the Act and the Rules framed thereunder to condone delay under Section 5 of the Limitation Act in filing the Review Application despite rule 18 of the Rules”.</i></p>

4. In view of decision of larger Bench of AFT, New Delhi, application for condonation of delay in moving Review application is allowed and delay in filing the Review Application is condoned.

5. The matter came up before us by way of Circulation as per provisions of Rule 18 (3) of the Armed Forces Tribunal (Procedure) Rules, 2008, whereby the applicant has prayed for review of the order dated 07.09.2022 passed in O.A No. 138 of 2022 and pass a fresh order. The aforesaid O.A. was allowed and respondents were directed to grant one notional increment to the applicant for the period from 01.07.2003 to 30.06.2004. The respondents were further directed to issue fresh Corrigendum PPO accordingly The respondents were further directed to give effect to this order within a period of four months from the date of receipt of a certified copy of this order.

6. We have gone through the grounds and reasons indicated in the affidavit filed in support of the application and have also gone through the judgment and order sought to be reviewed. The judgment and order sought to be reviewed was passed in proper prospective after considering all the facts and circumstances. No illegality or irregularity or error apparent on the face of record has been shown to us so as to review the aforesaid judgment of this Court.

7. It is settled proposition of law that the scope of the review is limited and the applicant has to show that there is error apparent on the face of the record. For ready reference the Order 47 Rule 1 Sub Rule (1) of the Code of Civil Procedure 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 by this Code, 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 of the Court which passed the decree or made the order."

8. 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. Hon'ble the 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 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."

9. In the instant case, the details mentioned in the review application had already been taken into consideration and

discussed in detail and thereafter the order was passed. In view of the principle of law laid down by Hon'ble the Apex Court in the case of Parsion Devi and Others (supra), we are of the considered view that there is no error apparent on the face of record in the impugned order dated 07.09.2022, which may be corrected in exercise of review jurisdiction.

10. Accordingly, R.A. No 33 of 2023 is **rejected**. There shall be no order as to costs. The applicant may be informed accordingly.

(Vice Admiral Atul Kumar Jain)
Member (A)

(Justice Ravindra Nath Kakkar)
Member (J)

UKT/RK

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

Sl. No. 06

R.A No. 44/2023 with MA No. 1114/2023 Inre O.A No. 133 of 2022

Ex. Nk Harish Chandra Singh Rautela

Applicant

By Legal Practitioner for the Applicant:

Shri CS Rawat

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents:

Shri Rajesh Sharma, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. 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.2. Heard Shri C.S Rawat, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.3. After hearing at length, on query being made by this Tribunal, Ld. Counsel for the applicant made statement that he wants to withdraw this review petition.4. Ld. Counsel for the applicant submitted that he may be permitted to withdraw the instant review petition with liberty to seek remedy available to him.5. Accordingly, review application is dismissed as withdrawn with liberty to approach appropriate forum/authority. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 07

Ex-A 214/2018 inre O.A. No. 243 of 2014

Ex. Sep Rajendra Singh

By Legal Practitioner for the Applicant:

Applicant

Shri C.S Rawat, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate

Ms. Vandana Singh, Advocate

Shri S.P Sherawat

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing in the revised list, Shri C.S Rawat, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.2. At the request of Id. Counsel for the applicant matter is adjourned.3. List on 22.09.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 08

Ex-A 99/2022 inre O.A. No. 183 of 2021

Smt. Jasodha Devi W/o Late Ex Sep Har Ram Applicant
By Legal Practitioner for the Applicant: Shri Kishore Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Neeraj Upreti, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>2. Ld. Counsel for the respondents submitted that PPO was issued to the applicant but the amount could not be paid by the bank due to mismatch in her family pension PPO of Army and DSC. The DoB of the applicant as mentioned in Army service PPO is 26.04.1959 whereas in DSC PPO, it is mentioned as 10.04.1959. He further submitted that applicant was advised to forward requisite documents to make necessary amendments in the DoB of the applicant in DSC service documents and for subsequent publication of Part II order for issuance of corrigendum PPO.</p> <p>3. Ld. Counsel for the respondents stated that requisite documents have been received through Zilla Sainik Board, Pithoragarh and matter is under process for issuance of corrigendum PPO. He prays for and is granted further six weeks time to complete the entire process and issuance of corrigendum PPO.</p> <p>4. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

Form No. 4

{See rule 11(1)}
ORDER SHEET

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

Sl. No. 09

Ex-A 100/2022 inre O.A. No. 185 of 2014

Rfn Lal Bahadur Gurung

By Legal Practitioner for the Applicant:

Applicant

Shri Kishore Rai, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Perusal of the file reveals that updated copy of pass book has not been filed by the applicant as per order dated 14.03.2023.3. Ld. Counsel for the applicant stated that he has no instructions from his client and he could not be contacted.4. Ld. Counsel for the respondents stated that compliance affidavit has already been filed on behalf of the respondents. He further submitted that the instant execution application be disposed of in full satisfaction.5. Ld. Counsel for the applicant agrees with the submission of the respondents' counsel and requested that liberty be granted to the applicant to approach this Tribunal if order is not complied with.6. In view of above, the instant execution application stands disposed of in full satisfaction with liberty to the applicant to approach this Tribunal if order is not complied with by the respondents. <p>(Vice Admiral Atul Kumar Jain) Member (A)</p> <p>(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 10

Ex-A 307/2022 inre O.A. No. 430 of 2021

Smt. Leela Goswami, W/o Ex Nb Sub Rejendra Kumar Applicant
By Legal Practitioner for the Applicant: **Shri Kishore Rai, Advocate**

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: **Shri Rajesh Sharma, Advocate**
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Perusal of the file reveals that neither the order has been complied with nor cost has been deposited by the respondents.3. Ld. Counsel for the respondents prays for and is granted further two weeks time to file compliance affidavit by the next date fixed failing which responsible officer for not implementing the order shall be summoned.4. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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(CIRCUIT BENCH AT NAINITAL)

Sl. No. 11

Ex-A 308/2022 inre O.A. No. 514 of 2020

Ex Nk Dalip Singh

By Legal Practitioner for the Applicant:

Applicant

Shri Kishore Rai, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate

Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. At the outset, Id. Counsel for the respondents states that the order passed by this Tribunal has been fully complied with. Further states that he is filing compliance affidavit during the course of the day.3. Ld. Counsel for the applicant agrees with the submission of the Id. Counsel for the respondents and stated that amount has been received to the applicant.4. In view of above, the instant execution application stands disposed of in full satisfaction. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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(CIRCUIT BENCH AT NAINITAL)

Sl. No. 12

Ex-A 309/2022 inre O.A. No. 162 of 2021

Ex Nk (TS) Birendra Kumar Lakhera Applicant
By Legal Practitioner for the Applicant: Shri Kishore Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajesh Sharma, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Perusal of the file reveals that neither the order has been complied with nor the cost has been deposited by the respondents.3. Ld. Counsel for the respondents stated that matter is under process and is pending with PIFA since July 2023. He requested for further time to file compliance affidavit.4. In the interest of justice, last opportunity is granted to the respondents to file compliance affidavit by the next date failing which responsible Officer shall file his explanation with regard to compliance through an affidavit.5. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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(CIRCUIT BENCH AT NAINITAL)

Sl. No. 13

Ex-A 310/2022 inre O.A. No. 427 of 2021

Ex. Nk Devenra Singh

By Legal Practitioner for the Applicant:

Applicant

Shri Kishore Rai, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate

Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Ld. Counsel for the applicant stated that despite order of this Tribunal, respondents have not yet reinstated the applicant.3. Ld. Counsel for the respondents prays for further four weeks time to file compliance affidavit. On perusal of order sheet, it transpires that inspite of availing several opportunities respondents have not filed compliance affidavit. As a last opportunity four weeks time is granted to the respondents to file the compliance affidavit on the condition that if same is not filed by the next date fixed, respondents shall have to pay cost of Rs. 5,000/- which shall be remitted to the applicant.4. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 14

Ex-A 311/2022 inre O.A. No. 428 of 2021

Smt. Sushila Devi W/o Late Ex Nk Kunwar Singh Applicant
By Legal Practitioner for the Applicant: **Shri Kishore Rai, Advocate**

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: **Shri Neeraj Upreti, Advocate**
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.2. Perusal of the file reveals that neither the order has been complied with nor the cost has been deposited by the respondents.3. Ld. Counsel for the respondents prays for and is granted last opportunity of four weeks to file compliance affidavit by the next date. Respondents are also directed to deposit the cost imposed vide order dated 13.03.2023.4. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 15

Ex-A 389/2022 inre O.A. No. 454 of 2021

Ex HMT Bhagwan Singh Rawat Applicant
By Legal Practitioner for the Applicant: Shri Sandeep Adhikari, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Neeraj Upreti, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai holding brief for Shri Sandeep Adhikari, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>2. Ld. Counsel for the respondents made statement before this Tribunal that government sanction has been accorded and the matter is under process for issuance of PPO. Ld. Counsel for the respondents prays for and is granted last opportunity to file compliance affidavit by the next date.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 16

Ex-A 46/2023 inre O.A. No. 137 of 2022

Ex Hav Prem Singh Applicant
By Legal Practitioner for the Applicant: Shri Kishore Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Neeraj Upreti, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>2. Ld. Counsel for the respondents prays for and is granted further four weeks time to file compliance affidavit.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 17

Ex-A 47/2023 inre O.A. No. 710 of 2021

Ex Hav Lachham Singh

By Legal Practitioner for the Applicant:

Applicant

Shri Kishore Rai, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate

Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that matter is under process. He prays for and is granted further four weeks time to file compliance affidavit.3. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 18

Ex-A 48/2023 inre O.A. No. 179 of 2022

Ex L/Nk Ravi Bhatt By Legal Practitioner for the Applicant:	Versus	Applicant Shri Kishore Rai, Advocate
Union of India & Others By Legal Practitioner for Respondents:		Respondents Shri Rajesh Sharma, Advocate Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that matter is under process and is pending with MoD. He prays for and is granted further four weeks time to file compliance affidavit.3. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 19

Ex-A 50/2023 inre O.A. No. 130 of 2022

Ex L/Nk Rajendra Singh Bisht Applicant
By Legal Practitioner for the Applicant: Shri Kishore Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Rajesh Sharma, Advocate
Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents submitted that government sanction has been accorded on 04.09.2023 and matter is under process for issuance of PPO. He prays for and is granted last opportunity to file compliance affidavit by the next date.3. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Sl. No. 20

Ex-A 51/2023 inre O.A. No. 432 of 2021

Hav Rajan Kumar

By Legal Practitioner for the Applicant:

Applicant

Shri Kishore Rai, Advocate

Versus

Union of India & Others

By Legal Practitioner for Respondents:

Respondents

Shri Rajesh Sharma, Advocate

Central Government Counsel

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.2. Ld. Counsel for the respondents stated that matter is under process. He prays for and is granted further four weeks time to file compliance affidavit.3. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>RK/Ukt/-</p>

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

Ex. A. No. 53 of 2023 Inre O.A. No. 178 of 2022

L/Nk Naresh Naudiyal

Applicant

By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p>2. On call of the case, learned counsel for the respondents submits that matter is pending before AF PS2, Army Headquarters since June 2023. He prays for and is granted four weeks time to seek instructions and file compliance report.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Ex. A. No. 54 of 2023 Inre O.A. No. 154 of 2022

Ex L/Nk Navdeep Gaur

Applicant

By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>2. On call of the case, learned counsel for the respondents submits that in this LTA has been filed which is listed on serial No 35 of the cause list. He submits that once LTA is dismissed, the case for execution of order will be taken up with the concerned authority.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 126 of 2022

Ex Hav (Hony Nb Sub) Sher Singh

Applicant

By Legal Practitioner for the Applicant : Shri Tarun PS Takuli, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Tarun PS Takuli, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.</p> <p>2. Counter affidavit filed by the respondents is taken on record and its copy has been served upon learned counsel for the applicant. Learned counsel for the applicant prays for and is granted four weeks time to file rejoinder affidavit.</p> <p>3. List on 19.2.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 129 of 2022

Smt Raj Rani, W/o Rfn Sukhdev Singh Applicant
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p>2. On call of the case, learned counsel for the applicant submits that this case may be disposed of finally as the matter has been amicably settled between the parties and both the parties are living together and this case has become infructuous.</p> <p>3. Original Application of disposed of finally being infructuous.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 182 of 2022

Smt Asha Thapa, D/o Late Jushya Thapa Applicant
By Legal Practitioner for the Applicant : Shri Akshay Latwal, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Kishore Rai, Advocate, holding brief of Shri Akshay Latwal, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Shri Kishore Rai submits that as a matter of last opportunity, four weeks further time be granted to file rejoinder affidavit.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 706 of 2022

Ex Sep Gusain Singh

Applicant

By Legal Practitioner for the Applicant : Shri Bipin Bihari, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Neeraj Upreti, Ld. Counsel for the respondents is present.2. No one is present on behalf of the applicant.3. Counter affidavit filed by the respondents is taken on record.4. Learned counsel for the applicant may file rejoinder affidavit by the next date fixed.5. List on 19.02.2024. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 774 of 2022

Ex Nk Shyam Datt Bhatt

Applicant

By Legal Practitioner for the Applicant : Lt Col Nidhikant Dhyani (Retd), Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Lt Col Nidhikant Dhyani (Retd), Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>3. List on 21.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 993 of 2022

Ex Sep Birpal Singh Negi

Applicant

By Legal Practitioner for the Applicant : Shri MS Bhandari, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri MS Bhandari, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>3. List on 20.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 272 of 2023

Ex L/Nk Nartesh Nautiyal

Applicant

By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>3. List on 20.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 273 of 2023

Mrs Basanti Dhami, W/o Late Hav Inder Singh Applicant
By Legal Practitioner for the Applicant : Shri Anil Kumar Bisht, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Anil Kumar Bisht, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>3. List on 20.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 274 of 2023

Ex Nb Sub Bahadur Singh

Applicant

By Legal Practitioner for the Applicant : Shri Anil Kumar Bisht, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeral Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Anil Kumar Bisht, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents prays for and is granted two days time to file counter affidavit.</p> <p>3. List on 20.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

T.A. No. 7 of 2023

Ex Sep Dhirendra Prasad Dwivedi: Shri Kishore Kumar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Kishore Kumar, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the applicant submits that he shall file rejoinder affidavit within four weeks. He also undertakes that he shall supply copy of the rejoinder affidavit to learned counsel for the respondents within a week.</p> <p>3. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Ex. A. No. 49 of 2023 Inrre O.A. No. 153 of 2022

Ex Ex L/Nk Tej Singh

Applicant

By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Learned counsel for the respondents submits that LTA has been filed in this case which is pending before the Tribunal.</p> <p>3. Respondents are directed to comply the order passed by the Tribunal by the next date fixed.</p> <p>4. List on 19.02.2024.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Dy No 845 of 2023 Inre O.A. No. 153 of 2022

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Neeraj Upreti, Advocate

Versus

Ex L/Nk Tej Singh

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Neeraj Upreti, Learned for the applicant/respondent is present.</p> <p>2. Learned counsel for the applicant/respondents prays for and is granted one day time to remove defects indicated by the Registry.</p> <p>3. List on 19.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Dy No 846 of 2023 Inre O.A. No 154 of 2022

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Neeraj Upreti, Advocate

Versus

Ex L/Nk Navdeep Gaur

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Neeraj Upreti, learned counsel for the applicant/respondents is present.</p> <p>2. Learned counsel for the applicant/respondents prays for and is granted one day time to remove defects indicated by the Registry.</p> <p>3. List on 19.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Dy. No. 938 of 2023 Inre O.A. No. 156 of 2022

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Neeraj Upreti, Advocate

Versus

Ex Hav Chakradhar Prasad Painuly

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Neeral Upreti, Ld. Counsel for the applicant/Respondent is present.2. Learned counsel for the applicant/respondents prays for and is granted one day time to remove defects indicated by the Registry.3. List on 19.09.2023. <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

Dy No 1840 of 2023 Inre O.A. No. 528 of 2020

Union of India & Others

Applicant

By Legal Practitioner for the Applicant : Shri Rajesh Sharma, Advocate

Versus

Ex L/Nk Ranjeet Singh

Respondents

By Legal Practitioner for Respondents :

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Rajesh Sharma, Ld. Counsel for the applicant/ respondents is present.</p> <p>2. Learned counsel for the applicant/respondents prays for and is granted one day time to remove defects indicated by the Registry.</p> <p>3. List on 19.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>

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

O.A. No. 567 of 2020

Ex LAC Rajendra Singh

Applicant

By Legal Practitioner for the Applicant : Shri Vinay Bhatt, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>18.09.2023</u> <u>Hon'ble Mr. Justice Ravindra Nath Kakkar, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Rajesh Sharma, Ld. Counsel for the respondents is present.</p> <p>2. It has been informed by the Bar that learned counsel for the applicant is not available today. In the interest of justice, the case is adjourned.</p> <p>3. List on 20.09.2023.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) Member (A)</p> <p style="text-align: center;">(Justice Ravindra Nath Kakkar) Member (J)</p> <p>UKT/RK</p>