

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

Ex-A/100 of 2017 Inre O.A. No. 07 of 2013

Mukesh Kumar Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Statement has been made by learned counsel for the respondents Shri A.K.Sahu, assisted by OIC Legal Cell Capt Priyank Malviya, that in pursuance to the Tribunal's order dated 14.08.2014, an amount of rupees 19 lacs has been paid to the applicant.</p> <p>However, relying on the Tribunal's order aforesaid, the applicant stakes his claim for rupees 44 lacs besides other reliefs, upon which, as per learned counsel for the applicant, no decision has been taken as yet by the respondents. Whatever decision the respondents have to take, it must be taken within a reasonable time.</p> <p>As prayed by respondents' counsel, two months' time is granted to comply with the Tribunal's order dated 14.08.2014 in letter and spirit and submit compliance report by the next date.</p> <p>List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

M.A. No. 1431 of 2014 with M.A. No. 1432 of 2014
Inre Dy No. 162 of 2013

Balam Ram

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri H.S. Sharma, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection to the application for condonation of delay filed by the respondents is taken on record. As prayed, four weeks' time is granted to the applicant to file replication.</p> <p>List this case for orders on 12.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

O.A. No. 55 of 2017

Jai Prakash

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Four weeks' time, as prayed by applicant's counsel, is granted to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

O.A. No. 280 of 2017

Mahendra Singh Padiyar
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The controversy relates to extension of service in DSC. The matter requires hearing.</p> <p>Admit.</p> <p>Six weeks' time is allowed to the respondents to file counter affidavit. The applicant may file rejoinder affidavit, if any, within two weeks thereafter.</p> <p>List this case for hearing on 12.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p>

LN/

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

M.A. No. 1267 of 2017

Kundan Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Bhanu Pratap Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay. The applicant shall thereafter have four weeks' time to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

**M.A. No. 1266 of 2017 Inre M.A. No. 333 of 2017
Ex-A/29 of 2012 Inre T.A. No. 232 of 2010**

Kishan Singh

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Chet Narain Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri G.D.Joshi, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p><u>R.A.No. 33 of 2017.</u></p> <p>While dismissing the Execution Application No. 29 of 2012 on 31.07.2017, we had given liberty to the petitioner to approach any appropriate forum for pending grievances, if any. There is no justification for us to review or recall the aforesaid order.</p> <p>The application being misconceived is hereby rejected, with liberty to the petitioner as granted vide order dated 31.07.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

M.A. No. 1264 of 2017 Inre O.A. No. 140 of 2013

Jagdish Chand Mishra
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri R.C. Shukla, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Sheetal Bisht,, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the respondents prays for and is granted four weeks' time to file objection to the application for condonation of delay. The applicant shall thereafter have four weeks' time to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

M.A. No. 1262 of 2017 Inre T.A. No. 565 of 2010

Khima Nand

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Gyan Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri H.S.Sharma, Ld. Counsel for the petitioner and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>In compliance with the order dated 03.08.2017, costs has been deposited by the applicant.</p> <p>It has been argued by Sri H.S.Sharma, learned counsel for the petitioner that the convening order speaks for commencement of trial against the applicant under Sections 48 and 63 of the Army Act, while the charge-sheet indicates that charges against him were framed under Sections 42(e) and 48 of the Army Act. The submission is that the authority concerned has no jurisdiction to try an individual for the offences other than ones for which SCM proceedings were to be held under the convening order.</p> <p>Learned counsel for the respondents wants time to prepare the case and make his submissions.</p> <p>As prayed, list this case for orders on 12.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p>

LN/

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

**M.A. No. 839 of 2017 with M.A. No. 840 of 2017
Inre M.A. No. 476 of 2016**

Liladhar Bhatt

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Satya Prakash Sharma, holding brief of Shri S.S. Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection to the application for condonation of delay filed by the respondents is taken on record.</p> <p>As prayed, six weeks' time is granted to the applicant to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

**M.A. No. 837 of 2017 with M.A. No. 838 of 2017
Inre M.A. No. 477 of 2016**

Pushkar Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Satya Prakash Sharma, holding brief of Shri S.S. Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection to the application for condonation of delay filed by the respondents is taken on record.</p> <p>As prayed, six weeks' time is granted to the applicant to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

**Ex-A/25 of 2016 with M.A. No. 2742 of 2016
with M.A. No. 403 of 2017 & R.A. No. 117 of 2016
Inre O.A. No. 133 of 2016**

Ghanshyam Tiwari

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Supplementary affidavit filed by the respondents is taken on record.</p> <p>As prayed, three weeks time' is granted to the applicant to file reply.</p> <p>List this case for hearing on 08.09.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

M.A.No. 1276 of 2017

Rajendra

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Gyan Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Mangal Singh Chauhan, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have four weeks' time to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

M.A.No. 1275 of 2017

Dhan Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>04.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Dr. Chet Narain Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Mangal Singh Chauhan, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is granted to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have four weeks' time to file replication.</p> <p>List this case for orders on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>UKT</p>

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

M.A. No 837 of 2017 with M.A. No. 838 of 2017
Inre M.A. No. 477 of 2016

Pushkar Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri S.S. Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>The application for recall of the order has been moved after a delay about of seven months.</p> <p>We have heard the learned counsel for the parties and perused the record.</p> <p>It appears that on account of unavoidable circumstances, delay in moving the application for recall of the order has been caused.</p> <p>Cause shown is sufficient. Delay in filing the application for recall of the order is condoned. The case is restored to its original number.</p> <p>Put up tomorrow i.e. 04.08.2017 to enable the learned counsel for the respondents to file objection to the delay condonation application as well as counter affidavit.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

**M.A. No. 839 of 2017 with M.A. No. 840 of 2017
Inre M.A. No 476 of 2016**

Liladhar Bhatt

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri S.S. Yadav, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The case was taken up in the revised list.</p> <p>The application for recall of the order has been moved after a delay about of seven months.</p> <p>We have heard the learned counsel for the parties and perused the record.</p> <p>It appears that on account of unavoidable circumstances, delay in moving the application for recall of the order has been caused.</p> <p>Cause shown is sufficient. Delay in filing the application for recall of the order is condoned. The case is restored to its original number.</p> <p>Put up tomorrow i.e. 04.08.2017 to enable the learned counsel for the respondents to file objection to the delay condonation application as well as counter affidavit.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p>

LN/-

Form No. 4

[See rule 11(1)]
ORDER SHEET

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

M.A. No. 860 of 2017 Inre O.A. No. 52 of 2017

Bhupal Singh Jantwal
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri Manoj Kumar, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The applicant has not deposited the costs. Let costs be deposited during the course of the day. Subject to deposit of costs, the petition be listed for orders on 11.10.2017.</p> <p>Counter affidavit filed today by the respondents is taken on record. The applicant may file rejoinder affidavit in the meantime.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

O.A. No. 75 of 2017

Randheer Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri M.C. Pant, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by the respondents is taken on record. The applicant may file rejoinder affidavit within four weeks.</p> <p>List this case for hearing on 11.10.2017. The respondents shall also produce the record on the said date.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 195 of 2017

Smt Ganga Devi

Applicant

By Legal Practitioner for Petitioner

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri KK Verma, Ld. Counsel for the applicant and Shri RC Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the applicant to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 1251 of 2017 Inre O.A. No. Nil of 2017

Diwan Singh Bora
By Legal Practitioner for Applicant

Applicants

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">This case has come up in the supplementary cause-list.</p> <p style="text-align: center;">Vakalatnama filed by Dr. Chet Narain Singh, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p style="text-align: center;">Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' time is allowed to the respondents to file objection to delay condonation application. The applicant may file replication within two weeks thereafter.</p> <p style="text-align: center;">List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1252 of 2017 Inre O.A. No. Nil of 2017

Laxmi Devi Applicant
By Legal Practitioner for Applicant
Versus
Union of India & Ors Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>This case has come up in the supplementary cause-list.</p> <p>Vakalatnama filed by Shri R.C.Shukla, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri R.C.Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file objection to delay condonation application. The applicant may file replication within two weeks thereafter.</p> <p>List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p>

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

Ex-A/117 of 2017 Inre O.A. No. 244 of 2014

Balwant Singh Parihar Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Ors Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>This case has come up in the supplementary cause-list.</p> <p>Vakalatnama filed by Shri Bhanu Pratap Singh, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to show cause as to why the Tribunal's order dated 13.02.2017 has not been complied with.</p> <p>List this case for orders on 12.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 1262 of 2017 Inre T.A. No. 565 of 2010

Khima Nand

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: justify;">This case has come up in the supplementary cause-list.</p> <p style="text-align: justify;">Vakalatnama filed by Shri A.K.Sahu, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p style="text-align: justify;">Present: Shri H.S. Sharma, Ld. Counsel for the petitioner and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: justify;">Heard learned counsel for the parties.</p> <p style="text-align: justify;">The order dated 01.08.2017 is recalled, subject to payment of Rs.200/- as costs, which shall be remitted to AFT Bar Association, Lucknow. Learned counsel for the applicant undertakes to deposit the costs by tomorrow. On deposit of costs as directed above, the case shall be restored to its original number.</p> <p style="text-align: justify;">Put up/list this case tomorrow i.e. 04.08.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

T.A. No. 21 of 2017

Vinod Chand

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>This case has come up in the supplementary cause-list.</p> <p>Vakalatnama filed by Dr. Gyan Singh, Advocate on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the respondents.</p> <p>Present: Shri D.S.Mehta, Ld. Counsel for the petitioner and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed, four weeks' time is allowed to the respondents to file counter affidavit. The petitioner shall thereafter have four weeks' time to file rejoinder affidavit.</p> <p>Submission made on behalf the petitioner is that he was recruited for the rank of soldier, but at the time of verification of record, it was found that the petitioner had passed his High School examination from Madarsa Board, which, according to the respondents, is not recognized by the Council of Board of School Education, an instrumentality of the Central Government. Argument of learned counsel for the petitioner is that Madarsa Board has been constituted in pursuance to a statutory Act by the</p>

Government of U.P and examination passed from it is a valid educational qualification, hence the petitioner cannot be deprived from the source of livelihood on the said basis.

The arguments advanced require hearing.

Admit.

Six weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have two weeks' time to file rejoinder affidavit.

List this case for hearing on **11.10.2017**.

Petitioner's counsel shall provide a copy of the petition to Dr. Gyan Singh, learned counsel for the respondents during the course of the day.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

LN/

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

O.A. No. 333 of 2013

Jeewan Chandra

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">This case has come up in the supplementary cause-list and has been taken up in the revised list.</p> <p style="text-align: center;">Present: Shri G.D.Joshi, learned counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Heard learned counsel for the parties at length and perused the record.</p> <p style="text-align: center;">Arguments concluded.</p> <p style="text-align: center;">Judgment reserved.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

T.A. No. 9 of 2011

Sohan Singh Bisht

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>The case has come up in the supplementary cause-list.</p> <p>Present: Shri Ashish Joshi, Ld. Counsel for the petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Heard learned counsel for the parties at length.</p> <p>Arguments concluded.</p> <p>Judgment/order reserved.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

Ex-A/251 of 2016 with M.A. No. 2742 of 2016
M.A. No. 403 of 2017 & R.A. No. 117 of 2016
Inre O.A. No. 133 of 2016

Ghanshyam Tiwari

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>This case has come up in the supplementary cause list.</p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Put up tomorrow i.e. 04.08.2017 as first case to enable the learned counsel for the parties to prepare the case and advance their submissions on the question as to whether the application for condonation of delay is maintainable.</p> <p>Learned counsel for the applicant has relied upon our judgment rendered in OA No. 137 of 2014.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

O.A. No. 42 of 2017

Kundan Singh Bhandari
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri KKS Bisht, Ld. Counsel for the applicant and Shri Amit Sharma, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The case has come up in the supplementary cause-list.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>The applicant is allowed four weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017. The respondents shall produce the record including the opinion of the Medical Board on the said date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

M.A. No. 850 of 2017 with M.A. No. 1184 of 2017
Inre O.A. No. Nil of 2017

Surendra Singh Negi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>03.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">This case has come up in the supplementary cause-list.</p> <p style="text-align: center;">Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Rejoinder affidavit, if any, may be filed by the applicant within four weeks.</p> <p style="text-align: center;">List this case for hearing on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

Ex-A/19 of 2012 with M.A. No. 56 of 2017-08-02
Inre T.A. No. 67 of 2010

Jagdish Singh Mahara
By Legal Practitioner for Petitioner

Petitioner

Versus

DG Inf & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri G.D. Joshi, Ld. Counsel for the petitioner and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Admittedly, no interim order of stay has been passed by the Hon'ble Supreme Court. The judgment/order of the Tribunal dated 02.11.2010 still stands, hence there is no option on the part of the respondents but to comply with the said judgment/order passed by the Tribunal. It is well settled that mere pendency of an appeal does not create a ground for non-compliance of the orders passed by the Tribunals, Courts or authorities in the matter. Accordingly, we direct the respondents to submit compliance report of the Tribunal's order dated 02.11.2010 on the next date.</p> <p style="text-align: center;">List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

**Ex-A/25 of 2016 with M.A. No. 2742 of 2016,
M.A. No. 403 of 2017, M.A. No. 1235 of 2017-08-02
& R.A. No. 117 of 2016 Inre O.A. No. 133 of 2016**

Ghanshyam Tiwari

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by Shri Lalit Kumar, learned counsel for the applicant, put up/list this case for further hearing tomorrow i.e. 03.08.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 850 of 2017 with M.A. No. 1184 of 2017
Inre O.A. No. Nil of 2017

Surendra Singh Negi

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Objection filed by the respondents to the application for condonation of delay is taken on record. Learned counsel for the applicant does not intend to file reply to the objection.</p> <p style="text-align: center;">The controversy relates to payment of disability pension, which inhibits in itself a recurring cause of action in view of settled proposition of law in catena of decisions by the Hon'ble Supreme Court. Cause shown is sufficient.</p> <p style="text-align: center;">Accordingly, the delay in filing the OA is condoned.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Parties' counsel may exchange their affidavits by tomorrow.</p> <p style="text-align: center;">Put up this case tomorrow i.e. 03.08.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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

M.A. No. 851 of 2017 Inre O.A. No. Nil of 2017

Satendra Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate, files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri A.K.Sahu be shown as counsel for the respondents.</p> <p>Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The controversy relates to payment of disability pension, which inhibits in itself a recurring cause of action in view of settled proposition of law in catena of decisions by the Hon'ble Supreme Court. Cause shown is sufficient.</p> <p>Accordingly, the delay in filing the OA is condoned.</p> <p>Admit.</p> <p>Four weeks' time is allowed to the respondents to file counter affidavit. The applicant shall thereafter have four weeks' time to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017. The respondents shall produce the record on the next date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p>

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

O.A. No. 333 of 2013

Jeewan Chandra

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri G.D. Joshi, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Put up tomorrow i.e. 03.08.2017 for further hearing. The respondents shall submit the original record in sealed cover to the Registry during the course of the day. Parties' counsel may also file list of dates and events, written submissions and compilation of case-laws in support of their respective cases by tomorrow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

O.A. No. 146 of 2015

Devendra Singh Bhandari
By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Supplementary rejoinder affidavit filed by learned counsel for the applicant is taken on record.</p> <p style="text-align: center;">List this case for hearing on 12.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 195 of 2010

Anil Kumar Arya Applicant
By Legal Practitioner for Petitioner
Versus
Union of India & Ors Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List this case for hearing on 11.10.2017 to enable the learned counsel for the respondents to produce the record alongwith policy letters regarding red and blank ink entries, extension and revocation of service.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/-</p>

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

O.A. No 64 of 2013

Chandra Ballabh Bhatt (Deceased)
Through Smt Madhuri Bhatt and Another
By Legal Practitioner for Applicant

Applicants

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri KK Singh Bisht, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The respondents have not brought the record in terms of the order dated 18.05.2017 for some compelling reasons.</p> <p>As prayed by the respondents, list this case for hearing on 12.10.2017. The respondents shall produce the record on the next date in terms of the aforesaid order 18.05.2017.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p><small>LN/-</small></p>

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

O.A. No. 42 of 2017

Kundan Singh Bhandari
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri A.K.Sahu be shown as counsel for the respondents.</p> <p>Present: Shri KKS Bisht, Ld. Counsel for the petitioner and Shri A.K.Sahu, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Put up tomorrow i.e. 03.08.2017 for hearing to enable the learned counsel for the respondents to file counter affidavit.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 48 of 2017

Smt Radhika Devi Applicant
By Legal Practitioner for Applicant
Versus
Union of India & Ors Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Gyan Singh, Advocate for the respondents Capt Priyank Malviya, OIC Legal Cell.</p> <p>The case has been taken up in the revised list.</p> <p>Counter affidavit has already been filed. The same is taken on record. As prayed by the applicant's counsel, four weeks' time is allowed to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 184 of 2017

Pradeep Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Rejoinder affidavit filed by the applicant is taken on record.</p> <p style="text-align: center;">As agreed by learned counsel for the parties, list this case for hearing on 12.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 268 of 2017

Kheem Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Counter affidavit filed by the respondents is taken on record.</p> <p>Rejoinder affidavit, if any, may be filed by the applicant within four weeks.</p> <p>As agreed by parties' counsel, list this case for hearing on 12.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LNS</p>

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

R.A. No. 13 of 2013 with M.A. No. 2455 of 2016
Inre O.A. No. 233 of 2010

Ravi Pratap Pandey Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List this case for hearing on 12.10.2017, as prayed by Shri Lalit Kumar, learned counsel for the applicant, to enable him to prepare the case.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

M.A. No. 1248 of 2017 Inre O.A. No. Nil of 2017

Ex Capt (MNS) Hema Bist
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">This case has come up in the supplementary cause-list.</p> <p style="text-align: center;">Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri A.K.Sahu be shown as counsel for the respondents.</p> <p style="text-align: center;">Present: Shri M.C. Pant, Ld. Counsel for the applicant and Shri A.K.Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Four weeks' time, as prayed, is allowed to the respondents to file objection to the application for condonation of delay. The applicant shall thereafter have two weeks' time to file replication.</p> <p style="text-align: center;">List this case for orders on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

M.A. No. 847 of 2017 with M.A. No. 1119 of 2017
Inre O.A. No. Nil of 2017

Sita Devi Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This case has come up in the supplementary cause-list. Counter affidavit filed by the respondents is taken on record.</p> <p>The controversy relates to payment of disability pension, which inhibits in itself a recurring cause of action in view of settled proposition of law in catena of decisions by the Hon'ble Supreme Court. Cause shown is sufficient.</p> <p>Accordingly, the delay in filing the OA is condoned.</p> <p>Admit.</p> <p>Four weeks' time, as prayed, is allowed to the applicant to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017. The respondents shall produce the record on the next date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>LN/-</p>

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

T.A. No. 9 of 2011

Sohan Singh Bisht Petitioner
By Legal Practitioner for Petitioner
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Ashish Joshi, Ld. Counsel for the petitioner and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This case has come up in the supplementary cause-list.</p> <p>Heard learned counsel for the parties at some length.</p> <p>Put up tomorrow i.e. 03.08.2017 for further hearing. Learned counsel for the parties shall cite case laws in support of their respective submissions tomorrow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>LN/-</p>

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

M.A. No. 320 of 2017 Inre O.A. No. Nil of 2017

Smt Guddi Devi

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>02.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This case has come up in the supplementary cause-list.</p> <p>Objection to the condonation of delay filed as well counter affidavit filed by the respondents are taken on record.</p> <p>The counsel for the applicant does not intend to file reply to the objection filed by the applicant against the application for condonation of delay.</p> <p>The controversy relates to payment of disability pension, which inhibits in itself a recurring cause of action in view of settled proposition of law in catena of decisions by the Hon'ble Supreme Court. Cause shown is sufficient.</p> <p>Accordingly, the delay in filing the OA is condoned.</p> <p>Admit.</p> <p>Four weeks' time, as prayed, is allowed to the applicant to file rejoinder affidavit.</p> <p>List this case for hearing on 11.10.2017. The respondents shall produce the record on the next date.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 846 of 2017 Inre O.A. No. Nil of 2017

Smt Dhanuli Devi Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri D.S. Mehta, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection filed by the respondents is taken on record. Counsel for the applicant undertakes to file reply by tomorrow.</p> <p>Put up tomorrow i.e. 02.08.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

M.A. No. 847 of 2017 with M.A. No. 1119 of 2017

Inre O.A. No. Nil of 2017

Sita Devi

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Suresh Chandra Bhatt, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Objection filed by the respondents is taken on record. Counsel for the applicant undertakes to file reply by tomorrow.</p> <p>Put up tomorrow i.e. 02.08.2017 for orders.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 848 of 2017 with M.A. No. 1118 of 2017-08-01
Inre O.A. No. Nil of 2017

Kanti Ballabh Bhatt
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri C.S. Rawat, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Objection filed by the respondents is taken on record. Counsel for the applicant undertakes to file reply by tomorrow.</p> <p style="text-align: center;">Put up tomorrow i.e. 02.08.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 849 of 2017 Inre O.A. No. Nil of 2017

Diwan Singh Bora
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Counsel for the respondents undertakes to file objection by tomorrow.</p> <p style="text-align: center;">Put up tomorrow i.e. 02.08.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 37 of 2011

Narayan Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the applicant Shri Lalit Kumar prays for further time to prepare the case.</p> <p style="text-align: center;">List this case on 09.09.2017 for re-hearing at Lucknow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>JPT</p>

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

T.A. No. 9 of 2011

Sohan Singh Bisht Petitioner
By Legal Practitioner for Petitioner
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>On the request made on behalf of the counsel for the applicant, put up/list this case tomorrow i.e. 02.08.2017 for re-hearing.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 378 of 2011

Mohan Singh Bisht Applicant
By Legal Practitioner for Petitioner
Versus
Union of India & Ors Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri A.K.Sahu, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri A.K.Sahu be shown as counsel for the respondents.</p> <p>Present: Shri M.S. Chauhan, Ld. Counsel for the Petitioner and Shri A.K.Sahu, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the applicant wants time to prepare the case.</p> <p>List this case for further hearing on 11.10.2017. The case stands released and shall no more be treated as tied-up to this Bench.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. (A)/81 of 2012 along with O.A. (A) 81 of 2012

Manoj Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by learned counsel for the applicant, list this case for further hearing on 08.09.2017 at Lucknow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

T.A. No. 59 of 2011 along with O.A. (A) 81 of 2012

Hayat Singh Bankoti Petitioner
By Legal Practitioner for Petitioner
Union of India & Ors Respondents
By Legal Practitioner for Respondents

Versus

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Asheesh Agnihotri be shown as counsel for the respondents.</p> <p>Present: Shri Lalit Kumar, Ld. Counsel for the petitioner and Shri Asheesh Agnihotri, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by learned counsel for the applicant, list this case for further hearing on 08.09.2017 at Lucknow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p style="text-align: left;">JPT</p>

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

O.A. No. 185 of 2014

Lal Bahadur Gurung
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: justify;">Shri Asheesh Agnihotri, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Asheesh Agnihotri be shown as counsel for the respondents.</p> <p style="text-align: justify;">Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Advocate for the respondents Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: justify;">As prayed by learned counsel for the applicant, list this case for further hearing on 11.10.2017 at Lucknow.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 68 of 2017

Bhim Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Lalit Kumar, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Four weeks' time is allowed to the applicant to file rejoinder affidavit.</p> <p style="text-align: center;">List this case for hearing on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

T.A. No. 565 of 2010

Khima Nand

By Legal Practitioner for Petitioner

Petitioner

Versus

Union of India & Ors

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Capt Priyank Malviya, OIC Legal Cell for the respondents.</p> <p>Shri Amit Jaiswal, Advocate files memo of appearance on behalf of the respondents, which is taken on record.</p> <p>List revised.</p> <p>It is an old case of 2010. None appears for the applicant.</p> <p>Dismissed for non-prosecution.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>LN/</p>

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

O.A.No. 273 of 2017

Smt Leela Devi Karki

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>01.08.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>This case has come up in the supplementary cause-list.</p> <p>Shri Bhanu Pratap Singh, Advocate files memo of appearance on behalf of the respondents. The same is taken on record. When the case is next listed, name of Shri Bhanu Pratap Singh be shown as counsel for the respondents.</p> <p>Present: Shri Krishna Kumar Verma, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The matter relates to payment of disability pension as well as family pension and involves recurring cause of action.</p> <p>Admit.</p> <p>Four weeks' time is allowed to the respondents to file counter affidavit. The applicant may file rejoinder affidavit within four weeks thereafter.</p> <p>List this case for hearing on 11.10.2017.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) (Justice D.P. Singh) Member (A) Member (J)</p> <p>LN/</p>

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

Ex-A/83/2017 Inre O.A. No. 76 of 2016

Dan Singh Mehra Applicant
By Legal Practitioner for Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Power filed by Shri A.K. Sahu, Advocate, on behalf of the respondents is taken on record. When the case is next listed, his name shall be shown in the cause list as counsel for the respondents.</p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Shri A.K. Sahu, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List this case on 11.10.2017 to enable the respondents to show cause as to why the order of the Tribunal dated 03.03.2016 has not been complied with.</p> <p>Copy of the order be issued to the parties' counsel on payment of usual charges today itself.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

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

Ex-A 27 of 2017 Inre T.A. No. 61 of 2013

Satye Singh Rawat

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Kishore Rai, Ld. Counsel for the petitioner and Shri R.C. Shukla, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the respondents Shri R.C. Shukla states that PPO has been issued to the petitioner. A copy of the PPO has been provided to the petitioner's counsel during the course of hearing. Accordingly, this application loses its efficacy.</p> <p>However, we direct the Bank concerned to release the amount in favour of the petitioner in terms of the PPO within one month from the date of communication of this order.</p> <p>With the aforesaid direction, the application stands finally disposed of.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

Ex-A/28 of 2017 Inre O.A. No. 236 of 2014

Smt Bhawani Devi Applicant
By Legal Practitioner for Applicant
Versus
Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri Kishore Rai, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the respondents Shri R.C. Shukla states that PPO has been issued to the applicant. A copy of the PPO has been provided to the applicant's counsel during the course of hearing. Accordingly, this application loses its efficacy.</p> <p>However, we direct the Bank concerned to release the amount in favour of the applicant in terms of the PPO within one month from the date of communication of this order.</p> <p>With the aforesaid direction, the application stands finally disposed of.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 537 of 2016 with R.A. No. 20 of 2016 & M.A. No. 2233 of 2016
Inre M.A. No. 1652 of 2014

Smt Sagro Devi
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>This is an application for review. Dr. Gyan Singh, learned counsel appearing for the respondents wants time to file objection. Three weeks' time is allowed to the respondents to file objection. Applicant may file replication within next one week thereafter.</p> <p>List the case on 12.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

M.A. No. 2027 of 2016 with M.A. No. 554 of 2017
Inre O.A. No. Nil of 2016

Kharak Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Dr. Gyan Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>List has been revised.</p> <p>None appears for the applicant.</p> <p>Counter affidavit filed by Dr. Gyan Singh, learned counsel appearing for the respondents is taken on record. Applicant may file rejoinder affidavit within two weeks.</p> <p>List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

M.A. No. 320 of 2017 Inre O.A. No. Nil of 2017

Smt Guddi Devi Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Learned counsel for the respondents Shri Bhanu Pratap Singh prays for and is allowed 24 hours' time to file objection as well as counter affidavit.</p> <p>As prayed, list the case on 02.08.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

**M.A. No. 333 of 2017 Inre Ex-A/29 of 2012
& T.A. No. 232 of 2010**

Kishan Singh

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: None for the Petitioner. Shri Amit Jaiswal, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>Cause list has been revised.</p> <p>None appears on behalf of the petitioner.</p> <p>Learned counsel for the respondents submits that the PPO has already been issued and the execution case was already decided. He further raised an objection in Execution Case No. 29 of 2012 that no decision may be taken on merit, once the respondents have complied with the order of the Tribunal as the petition does not survive. Petitioner's counsel is not present in the case.</p> <p>However, we reject the application with the liberty to the petitioner to approach any appropriate forum for pending grievance, if any, if so advised.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left;">JPT</p>

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

M.A. No. 841 of 2017 with M.A. No. 925 of 2017
Inre O.A. No Nil of 2017

Bachuli Devi

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri B.P. Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>The controversy relates to the payment of family pension, which seems to involve a recurring cause of action. Hence, delay is condoned.</p> <p>Admit.</p> <p>Let the case be registered as O.A.</p> <p>As prayed, four weeks' time is allowed to the respondents to file counter affidavit. Applicant may file rejoinder affidavit within next two weeks thereafter.</p> <p>List the case on 12.10.2017 for hearing.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

R.A. No. 23 of 2015 Inre T.A. No. 101 of 2011

BS Ghuman

Petitioner

By Legal Practitioner for Petitioner

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Dr. Chet Narain Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Learned counsel for the petitioner is reported to be out of station.</p> <p style="text-align: center;">As prayed, list the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 19 of 2015

Smt Manju Joshi & Ors
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.S. Bohra, Ld. Counsel for the applicant and Shri Ashish Agnihotri, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Amendment application filed today is taken on record. As prayed by the learned counsel for the applicant, one month's time is allowed to file objection to the amendment application. Two weeks' time is allowed to the respondents to file replication.</p> <p style="text-align: center;">List the case on 11.10.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 326 of 2016

Diwan Singh

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri P.S. Bohra, Ld. Counsel for the applicant and Dr. Chet Narain Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">Counter affidavit filed on behalf of the respondents today by Dr. Chet Narain Singh is taken on record. The applicant may file reply to it within four weeks' time.</p> <p style="text-align: center;">List the case on 11.10.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>JPT</p>

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

O.A. No. 53 of 2017

Ishwar Singh Chiral

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Ors

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri D.S. Mehta, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents, assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed, four weeks' time is allowed to Ld. Counsel for the applicant to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 11.10.2017 for hearing.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p>anb</p>

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

O.A. No. 54 of 2017

Kedar Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri Devendra Singh Bohra, Ld. Counsel for the applicant and Dr. Gyan Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p style="text-align: center;">As prayed by Ld. Counsel for the applicant, four weeks' time is granted to file rejoinder affidavit.</p> <p style="text-align: center;">List the case on 11.10.2017 for orders.</p> <p style="text-align: center;">(Air Marshal Anil Chopra) Member (A)</p> <p style="text-align: center;">(Justice D.P. Singh) Member (J)</p> <p style="text-align: left; font-size: small;">JPT</p>

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

O.A. No. 77 of 2017

Smt Tulsi Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p style="text-align: center;">Present: Shri C.S. Rawat, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>In compliance with the order dated 15.05.2017 Capt Sudhir Kumar from Kumaon Records Office has appeared today. He submits that the Records Office had recommended for liberalised family pension to the applicant since her husband had died because of battle casualty. Liberalised family pension was paid for about three years and after that PCDA (P), Allahabad. During review of 6th Pay Commission, the same was downgraded to special family pension holding that the applicant's case does not fall in the category of battle casualty and she is entitled to only special family pension. A perusal of order dated 06.06.2012 indicates the applicant's husband succumbed to injuries during Operation Falcon and the same has been re-iterated in the clarificatory order dated 03.02.2011, which indicates that members of the Armed Forces are entitled to liberalised family pension if died during the operation. Capt Sudhir Kumar does not dispute that applicant's husband died during MT accident (Op Falcon). However, the respondents' submission is that the applicant's husband was moving to Operation Rhino when the accident took place. In</p>

any case, it appears to be a battle casualty (Op Falcon or Op Rhino) and the applicant is entitled for liberalised family pension being falling in category E as per rules. Capt Sudhir Kumar also does not dispute that applicant's husband died in an Army Operation. He further states that the applicant is entitled for liberalised family pension and the same was recommended by the Records Office and that wrong, if any, has been committed by PCDA (P) Allahabad while downgrading the pension. PCDA(P) Allahabad appears to have exceeded its jurisdiction in the aforesaid action. It is well settled proposition of law that an order, decision or even judgment given without jurisdiction is a nullity in law. Law does not permit any authority to exceed its jurisdiction on any ground whatsoever, in case, such an authority does not have jurisdiction on the subject matter.

We fail to understand that once the Records Office and the Army Headquarters had recommended for payment of liberalised family pension to the applicant on account of death of her husband during Op Falcon/Op Rhino, then how and why the PCDA (P) could stop the liberalised family pension and downgrade it to special family pension.

Prima facie, gross injustice appears to have been done by PCDA (P) Allahabad to the widow whose husband died while serving the country during Army operation. Let PCDA (P) Allahabad file his personal affidavit indicating as to under what circumstances, payment of liberalised family pension has been stopped to the applicant and why the same was converted into special family pension. Affidavit must contain para-wise reply to the averments made in the O.A. In case affidavit is not filed by PCDA (P) Allahabad as directed above, he shall appear in person to explain on the next date fixed.

Since it appears to be a case of gross injustice done to a poor widow, PCDA (P) Allahabad shall also show cause why exemplary cost in view of a catena of decisions of the Apex Court may not be imposed for causing unnecessary mental pain and agony to her by stopping liberalised family pension, which was being paid to her for the last three years and by taking steps for its recovery.

Let the affidavit be filed by PCDA (P) Allahabad within a period of four weeks, after serving a copy thereof on Ld. Counsel for the applicant, who may file reply to it within two weeks' thereafter.

List the case on **12.10.2017** for hearing.

(Air Marshal Anil Chopra)
Member (A)

(Justice D.P. Singh)
Member (J)

LN/

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

O.A. No. 168 of 2017

Smt Hema Devi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Ors

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>31.07.2017</u> <u>Hon'ble Mr. Justice D.P. Singh, Member (J)</u> <u>Hon'ble Air Marshal Anil Chopra, Member (A)</u></p> <p>Present: Shri M.S. Chauhan, Ld. Counsel for the applicant and Shri Bhanu Pratap Singh, Ld. Counsel for the respondents assisted by Capt Priyank Malviya, OIC Legal Cell.</p> <p>As prayed by Ld. Counsel for the applicant, three weeks' time is granted to file rejoinder affidavit.</p> <p>List the case on 11.10.2017 for hearing.</p> <p>(Air Marshal Anil Chopra) Member (A)</p> <p>(Justice D.P. Singh) Member (J)</p> <p>JPT</p>