

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. 165 of 2024 with M.A. No. 210 of 2024

Smt. Revati Devi W/o Ex. Sep. Gopal Singh Applicant
By Legal Practitioner for the Applicant : Shri Ajeet Kumar Yadav, Advocate
Shri DeepakSingh 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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></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. Heard 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.</p> <p><u>M.A. No. 210 of 2024</u></p> <p>3. There is a delay of 01 years, 03 months and 19 days in filing of Original Application regarding which an application for condonation has been filed.</p> <p>4. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</p> <p>5. Ld. Counsel for the respondents submits that delay has not been properly and satisfactorily explained on day-to-day basis.</p> <p>6. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further being pensionary matter, delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 165 of 2024</u></p> <p>7. This Original Application has been filed for the grant of family pension.</p> <p>8. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of family pension has been wrongly denied by the respondents.</p> <p>9. Matter needs adjudication.</p> <p>10. Admit.</p>

11. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit may be filed within two weeks next thereafter.

12. List on **08.07.2024**.

(Maj. Gen. Sanjay Singh) (Justice Anil Kumar)
Member (A) Member (J)

AKD/RATHORE/-

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(Sl. No. 2)

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

Ganesh Singh S/o Late Gnr. Gopal Singh (Retd.) Applicant
By Legal Practitioner for the Applicant : Shri P.S. Bohra, Advocate
Shri Prabhat Bohra, 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. 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.3. This Execution Application has been filed for implementation of order dated 14.04.2023 passed in Original Application No. 778 of 2022.4. Ld. Counsel for the respondents prays for and is granted four weeks time to seek instruction and to file affidavit of compliance.5. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 3)

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

Smt. Jasodha Devi W/o Late Ex. Sep. Har Ram

Applicant

By Legal Practitioner for the Applicant : 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Ld. Counsel for the respondents submits that Corrigendum PPO has been issued on 16.02.2024 and order has been complied with.</p> <p>3. Respondents are directed to file affidavit of compliance within three days.</p> <p>4. List on 15.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 4)

Ex. A. No. 307 of 2022 Inre : O.A. No. 430 of 2021

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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit of compliance has not been filed.3. Cost has not been deposited by the respondents.4. Affidavit of responsible officer has also not been filed.5. Ld. Counsel for the respondents prays for and is granted six weeks further time on payment of additional cost of Rs.10,000/- which shall be remitted to the applicant.6. Respondents are directed to file affidavit of responsible officer regarding present status this execution matter and cause of delay in implementation of the order.7. Respondents are directed to deposit all the costs due against them till next date of listing.8. List on 08.07.2024.9. Let copy of this order be provided to the Ld. Counsel for the respondents/Legal Representative for the respondents for compliance. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 5)

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

Ex. Nk. (TS) Birendra 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit has not been filed.3. This Execution Application has been filed for implementation of order dated 03.08.2021 passed in Original Application No. 162 of 2021.4. Cost has also not been deposited.5. Affidavit of responsible officer has not been filed.6. Ld. Counsel for the respondents prays for and is granted four weeks further time as second last opportunity on payment of additional cost of Rs.10,000/- which shall be remitted to the applicant.7. Respondents are also directed to show cause as to why property of the respondents be not attached for non-compliance of the order of this Tribunal.8. Respondents are also directed to deposit all the costs due against them till the next date of listing.9. List on 08.07.2024.10. Let copy of this order be provided to the Ld. Counsel for the respondent/Legal Representative for the respondents for compliance. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 6)

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

Ex. Nk. Devendra 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit of compliance has not been filed.3. Ld. Counsel for the respondents prays for and is granted four weeks further time as last opportunity to file affidavit of compliance on payment of additional cost of Rs.5,000/- which shall be remitted to the applicant.4. Respondents are directed to file affidavit of responsible officer regarding present status of the execution case and cause of delay in implementation of the order.5. Respondents are directed to deposit all the costs due against them till the next date of listing.6. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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Ex. A. No. 311 of 2022 Inre : O.A. No. 428 of 2021

Smt. Sushila Devi W/o Late Ex. Nk. Kunwar 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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit of compliance has not been filed.3. Ld. Counsel for the respondents prays for and is granted four weeks further time as last opportunity to file affidavit of compliance on payment of additional cost of Rs.5,000/- which shall be remitted to the applicant.4. Respondents are directed to file affidavit of responsible officer regarding present status of the execution matter and cause of delay in implementation of the order.5. Respondents are directed to deposit all the costs due against them till the next date of listing.6. List on 08.07.2024. <p style="text-align: center;">(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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Ex. A. No. 389 of 2022 Inre : O.A. No. 454 of 2021

Ex. HMT BhagwanSingh 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri Kishore Rai, Advocate holding brief of Shri Sandeep Adhikari, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.2. Affidavit of compliance filed by the respondents is taken on record.3. Objection, if any, may be filed within two days.4. List on 14.03.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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Ex. A. No. 46 of 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit of compliance has not been filed.3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.4. Respondents are directed to file affidavit of responsible officer regarding present status of execution case and cause of delay in implementation of the order.5. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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Ex. A. No. 47 of 2023 Inre : O.A. No. 710 of 2021

Ex. Hav. Lachham 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.</p> <p>4. Respondents are directed to file affidavit of responsible officer regarding present status of execution case and cause of delay in implementation of the order.</p> <p>5. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 11)

Ex. A. No. 48 of 2023 Inre : O.A. No. 179 of 2022

Ex. L/Nk. Ravi Bhatt

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents submits that implementation of the order is under process. He prays for and is granted four weeks further time as last opportunity to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited which shall be remitted to the applicant.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No.12)

Ex. A. No. 49 of 2023 Inre : O.A. No. 153 of 2022

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 13)

Ex. A. No. 50 of 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Ld. Counsel for the respondents submits that order has been complied with.</p> <p>3. Ld. Counsel for the applicant is also submitting that order has been complied with.</p> <p>4. Since the order has been complied with, this Execution Application is disposed off in full and final satisfaction.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 14)

Ex. A. No. 51 of 2023 Inre : O.A. No. 432 of 2021

Hav. Rajan 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.</p> <p>4. Respondents are also directed to file affidavit of responsible officer regarding present status of execution case and cause of delay in implementation of the order.</p> <p>5. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 15)

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Affidavit of compliance has not been filed.3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.4. Respondents are also directed to file affidavit of responsible officer regarding present status of execution case and cause of delay in implementation of the order.5. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 16)

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Affidavit of compliance has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time as last opportunity to file affidavit of compliance.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 17)

Ex. A. No. 144 of 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

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Ld. Counsel for the respondents prays for and is granted four weeks further time to file affidavit of compliance failing which cost of Rs.5,000/- shall be deposited by the respondents which shall be remitted to the applicant.</p> <p>3. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 18)

O.A. No. 126 of 2022

Ex. Hav. (Hony. Nb. Sub.) Sher Singh

Applicant

By Legal Practitioner for the Applicant : Shri Tarun P.S. 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Vikram Singh Dhapola, Advocate holding brief of Shri Tarun P.S. Takuli, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>2. On the request of Ld. Counsel for the applicant, the case is adjourned for the dy.</p> <p>3. List on 14.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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(Sl. No. 19)

O.A. No. 182 of 2022

Smt. Asha Thapa D/o Late Jushya Thapa
By Legal Practitioner for the Applicant : Shri AkshayLatwal, 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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing Shri AkshayLatwal, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.2. Rejoinder Affidavit filed on behalf of the applicant is taken on record.3. On the request of Ld. Counsel for the applicant, the case is adjourned for the day.4. List on 14.03.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present for the applicant.2. Shri Neeraj Upreti, Ld. Counsel for the respondents is present.3. List on 14.03.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 21)

O.A. No. 717 of 2022

Lt. Col. Ikbalmiyan Ansari (Retd.)

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. Counter Affidavit filed on behalf of the applicant is taken on record.2. Heard Shri Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents.3. Ld. Counsel for the applicant submits that the grievance raised in the Original Application has been redressed by the respondents, as such Original Application may be dismissed being rendered infructuous.4. In view of the above, Original Application is dismissed being rendered infructuous. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 658 of 2023

Ex. Nk. Vipin Chander Singh Rawat Applicant
By Legal Practitioner for the Applicant : Col. Suman Negi (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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">1. On the case being taken up for hearing none is present on behalf of the applicant.2. Shri Neeraj Upreti, Ld. Counsel for the respondents is present.3. Counter Affidavit filed on behalf of the applicant is taken on record.4. Rejoinder Affidavit, if any, may be filed during course of the day.5. List on 12.03.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 23)

O.A. No. 1116 of 2023

Km. Ashana Negi D/o Ex. Spr. Satey Singh

Applicant

By Legal Practitioner for the Applicant : Shri M.S. 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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 respondent Nos. 1 to 3 are present.2. Ld. Counsel for the respondents Nos. 1 to 3 prays for and is granted four weeks time to file Counter Affidavit.3. Issue notice to the respondents Nos. 4 and 5 returnable within four weeks.4. Applicant is directed to take steps within a week.5. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 1117 of 2023

Ex. Nk. Durga Singh

Applicant

By Legal Practitioner for the Applicant : Shri Vikram Singh Dhapola, 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Ld. Counter for the respondents submits that matter is pending before the Larger Bench, AFT, Principal Bench, New Delhi.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 1118 of 2023

Rect. Moht Rana

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder Affidavit, if any, may be filed within two days.</p> <p>4. List on 13.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 1119 of 2023

Ex. Hav. Devendra 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder Affidavit, if any, may be filed during course of the day.</p> <p>4. List on 12.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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. 1120 of 2023 with M.A. No. 1539 of 2023

Rfn. Ganesh Prasad

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Objection on delay condonation application filed on behalf of the respondents is taken on record.</p> <p><u>M.A. No. 1539 of 2023</u></p> <p>3. Heard Ld. Counsel for the parties on delay condonation application.</p> <p>4. There is a delay of 24 years and 27 days in filing Original Application.</p> <p>5. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</p> <p>6. Ld. Counsel for the respondents submits that delay has not been properly and satisfactorily explained on day-to-day basis.</p> <p>7. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further being pensionary matter and in view of the law laid down by the Hon'ble Apex court in the case of <i>Union of India and others Versus Tarsem Singh</i> [2008 (8) SCC 648], delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 1120 of 2023</u></p> <p>8. This Original Application has been filed for the grant of disability pension.</p> <p>9. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>10. Matter needs adjudication.</p>

11. Admit.

12. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit may be filed within two weeks next thereafter.

13. List on **08.07.2024**.

(Maj. Gen. Sanjay Singh) (Justice Anil Kumar)
Member (A) Member (J)

AKD/RATHORE/-

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. 1121 of 2023

Ex. Sub. Chintamani Palariya

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Counter Affidavit filed on behalf of the respondents is taken on record.3. Rejoinder Affidavit, if any, may be filed during course of the day.4. List on 12.03.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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. 1122 of 2023

Ex. L/Nk. Prakash 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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder Affidavit, if any, may be filed during course of the day.</p> <p>4. List on 12.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 30)

O.A. No. 1123 of 2023 with M.A. No. 1547 of 2023

Ex. Hav. Jaypal Singh Bhandari 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Objection against delay condonation application filed on behalf of the respondents is taken on record.</p> <p><u>M.A. No. 1547 of 2023</u></p> <p>3. Heard Ld. Counsel for the parties on delay condonation application.</p> <p>4. There is a delay of 18 years, 04 months and 15 days in filing Original Application.</p> <p>5. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</p> <p>6. Ld. Counsel for the respondents submits that delay has not been properly and satisfactorily explained on day-to-day basis.</p> <p>7. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further, being pensionary matter and in view of the law laid down by the Hon'ble Apex court in the case of <i>Union of India and others Versus Tarsem Singh</i> [2008 (8) SCC 648], delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 1123 of 2023</u></p> <p>8. This Original Application has been filed for the grant of disability pension.</p> <p>9. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p>

10. Matter needs adjudication.
11. Admit.
12. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit may be filed within two weeks next thereafter.
13. List on **08.07.2024**.

(Maj. Gen. Sanjay Singh) (Justice Anil Kumar)
Member (A) Member (J)

AKD/RATHORE/-

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. 1124 of 2023

Sep/PO Ganesh Prasad Rana

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder Affidavit, if any, may be filed during course of the day.</p> <p>4. List on 12.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 1126 of 2023

Smt. Geeta Thapa

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <ol style="list-style-type: none">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.2. Counter Affidavit has not been filed.3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.4. Rejoinder Affidavit, if any, may be filed within two weeks next thereafter.5. List on 08.07.2024. <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 1127 of 2023

Ex. Hav. Raghuveer Singh Mahar

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted two days time as last opportunity to file Counter Affidavit.</p> <p>4. List on 14.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 34)

O.A. No. 1128 of 2023 with M.A. No. 1551 of 2023

Ex. Rfn. Manoj Kumar Thapa

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Objection against delay condonation application filed on behalf of the respondents is taken on record.</p> <p><u>M.A. No. 1551 of 2023</u></p> <p>3. Heard Ld. Counsel for the parties on delay condonation application.</p> <p>4. There is a delay of 18 years and 03 days in filing Original Application.</p> <p>5. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</p> <p>6. Ld. Counsel for the respondents submits that delay has not been properly and satisfactorily explained on day-to-day basis.</p> <p>7. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further being pensionary matter and in view of the law laid down by the Hon'ble Apex court in the case of <i>Union of India and others Versus Tarsem Singh</i> [2008 (8) SCC 648], delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 1128 of 2023</u></p> <p>8. This Original Application has been filed for the grant of disability pension.</p> <p>9. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of disability pension has been wrongly denied by the respondents.</p> <p>10. Matter needs adjudication.</p>

11. Admit.

12. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit may be filed within two weeks next thereafter.

13. List on **08.07.2024**.

(Maj. Gen. Sanjay Singh) (Justice Anil Kumar)
Member (A) Member (J)

AKD/RATHORE/-

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

(Sl. No. 35)

O.A. No. 1129 of 2023 with M.A. No. 1552 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><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Shri Kishore Rai and Shri D.K. Joshi, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Objection against delay condonation application filed on behalf of the respondents is taken on record.</p> <p><u>M.A. No. 1552 of 2023</u></p> <p>3. Heard Ld. Counsel for the parties on delay condonation application.</p> <p>4. There is a delay of 22 years, 09 months and 11 days in filing Original Application.</p> <p>5. Ld. Counsel for the applicant submits that the delay in filing of the application is not deliberate but of the reasons stated in affidavit filed in support of delay condonation application.</p> <p>6. Ld. Counsel for the respondents submits that delay has not been properly and satisfactorily explained on day-to-day basis.</p> <p>7. We have considered the submissions of Ld. Counsel for the parties and we find that the cause shown for the delay is sufficient. Further being pensionary matter and in view of the law laid down by the Hon'ble Apex court in the case of <i>Union of India and others Versus Tarsem Singh</i> [2008 (8) SCC 648], delay is condoned. Delay condonation application stands disposed off accordingly.</p> <p><u>O.A. No. 1129 of 2023</u></p> <p>8. This Original Application has been filed for the grant of family pension.</p> <p>9. It is submitted by the Ld. Counsel for the applicant that applicant's claim for the grant of family pension has been wrongly denied by the respondents.</p>

10. Matter needs adjudication.

11. Admit.

12. Ld. Counsel for the respondents prays for and is granted four weeks time to file Counter Affidavit. Rejoinder Affidavit may be filed within two weeks next thereafter.

13. List on **08.07.2024**.

(Maj. Gen. Sanjay Singh) (Justice Anil Kumar)
Member (A) Member (J)

AKD/RATHORE/-

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

(Sl. No. 36)

O.A. No. 1130 of 2023

Ex. Rfn. Laxman 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit filed on behalf of the respondents is taken on record.</p> <p>3. Rejoinder Affidavit, if any, may be filed during course of the day.</p> <p>4. List on 12.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 37)

O.A. No. 1134 of 2023

Ex. L/Nk. Bhupendra Singh Sirola

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Counter Affidavit has not been filed.</p> <p>3. Ld. Counsel for the respondents prays for and is granted four weeks further time to file Counter Affidavit.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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

(Sl. No. 38)

T.A. No. 7 of 2023

Ex. Sep. Dharendra Prasad Dwivedi

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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, 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. Rejoinder Affidavit has not been filed.</p> <p>3. Ld. Counsel for the applicant prays for and is granted two days further time as last opportunity to file Rejoinder Affidavit.</p> <p>4. List on 14.03.2024 for hearing.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</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. 106 of 2013 with M.A. No. 464 of 2020

Mahabir Singh

Applicant

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

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents : Dr. Shailendra Sharma Atal, Advocate
Shri Neeraj Upreti, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></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 Kishore Rai, Ld. Counsel for the applicant and Shri Neeraj Upreti, Ld. Counsel for the respondents are present.</p> <p>3. On the request of Ld. Counsel for the applicant, list on 14.03.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>

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. 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>11.03.2024</u> <u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon'ble Maj. Gen. Sanjay Singh, Member (A)</u></p> <p>1. On the case being taken up for hearing Mohd. Shafy, Advocate holding brief of Shri Vinay Bhatt, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>2. Supplementary Affidavit has already been filed by the applicant.</p> <p>3. Ld. Counsel for the respondents prays for and is granted three weeks time as last opportunity to file reply to Supplementary Affidavit.</p> <p>4. List on 08.07.2024.</p> <p>(Maj. Gen. Sanjay Singh) (Justice Anil Kumar) Member (A) Member (J)</p> <p>AKD/RATHORE/-</p>