

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

(Sl. No. 1)

O.A. No. 345 of 2024 with M.A. No. 422 of 2024

Nk. Kunwar Singh

Applicant

By Legal Practitioner for the Applicant : Shri Sandeep Tiwari, Advocate  
Shri Piyush Tiwari, 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>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.</p> <p>2. On the case being taken up for hearing Shri Sandeep Tiwari and Shri Piyush Tiwari, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>3. Heard Ld. Counsel for the parties and perused the record.</p> <p><b><u>M.A. No. 422 of 2024</u></b></p> <p>4. There is a delay of 31 years, 09 months and 29 days in filing Original Application regarding which an application for condonation of delay has been filed.</p> <p>5. Ld. Counsel for the respondents submits that delay of more than 31 years has not been properly explained by the applicant.</p> <p>6. Ld. Counsel for the applicant submits that delay is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.</p> <p>7. Considering the facts and circumstances of the case and also that it is pensionary matter and in pensionary matter bar of limitation does not apply because of recurring cause of action. Further, in the light of the decision in <b><i>Union of India Vs. Tarsem Singh</i> [2008 (8) SCC 648]</b>, delay condonation application is <b>allowed</b> and the delay is <b>condoned</b>. Delay condonation application stands <b>disposed off</b>.</p> <p><b><u>O.A. No. 345 of 2024</u></b></p> <p>8. This Original Application has been for the grant of service pension.</p> <p>9. Matter needs adjudication.</p>

	<p>10. Admit.</p> <p>11. 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>12. List on <b>17.02.2025</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>
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**(Sl. No. 2)**

**Ex. Sep. Mohan Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Deepak Singh Bisht, Advocate  
Shri Ajeet Kumar Yadav, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>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.</p> <p>2. On the case being taken up for hearing Shri Ajeet Kumar Yadav, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>3. There is a delay of 09 years, 01 month and 23 days in filing Original Application regarding which an application for condonation of delay has been filed.</p> <p>4. Heard Ld. Counsel for the parties and perused the record.</p> <p><b><u>M.A. No. 714 of 2024</u></b></p> <p>5. Ld. Counsel for the respondents submits that delay of more than 09 years has not been properly explained by the applicant.</p> <p>6. Ld. Counsel for the applicant submits that delay is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.</p> <p>7. Considering the facts and circumstances of the case and also that it is pensionary matter and in pensionary matter bar of limitation does not apply because of recurring cause of action. Further, in the light of the decision in <b><i>Union of India Vs. Tarsem Singh</i> [2008 (8) SCC 648]</b>, delay condonation application is <b>allowed</b> and the delay is <b>condoned</b>. Delay condonation application stands <b>disposed off</b>.</p> <p><b><u>O.A. No. 621 of 2024</u></b></p> <p>8. This Original Application has been for the payment of arrears of service pension.</p>

	<div>9. Matter needs adjudication.</div> <div>10. Admit.</div> <div>11. 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.</div> <div>12. List on <b>17.02.2025</b>.</div> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <div>SB/AKD/-</div>
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**(Sl. No. 3)**

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

Applicant

## Versus

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

## Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Heard Ld. Counsel for the parties and perused the record.</p> <p>3. Affidavit filed by the respondents regarding present status of execution of the case is taken on record.</p> <p>4. Compliance affidavit has not been filed. Cost of Rs.20,000/- have not been deposited by the respondents.</p> <p>5. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.10,000/- failing which Colonel PS-4, Integrated Headquarters of Ministry of Defence (Army), New Delhi shall be present before this Tribunal for explaining the cause of delay in implementation of order.</p> <p>6. Respondents are further directed to deposit all the costs due against them till the next date listing which shall be remitted to the applicant.</p> <p>7. List on <b>17.02.2025</b>.</p> <p style="text-align: center;"><b>( Lt. Gen. Anil Puri)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>SB/AKD/-</p>

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

(Sl. No. 4)

Ex. A. No. 309 of 2022 Inre : O.A. No. 162 of 2021

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

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Heard Ld. Counsel for the parties and perused the record.</p> <p>3. Affidavit of compliance filed by the respondents is taken on record.</p> <p>4. Ld. Counsel for the applicant prays for and is granted four weeks time to file objection, if any.</p> <p>5. List on <b>17.02.2025</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 5)

Ex. A. No. 310 of 2022 Inre : O.A. No. 427 of 2021

Ex. Nk. Devendra Singh  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Affidavit regarding present status of this execution case filed by the respondents is taken on record.</p> <p>3. Compliance affidavit has not been filed.</p> <p>4. Ld. Counsel for the respondents submits that order under implementation has been challenged before the Hon'ble High Court, but there is no stay order of Hon'ble High Court. He prays for and is granted four weeks further time on payment of additional costs of Rs.10,000/- to file affidavit of compliance.</p> <p>5. Respondents are directed to deposit all the costs due against them till the next date of listing which shall be remitted to the applicant.</p> <p>6. List on <b>17.02.2025</b>.</p> <p>( Lt. Gen. Anil Puri) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>

**(Sl. No. 6)**

## Versus

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Compliance affidavit filed by the respondents is taken on record.</p> <p>3. Heard Ld. Counsel for the parties and perused the record.</p> <p>4. Ld. Counsel for the applicant prays for and is granted four weeks time to seek instruction and to file objection, if any.</p> <p>5. List on <b>17.02.2025</b>.</p> <p style="text-align: center;"><b>( Lt. Gen. Anil Puri)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>SB/AKD/-</p>



**(Sl. No. 7)**

**Ex. Hav. Prem Singh**

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

## Union of India & Others

By Legal Practitioner for Respondents : Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Affidavit regarding present status of this execution case filed by the respondents is taken on record.</p> <p>3. Heard Ld. Counsel for the parties and perused the record.</p> <p>4. Ld. Counsel for the respondents submits that Writ Petition against the order of this Tribunal has been filed before the Hon'ble High Court, but there is no stay order passed by the Hon'ble High Court.</p> <p>5. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.10,000/- which shall be remitted to the applicant or to file stay order of the Hon'ble High Court.</p> <p>6. List on <b>17.02.2025</b>.</p> <p>7. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT, Legal Cell for compliance.</p> <p style="text-align: center;"><b>( Lt. Gen. Anil Puri)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>SB/AKD/-</p>

**(Sl. No. 8)**

**Ex. Hav. Lachham Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Heard Ld. Counsel for the parties and perused the record.</p> <p>3. Ld. Counsel for the respondents submits that Writ Petition against the order of this Tribunal has been filed before the Hon'ble High Court, but there is no stay order passed by the Hon'ble High Court.</p> <p>4. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.10,000/- which shall be remitted to the applicant or to file stay order of the Hon'ble High Court.</p> <p>5. List on <b>17.02.2025</b>.</p> <p>6. Let copy of this order be provided to the Ld. Counsel for the respondents/AFT, Legal Cell for compliance.</p> <p style="text-align: center;"> <b>( Lt. Gen. Anil Puri)</b>  <b>Member (A)</b> </p> <p style="text-align: center;"> <b>(Justice Anil Kumar)</b>  <b>Member (J)</b> </p> <p>SB/AKD/-</p>

**(Sl. No. 9)**

**Ex. L/Nk. Ravi Bhatt** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Heard Ld. Counsel for the parties and perused the record.</p> <p>3. Compliance affidavit has not been filed by the respondents.</p> <p>4. Respondents have filed an application for recalling of order under implementation.</p> <p>5. Ld. Counsel for the applicant prays for and is granted four weeks time to file objection, if any, against the recall application.</p> <p>6. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.10,000/-.</p> <p>7. Respondents are directed to deposit all the costs due against them till the next date of listing which shall be remitted to the applicant.</p> <p>8. List on <b>17.02.2025</b>.</p> <p style="text-align: center;"><b>( Lt. Gen. Anil Puri)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>SB/AKD/-</p>

**(Sl. No. 10)**

**Ex. L/Nk. Tej Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Heard Ld. Counsel for the parties and perused the record.</p> <p>3. Compliance affidavit has not been filed.</p> <p>4. Ld. Counsel for the respondents submits that Writ Petition has been filed against the order of this Tribunal.</p> <p>5. Today recall application has been filed by the respondents for recalling the order under implementation which is taken on record.</p> <p>6. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional cost of Rs.10,000/-.</p> <p>7. Respondents are directed to deposit all the costs due against them till the next date of listing which shall be remitted to the applicant.</p> <p>8. Ld. Counsel for the applicant prays for and is granted four weeks time to file objection, if any, against the recall application.</p> <p>9. List on <b>17.02.2025</b>.</p> <p style="text-align: center;"><b>( Lt. Gen. Anil Puri)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Anil Kumar)</b> <b>Member (J)</b></p> <p>SB/AKD/-</p>

**(Sl. No. 11)**

**Hav. Rajan Kumar** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Heard Ld. Counsel for the parties and perused the record.</li> <li>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of additional costs of Rs.10,000/- .</li> <li>4. Respondents are directed to deposit all the costs due against them till the next of listing which shall be remitted to the applicant.</li> <li>5. Recall application filed today by the respondents for recalling the order under implementation is taken on record.</li> <li>6. Ld. Counsel for the applicant prays for and is granted four weeks time to file objection against recall application.</li> <li>7. List on <b>17.02.2025</b>.</li> </ol> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><b>( Lt. Gen. Anil Puri)</b>  <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><b>(Justice Anil Kumar)</b>  <b>Member (J)</b></p> </div> </div> <p>SB/AKD/-</p>

Form No. 4  
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CIRCUIT BENCH AT NAINITAL

(Sl. No.12)

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

L/Nk. Naresh Naudiyal  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Affidavit of compliance filed by the respondents is taken record.</p> <p>3. Ld. Counsel for the applicant prays for and is granted two days time to file objection, if any.</p> <p>4. List on <b>12.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

Form No. 4  
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(Sl. No. 13)

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

Ex. L/Nk. Navdeep Gaur  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Affidavit of compliance has not been filed by the respondents.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of cost of Rs.10,000/- which shall be remitted to the applicant.</p> <p>4. Respondents are directed to file affidavit regarding present status of execution of this case.</p> <p>5. Respondents are further directed to deposit all the cost till the next date of listing.</p> <p>6. List on <b>17.02.2025</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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(Sl. No. 14)

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

Smt. Usha Devi  
By Legal Practitioner for the Applicant : Shri Niranjana Bhatt, Advocate  
Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>09.09.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Lt. Gen. Anil Puri, Member (A)</div></div><div><div>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.</div><div>2. This is an older Execution Application for implementation of order dated 01.06.2022 passed by this Tribunal.</div><div>3. Compliance affidavit has not been filed.</div><div>4. Cost imposed against the respondents has also not been deposited. Present status of this execution case has also not been filed.</div><div>5. Respondents are not complying the order of this Tribunal.</div><div>6. Ld. Counsel for the respondents prays for and is granted two days time to file present status of this execution case.</div><div>7. List on 12.09.2024.</div></div><div><div>( Lt. Gen. Anil Puri ) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div><div>SB/AKD/-</div></div>



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(Sl. No. 15)

Ex. A. No. 82 of 2024 Inre : O.A. No. 778 of 2022

Ganesh Singh S/o Late Gnr. Gopal Singh (Retd.)  
By Legal Practitioner for the Applicant : Shri P.S. Bohra, Advocate  
Shri Prabhat Bohra, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>09.09.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Lt. Gen. Anil Puri, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri P.S. Bohra and Shri Prabhat Bohra, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</div><div>2. Heard Ld. Counsel for the parties and perused the record.</div><div>3. Compliance affidavit has not been filed.</div><div>4. Affidavit regarding present status of this execution case has also not been filed.</div><div>5. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance on payment of cost of Rs.10,000/- which shall be remitted to the applicant.</div><div>6. Respondents are directed to file affidavit regarding present status of this execution case till next date of listing.</div><div>7. List on 17.02.2025.</div></div><div><div>( Lt. Gen. Anil Puri)</div><div>Member (A)</div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div><div>SB/AKD/-</div></div>

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CIRCUIT BENCH AT NAINITAL

(Sl. No. 16)

O.A. No. 1116 of 2023

**Km. Ashana Negi D/o Ex. Spr. Satey Singh**  
By Legal Practitioner for the Applicant : Shri M.S. Bhandari, Advocate

Applicant

**Versus**

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri M.S. Bhandari, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Counter Affidavit has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted two days time to file Counter Affidavit.</p> <p>4. List on <b>12.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Vikram Singh Dhapola, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. Heard Ld. Counsel for the parties.</p> <p>3. Original Application is <b>allowed</b>.</p> <p>4. For orders, see our order passed on separate sheets.</p> <p>5. Pending Misc. Application (s), if any, shall stand disposed off.</p> <p style="text-align: center;">( Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>

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

(Sl. No. 18)

O.A. No. 1120 of 2023

Rfn. Ganesh Prasad  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

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

Versus

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div><div>09.09.2024</div><div>Hon'ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon'ble Lt. Gen. Anil Puri, Member (A)</div></div><div><div>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.</div><div>2. Counter Affidavit has not been filed.</div><div>3. As prayed by the Ld. Counsel for the respondents, list this case on 11.09.2024.</div></div><div><div>( Lt. Gen. Anil Puri)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div></div>
	SB/AKD/-

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

(Sl. No. 19)

O.A. No. 1123 of 2023

Ex. Hav. Jaypal Singh Bhandari  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 20)

O.A. No. 1126 of 2023

Smt. Geeta Thapa  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

**(Sl. No. 21)**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><b>( Lt. Gen. Anil Puri)</b>  <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><b>(Justice Anil Kumar)</b>  <b>Member (J)</b></p> </div> </div> <p>SB/AKD/-</p>

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

(Sl. No. 22)

O.A. No. 1129 of 2023

**Janki Devi W/o Late Sep. Devendra Prasad Arya** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Shri D.K. Joshi, 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>



Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><b>( Lt. Gen. Anil Puri)</b>  <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><b>(Justice Anil Kumar)</b>  <b>Member (J)</b></p> </div> </div> <p>SB/AKD/-</p>

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

(Sl. No. 24)

O.A. No. 165 of 2024

**Smt. Revati Devi W/o Ex. Sep. Gopal Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Ajeet Kumar Yadav, Advocate  
Shri Deepak Singh Bisht, Advocate  
Shri Shivam Rana, 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Ajeet Kumar Yadav, Shri Deepak Singh Bisht and Shri Shivam Rana, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 25)

O.A. No. 271 of 2024

**Smt. Deveshawari Rana W/o Late Jay Singh Rana** Applicant  
By Legal Practitioner for the Applicant : Shri Shailendra Nautiyal, Advocate  
Shri Vinod Nautiyal, Advocate  
Shri Apoorv Nautiyal, 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Shailendra Nautiyal, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list this case on <b>11.09.2024.</b></p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 26)

O.A. No. 272 of 2024 with M.A. No. 326 of 2024

Ex. Hav. Kuldeep Singh

Applicant

By Legal Practitioner for the Applicant : Shri Apoorv Nautiyal, Advocate  
Shri Vinod Nautiyal, Advocate  
Shri Shailendra Nautiyal, Advocate

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Shri Rajesh Sharma, Advocate

Notes of the Registry	Orders of the Tribunal
	<div><div><div>09.09.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Lt. Gen. Anil Puri, Member (A)</div></div><div><div>1. On the case being taken up for hearing Shri Kishore Rai, Advocate holding brief of Shri Shailendra Nautiyal, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</div><div>2. As prayed by the Ld. Counsel for the applicant, the case is adjourned for the day.</div><div>3. List on 11.09.2024.</div></div><div><div>( Lt. Gen. Anil Puri)</div><div>Member (A)</div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div><div>SB/AKD/-</div></div>

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

(Sl. No. 27)

O.A. No. 273 of 2024 with M.A. No. 331 of 2024

L/Nk. Jai Kishan Prasad  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Shri Anil Anthwal, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Objection filed by the respondents against application for condonation of delay is taken on record.</p> <p>3. Heard Ld. Counsel for the parties and perused the record.</p> <p><b><u>M.A. No. 331 of 2024</u></b></p> <p>4. There is a delay of more than 42 years in filing Original Application regarding which an application for condonation of delay has been filed.</p> <p>5. Ld. Counsel for the respondents submits that delay of more than 42 years has not been properly explained by the applicant.</p> <p>6. Ld. Counsel for the applicant submits that applicant has been discharged from service 24.01.1979 after completing 17 years of service and he is in receipt of service pension. He further submits that delay in filing Original Application is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.</p> <p>7. Considering the facts and circumstances of the case and also that it is pensionary matter and in pensionary matter bar of limitation does not apply because of recurring cause of action. Further, in the light of the decision in <b><i>Union of India Vs. Tarsem Singh</i></b> [2008 (8) SCC 648], delay condonation application is <b>allowed</b> and the delay is <b>condoned</b>. Delay condonation application stands <b>disposed off</b>.</p> <p><b><u>O.A. No. 273 of 2024</u></b></p> <p>8. This Original Application has been for the grant of disability element of</p>

	<p>disability pension.</p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p> <p>11. 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>12. List on <b>17.02.2025</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>
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Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
CIRCUIT BENCH AT NAINITAL

(Sl. No. 28)

O.A. No. 274 of 2024

Col. Jagjeet Singh Rautela (Retd.)  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<div><div>09.09.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Lt. Gen. Anil Puri, Member (A)</div></div> <div><div>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.</div><div>2. Counter Affidavit has not been filed.</div><div>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</div><div>4. List on 17.02.2025.</div></div> <div><div>( Lt. Gen. Anil Puri)</div><div>Member (A)</div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div> <div>SB/AKD/-</div>

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

(Sl. No. 29)

O.A. No. 275 of 2024

**Nk. Jitpal Singh (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Shri Nidhikant Dhyani (Retd.), 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted two days time to file Counter Affidavit.</p> <p>4. List on <b>11.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>



**(Sl. No. 30)**

**Ex. Nk. Manbar Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Shri Anil Anthwal, Advocate

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

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>On the case being taken up for hearing Shri Kishore Rai and Shri Anil Anthwal, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</li> <li>Objection filed by the respondents against delay condonation application is taken on record.</li> <li>Heard Ld. Counsel for the parties and perused the record.</li> </ol> <p><b><u>M.A. No. 333 of 2024</u></b></p> <ol style="list-style-type: none"> <li>There is a delay of more than 30 years in filing Original Application regarding which an application for condonation of delay has been filed.</li> <li>Ld. Counsel for the respondents submits that delay of more than 30 years has not been properly explained by the applicant.</li> <li>Ld. Counsel for the applicant submits that the applicant is getting service and is praying for the grant of disability element of disability pension only. He further submits that delay is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.</li> <li>Considering the facts and circumstances of the case and also that it is pensionary matter and in pensionary matter bar of limitation does not apply because of recurring cause of action. Further, in the light of the decision in <b><i>Union of India Vs. Tarsem Singh</i> [2008 (8) SCC 648]</b>, delay condonation application is <b>allowed</b> and the delay is <b>condoned</b>. Delay condonation application stands <b>disposed off</b>.</li> </ol> <p><b><u>O.A. No. 276 of 2024</u></b></p> <ol style="list-style-type: none"> <li>This Original Application has been for the grant of disability element of disability pension.</li> </ol>

	<div>9. Matter needs adjudication.</div> <div>10. Admit.</div> <div>11. 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.</div> <div>12. List on <b>17.02.2025</b>.</div> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <div>SB/AKD/-</div>
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Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
CIRCUIT BENCH AT NAINITAL

(Sl. No. 31)

O.A. No. 277 of 2024 with M.A. No. 334 of 2024

**Ex. Sep. (GD) Kamaljeet Singh** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Lt. Col. Nidhikant Dhyani (Retd.), 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Objection filed by the respondents against delay condonation application is taken on record.</p> <p>3. As prayed by the Ld. Counsel for the applicant, list on <b>12.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 32)

O.A. No. 278 of 2024

**Sub. Maj. Dhirendra Singh Aswal (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
Lt. Col. Nidhikant Dhyani (Retd.), 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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 33)

O.A. No. 279 of 2024

**Sapper Sanjay Kumar (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

**(Sl. No. 34)**

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <p style="text-align: center;"> <b>( Lt. Gen. Anil Puri)</b>  <b>Member (A)</b> </p> <p style="text-align: center;"> <b>(Justice Anil Kumar)</b>  <b>Member (J)</b> </p> <p>SB/AKD/-</p>

**(Sl. No. 35)**

**Ex. Hav. Rajendra Singh**

Applicant

## Versus

## Union of India & Others

## Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <p style="text-align: center;">( Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <p style="text-align: center;">( Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>



Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <p style="text-align: center;">( Lt. Gen. Anil Puri) Member (A)</p> <p style="text-align: center;">(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>

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

(Sl. No. 38)

O.A. No. 284 of 2024

Satish Singh S/o Late Hav. Kishan Singh  
through Legal Guardian Santosh Singh  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed.</p> <p>3. As prayed by the Ld. Counsel for the respondents, list on <b>11.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 39)

O.A. No. 285 of 2024

Ex. Nk. Pratap Singh BishtApplicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate

Versus

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

Notes of the Registry	Orders of the Tribunal
	<div><div><div>09.09.2024</div><div>Hon’ble Mr. Justice Anil Kumar, Member (J)</div><div>Hon’ble Lt. Gen. Anil Puri, Member (A)</div></div><div><div>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.</div><div>2. Counter Affidavit has not been filed by the respondents.</div><div>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</div><div>4. List on 17.02.2025.</div></div><div><div>( Lt. Gen. Anil Puri)</div><div>Member (A)</div></div><div><div>(Justice Anil Kumar)</div><div>Member (J)</div></div></div>
	SB/AKD/-

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

**(Sl. No. 40)**

**O.A. No. 286 of 2024 with M.A. No. 341 of 2024**

**Smt. Leela Devi W/o Late L/Nk. Dinesh Chandra**

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><b><u>09.09.2024</u></b>  <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b>  <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <ol style="list-style-type: none"> <li>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.</li> <li>Objection filed by the respondents against delay condonation application is taken on record.</li> <li>Heard Ld. Counsel for the parties and perused the record.</li> </ol> <p><b><u>M.A. No. 341 of 2024</u></b></p> <ol style="list-style-type: none"> <li>There is a delay of 29 years, 06 months and 28 days in filing Original Application regarding which an application for condonation of delay has been filed.</li> <li>Ld. Counsel for the respondents submits that delay of more than 29 years has not been properly explained by the applicant.</li> <li>Ld. Counsel for the applicant submits that delay is not deliberate but for the reasons stated in affidavit filed in support of delay condonation application.</li> <li>It is submitted by the Ld. Counsel for the applicant that vide order dated 15.05.2017 passed in Original Application No. 31 of 2015 liberty was granted to the applicant to file fresh Original Application for the grant of disability pension of life time of her husband.</li> <li>The grounds mentioned in the affidavit filed in support of delay condonation application are sufficient. In the pensionary matter bar of limitation does not apply because of recurring cause of action. Further, in the light of the decision in <b><i>Union of India Vs. Tarsem Singh</i> [2008 (8) SCC 648]</b>, delay condonation application is <b>allowed</b> and the delay is <b>condoned</b>. Delay condonation application stands <b>disposed off</b>.</li> </ol>

	<p><b><u>O.A. No. 286 of 2024</u></b></p> <p>9. This Original Application has been for the grant of disability pension to the husband of the applicant with effect from 18.03.1992 till the life of her husband i.e. 11.10.2011 along with arrears.</p> <p>10. Matter needs adjudication.</p> <p>11. Admit.</p> <p>12. 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>13. List on <b>17.02.2025</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>
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Form No. 4  
{See rule 11(1)}  
ORDER SHEET  
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW  
CIRCUIT BENCH AT NAINITAL

(Sl. No. 41)

O.A. No. 287 of 2024

**Nk. Tara Singh (Retd.)** Applicant  
By Legal Practitioner for the Applicant : Shri Kishore Rai, Advocate  
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><b><u>09.09.2024</u></b> <b><u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon’ble Lt. Gen. Anil Puri, Member (A)</u></b></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. Counter Affidavit has not been filed by the respondents.</p> <p>3. As prayed by the Ld. Counsel for the respondents list on <b>11.09.2024</b>.</p> <div><div>( Lt. Gen. Anil Puri) Member (A)</div><div>(Justice Anil Kumar) Member (J)</div></div> <p>SB/AKD/-</p>

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

(Sl. No. 42)

O.A. No. 567 of 2020

Ex. LAC Rajendra Singh  
By Legal Practitioner for the Applicant : Shri Vinay Bhatt, Advocate

Applicant

Versus

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

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>09.09.2024</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Lt. Gen. Anil Puri, Member (A)</u></b></p> <p>1. On the case being taken up for hearing Shri Vinay Bhatt, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Heard Ld. Counsel for the parties and perused.</p> <p>3. During the course of arguments Ld. Counsel for the respondents submits that respondents are not aware of the orders passed by the Hon'ble High Court of Uttarakhand on 28.02.2020, 06.03.2020 and 20.12.2022 in Criminal Appeal No. 570 of 2019. Vide orders dated 28.02.2020 and 06.03.2020 the execution of order dated 27.09.2019 passed by 1<sup>st</sup> Additional Sessions Judge, Haldwani, District Nainital in Sessions Trial No. 82 of 2016 was suspended. Further, vide order dated 20.12.2022 the conviction order dated 27.09.2019 passed by 1<sup>st</sup> Additional Sessions Judge, Haldwani, District Nainital in Sessions Trial No. 82 of 2016 was also suspended. All the aforesaid three orders were passed during the pendency of this Original Application.</p> <p>4. Ld. Counsel for the respondents further submits that applicant be directed to represent the respondents along with abovementioned three orders for redressal of his grievance to which Ld. Counsel for the applicant has no objection.</p> <p>5. In view of the above, applicant is directed to prefer his representation before the respondents annexing therewith the orders dated 28.02.2020, 06.03.2020 and 20.12.2022 passed by the Hon'ble High Court of Uttarakhand in Criminal Appeal No. 570 of 2019 within a period of 15 days from the date of this order.</p> <p>6. On receipt of representation from the applicant, respondents are directed to decide the same within a period of two months and communicate the decision to the applicant as well as to this Tribunal.</p> <p>7. List on <b>17.02.2025 for final hearing.</b></p> <p>( Lt. Gen. Anil Puri) Member (A)</p> <p>(Justice Anil Kumar) Member (J)</p> <p>SB/AKD/-</p>

