

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**Ex. A. No. 1 of 2020 Inre : O.A. No. 279 of 2018**

**Ex. Hav. Kharak Singh Bhandari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>As prayed, Ld. Counsel for the applicant is permitted to carry out amendments in Execution Application during the course of the day.</p> <p>No objection has been filed against affidavit of compliance filed by the respondents.</p> <p>Let it be filed within two weeks failing which it shall be presumed that applicant has no objection and affidavit of compliance will be accepted accordingly.</p> <p>List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**M.A. No. 195 of 2021 with R.A. No. 16 of 2021**

**Ex. Rect. Fateh Singh Doblial**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p><b><u>M.A. No. 195 of 2021</u></b></p> <p style="text-align: center;">For the reasons stated in affidavit filed in support of delay condonation application, delay in filing Review Application is condoned.</p> <p style="text-align: center;">Delay condonation application stands decided accordingly.</p> <p><b><u>R.A. No. 16 of 2021</u></b></p> <p style="text-align: center;">The applicants/Union of India and Others have filed this application under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 by which applicants have prayed for review the judgement and order dated 16.08.2019 of this Tribunal passed in Original Application No. 527 of 2018.</p> <p style="text-align: center;">It is a settled proposition of law that the scope of the review is limited and until it is shown that there is error apparent on the face of record in the judgment and order sought to be reviewed, the same cannot be reviewed. For ready reference, Order 47, Rule 1 sub-rule (1) of the Code of Civil Procedure, 1908 is reproduced below :-</p> <p style="text-align: center;"><i>“1. Application for review of judgment.- (1) any person considering himself aggrieved-</i></p> <p style="text-align: center;"><i>(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,</i></p> <p style="text-align: center;"><i>(b) by a decree or order from which no appeal is allowed, or</i></p> <p style="text-align: center;"><i>(c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.”</i></p>

In view of the principles of law laid down by the Hon'ble Supreme Court in various decisions, it is settled that the scope of review jurisdiction is very limited and re-hearing is not permissible. The Hon'ble Supreme Court in Para 9 of its judgment in the case of ***Parsion Devi and others vs. Sumitri Devi and others***, reported in (1997) 8 Supreme Court Cases 715, has observed as under :-

*"9. Under Order 47, Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self- evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47, Rule 1 CPC. In exercise of the jurisdiction under Order 47, Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". There is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the latter only can be corrected by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise."*

We have gone through the judgment and order sought to be reviewed and no illegality or irregularity or error apparent on the face of record being found therein, we are of the view that there is no force in the grounds taken in the review application so that order may be reviewed.

In the result, Review Application is **rejected**.

**(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)**  
Member (A) Member (J)

AKD/SB/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 180 of 2021**

**Jaimati Devi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>HeardShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondents.</p> <p>During the course of hearing, the Ld. Counsel for the applicant has prayed that Original Application may be disposed off with a direction to the respondents to decide the applicant's claim for grant of family pension, which is pending with the respondents, to which Ld. Counsel for the respondents has no objection.</p> <p>With the consent of Ld. Counsel for the parties, we hereby <b>dispose off</b> the Original Application finally with the direction to the respondents to decide the applicant's claim for grant of family pension, by a speaking and reasoned order in accordance with law, if not already decided, within a period of four months from the date of receipt of copy of this order and communicate the decision to the applicant accordingly.</p> <p>Let a copy of this order be provided to the learned Counsel for the parties.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 181 of 2021**

**Ex. L Nk. SubodhKandwal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p style="text-align: center;">List on <b>17.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 182 of 2021**

**Ex. Sep. Bache Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. HeardMs.DeepaArya, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents. Original Application is <b>dismissed</b>. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>UKT/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 186 of 2021**

**Ex. Spr. Rakesh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. HeardShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents. Original Application is <b>allowed</b>. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 422 of 2021**

**Ex. Nk. PremBallabh Bhatt**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriTarun P.S. Takuli, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>Ld. Counsel for the respondents submitted that Counter Affidavit will be filed in the registry during the course of the day.</p> <p>List on <b>17.11.2021</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>



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**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 423 of 2021**

**L/Nk. Keshar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriLalit Singh Samant, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>It is submitted by the Ld. Counsel for the respondents that three weeks further time be granted for filing Counter Affidavit which is allowed.</p> <p>List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 424 of 2021**

**Ex. Sep. Puran Singh Sirari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriTarun P.S. Takuli, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondentsare present.</p> <p>Ld. Counsel for the respondents submitted that Counter Affidavit will be filed in the registry during the course of the day.</p> <p>List on <b>17.11.2021</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 425 of 2021**

**Nb. Sub. Soban Singh Bisht**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriTarun P.S. Takuli, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>Ld. Counsel for the respondents submitted that Counter Affidavit will be filed in the registry during the course of the day.</p> <p>List on <b>17.11.2021</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 426 of 2021**

**Ex. Sep. Tula Ram**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriTarun P.S. Takuli, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>Ld. Counsel for the respondents submitted that Counter Affidavit will be filed in the registry during the course of the day.</p> <p>List on <b>17.11.2021</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 427 of 2021**

**Ex. Nk. Devendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 435 of 2021**

**Ex. Rect. Prithvi Pal Singh Adhikari**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriC.S. Rawat, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p>On the request of Ld. Counsel for the respondents, three weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**T.A. No. 01 of 2014**

**SarbeswarPattanaik**  
By Legal Practitioner for the Petitioner

Petitioner

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriPrabhakar Narayan, Advocate holding brief of ShriAnil Kumar, Ld. Counsel for the petitioner and ShriRajesh Sharma, Ld. Counsel for the respondents are present.</p> <p>Supplementary Counter Affidavit filed by the respondents is taken on record.</p> <p>Ld. Counsel for the applicant prays for and is allowed three weeks time to file Supplementary Rejoinder Affidavit.</p> <p>List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 441 of 2018**

**Sandeep Singh Mahara&Another**  
By Legal Practitioner for the Applicants

Applicants

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicants and ShriNeerajUpreti, Ld. Counsel for the respondent Nos. 1 to 3 are present.</p> <p>No one is present on behalf of respondent No. 4 despite service of notice being held sufficient upon her. The case shall proceedexparete against her.</p> <p>List on <b>21.02.2022</b> for final hearing.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>



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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 408 of 2019**

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

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>Rejoinder Affidavit filed by the applicant is taken on record. HeardShriM.S. Bhandari, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents. Upon hearing submissions of Ld. Counsel for the parties, it appears that applicant has not received arrears of Rs.68,833/- as said in para 8 of the Counter Affidavit filed by the respondents. The Bank, through whom the payment is said to have been made, is not a party in the Original Application. Applicant is, therefore, directed to implead the Bank as respondent in Original Application for which steps be taken within two weeks. List on <b>21.02.2022</b>.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 409 of 2019**

**Ex. Nb. Sub. Mahipal Singh Rawat**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p style="text-align: center;">HeardShriC.S. Rawat, Ld. Counsel for the applicant and ShriNeerajUpreti, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>dismissed</b>.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>Rathore/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 528 of 2020**

**Ex. Lance Naik Ranjeet Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 160 of 2021**

**Ex. Sub. Mahendar Singh Rawat**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing ShriKishore Rai, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondentsare present.</p> <p style="text-align: center;">As prayed, list on <b>17.11.2021</b>.</p> <p style="text-align: center;"><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 171 of 2021**

**Ex. Sep. Mohan Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p style="text-align: center;">HeardShriPremPrakash Bhatt, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>dismissed</b>.</p> <p style="text-align: center;">For order, see our Judgment passed on separate sheets.</p> <p style="text-align: center;">Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 701 of 2021 with M.A. No. 812 of 2021**

**Ex. Nk. LaxmiDatt**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Abhay Raghunath Karve, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Rajesh Sharma, Advocate on behalf of the respondents is taken on record.</p> <p>Heard Shri Kishore Rai, Advocate holding brief of Shri Vikram Singh Dhapola, Ld. Counsel for the applicant and Shri Rajesh Sharma, Ld. Counsel for the respondents.</p> <p>The matter pertains to service pension and there is a delay of 03 years, 01 month and 13 days in filing Original Application.</p> <p>Applicant has filed an application, supported with affidavit, for condonation of delay, wherein it has been stated that delay in filing Original Application is not intentional.</p> <p>Ld. Counsel for the applicant has submitted that bar of limitation is not applicable in pensionary matter.</p> <p>The Ld. Counsel for the respondents has vehemently opposed the prayer.</p> <p>Upon hearing submissions of Ld. Counsel of both sides and considering that bar of limitation is not applicable in pensionary matter, delay in filing Original Application is not intentional, the delay is <b>condoned</b>.</p> <p>Delay condonation application stands decided accordingly.</p> <p><b><u>O.A. No. 701 of 2021</u></b></p> <p>It is a fit case for adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>22.02.2022</b>.</p> <p><b>(Vice Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>AKD/SB/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**(Circuit Bench at Nainital)**

**O.A. No. 165 of 2021**

**Ex. Sep. Trilochan Bhatt**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>16.11.2021</u></b> <b><u>Hon'bleMr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'bleVice Admiral AbhayRaghunathKarve, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard ShriPremPrakash Bhatt, Ld. Counsel for the applicant and ShriRajesh Sharma, Ld. Counsel for the respondents. Original Application is <b>dismissed</b>. For order, see our Judgment passed on separate sheets. Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p><b>(Vice Admiral AbhayRaghunathKarve) (Justice Umesh Chandra Srivastava)</b> <b>Member (A) Member (J)</b></p> <p>SB/-</p>