

No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 962 of 2015

Arjun Mewada

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appeared for the applicant, neither there is any request to adjourn/pass over the case. However, in the interest of justice this case is adjourned for the day.</p> <p>List for admission on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 967 of 2015
(Inre: O.A. No. Nil of 2015)

Jitedndra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>Learned counsel for the applicant prays for and is granted six weeks' time to file objection on the delay condonation application.</p> <p>List on 27.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 968 of 2015
(Inre: O.A. No. Nil of 2015)

Col S.K. Karwal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>Learned counsel for the applicant prays for and is granted six weeks' time to file objection on the delay condonation application.</p> <p>List on 27.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 466 of 2015

Parvesh Chandra Sarkar

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>This is an application for condonation of delay in filing the O.A.</p> <p>As per office report there is a delay of 6 years, 7 months and 12 days in filing the O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file objection on the delay condonation application.</p> <p>List on 27.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 188 of 2014

Anil Kumar Baghel

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice the case is adjourned for the day. List this case again on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 1064 of 2014

T Shrinivas Reddy

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri DK. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for and is granted six weeks' time to move amendment application.</p> <p>List for orders on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 1407 of 2014

Jagat Narayan 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 C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.P. Tiwari, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>This is an application for condoning the delay in filing the Original Application. The matter relates to refusal on grant of disability pension to the applicant.</p> <p>As per office report there is a delay of 6 years, 4 months and 10 days in filing the O.A.</p> <p>We have gone through the affidavit filed along with the delay condonation application. The reason shown for the delay in filing the O.A. seems to be genuine. Accordingly, this application is allowed and the delay in filing the O.A. is hereby condoned. Office is directed to register the O.A.</p> <p>List the O.A. for orders on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 43 of 2010

Ganga Dutt

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for time to take steps on respondents no. 6 and 8.</p> <p>As prayed, ten days' time is granted to take steps.</p> <p>List on 28.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 262 of 2013

Urmila Bai

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice this case is adjourned for the day.</p> <p>List again on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 116 of 2014

Arjun Singh Parihar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri S.P. Tiwari, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for and is granted six weeks' time to file amendment application. List on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 65 of 2015

Durga Prasad 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 C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the respondents submits that the counter affidavit is ready and will be filed in the office during the course of the day. He has also served a copy of the counter affidavit on learned counsel for the applicant in Court.</p> <p>Learned counsel for the applicant prays for and is granted six weeks' time to file rejoinder affidavit.</p> <p>List on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 883 of 2010

Amit Kumar Mishra

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that the present case relates to SCJM proceedings, whereas the charge has been leveled against the applicant relates to recruitment in which one JCO, viz. Sub. Ganga Dhar, was tried by GCM with respect to the same transaction being JCO.</p> <p>Learned counsel for the applicant states that since both the cases arise out of the same transaction it will be appropriate if both the case be heard together.</p> <p>Accordingly, office is directed to list this case along with O.A. No. 43 of 2010 on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 170 of 2011

Hafizullah Khan Janbaj

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri S.P. Tiwari, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant states that he intends to file amendment application. He, therefore, prays for and is granted six weeks' time to file the same.</p> <p>List afor orders on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 112 of 2013

Smt. Sushila 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 C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.K. Pandey, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays that this case be transferred back to Lucknow to enable the bank to contest the case since the bank has already engaged Shri Audhesh Shukla as their counsel and the main relief which has been asked by the applicant relates to the bank itself.</p> <p>As prayed list this case at Lucknow before the Court concerned on 2.7.2015 as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A.(A). No. 434 of 2012

Pradeep Kumar 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 C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.P. Tiwari, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for adjournment to enable him to prepare the brief. Accordingly, the case is adjourned for the day.</p> <p>List on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 247 of 2010

Atul Chaubey

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>Case called out. No one appears for the applicant. However, in the interest of justice the case is adjourned for the day. List this case again on 31.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 267 of 2010

Mahak Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>The matter pertains to promotion.</p> <p>As prayed by learned counsel for the applicant, the case is adjourned for the day. List again on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 308 of 2010

Mahendra Singh Baghel

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice the case is adjourned for the day. List again on 31.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 474 of 2010

Ajay Lal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant, the case is adjourned for the day.</p> <p>List again on 27.7.2015 before the Circuit Bench at Jabalpur. The respondents, who are in possession of the record today, are directed to keep the record and produce the same on the next date before the Court.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 1489 of 2010

Kamla Kant Yadav

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri B.P.S. Chauhan, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>On going through the order-sheets we find that this case has not yet been admitted though it has been listed by the office for hearing.</p> <p>Heard learned counsel for the parties on admission of this T.A.</p> <p>The matter relates to DCM wherein the applicant has been charged with violating the provision of Section 69 of the Army Act and punishment awarded to the applicant was 6 months' R.I. and dismissal from service.</p> <p>The submission of learned counsel for the applicant is that earlier charge-sheet had been issued to the applicant upon which trial proceeded but during the course of proceedings of the trial the charge-sheet upon which the entire case was based was withdrawn and subsequent charge-sheet had been issued on 4.4.2006 which is against the provision of Rule 50 of the Army Rules It has further been submitted that no opportunity was given to the applicant on the subsequent charge-sheet. It has also been argued that the convening order has been issued by the Colonel, who is not competent to issue the same, was such there is violation of Army Rule 37.</p> <p>We have gone through the record and we find that there is substance in the argument of learned counsel for the applicant. Accordingly, we admit this T.A.</p> <p>Since counter and rejoinder affidavits have already been exchanged in this case and the matter being of the year 2010, list this case for hearing on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 128 of 2011

Shende Sahadev Rao Dilip

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>15.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt. Manisha Yadav, Departmental Representative.</p> <p>Case called out. Learned counsel for the applicant is not present. However, on call of the case the applicant appeared in person and prays that this case be taken up at Lucknow.</p> <p>As prayed by the applicant, list this case on 19.8.2015 for hearing before the Court concerned at Lucknow having jurisdiction as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 136 of 2012

Dhan Raj

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p data-bbox="402 276 565 317"><u>14.05.2015</u></p> <p data-bbox="402 317 1117 357"><u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u></p> <p data-bbox="402 357 1052 397"><u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p data-bbox="500 459 630 499">Allowed.</p> <p data-bbox="402 545 1393 647">For judgment and order, see our judgment and order of date passed on separate sheets.</p> <p data-bbox="443 814 764 889">(Lt. Gen A.M. Verma) Member (A)</p> <p data-bbox="930 814 1258 889">(Justice Abdul Mateen) Member (J)</p> <p data-bbox="402 889 459 930">PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

Dy. No. 1035 of 2015
(Inre: O.A. Nil. Of 2015)

Col S.K. Karwal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>After arguing at length Shri K.C. Ghildyal, learned counsel for the applicant, states that he intends to withdraw this O.A. He, therefore, prays that this case be dismissed as withdrawn with liberty to file it afresh.</p> <p>As prayed, this Dy. No. 1035 of 2015 (Kol. S.K. Karwal v. Union of India & others) is dismissed as withdrawn with liberty to file it afresh.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 942 of 2015
(Inre: O.A. Nil. Of 2015)

Hav Chandan Singh
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Dinesh Kumar Pandey on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri S.P. Tiwari, learned Counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p><u>Misc. Application No. 942 of 2015.</u></p> <p>Heard learned counsel for the parties on this application for condoning the delay in filing the Original Application and have also gone through the affidavit filed in support of this application.</p> <p>The reasons shown in the affidavit for the delay in filing the O.A. seems to be genuine. Accordingly, this application is allowed and the delay in filing the O.A. is hereby condoned. Office is directed to register the case.</p> <p><u>Original Application No. 118 of 2015.</u></p> <p>Heard learned counsel for the parties.</p> <p>Aggrieved against the order dated 19.8.2014 (Annexure 'A-1' to this O.A.) by means of which the applicant will be discharged from service with effect from 30.9.2015, the applicant has preferred this Original Application before this Tribunal.</p> <p>Learned counsel for the applicant submits that the applicant, who was working as Havildar, was found to be in low medical category (P-2 permanent), vide order dated 19.8.2014, but, later on, he</p>

has been promoted to the post of Naib Subedar, vide order dated 2.1.2015. As such, the argument of learned counsel for the applicant is that since the applicant has been promoted to the post of Naib Subedar after the order of discharge from service on the ground of low medical category (P-2 permanent), the discharge order, discharging the applicant from service with effect from 30.9.2015, does not subsists as having become redundant.

Learned counsel for the respondents submits that the applicant has not availed the remedy available to him before coming to this Tribunal for redressal of his grievance and as such, this O.A. is premature and cannot be entertained

There seems to be some substance in the argument of learned counsel for the respondents. Further there is a bar under Section 21 of the A.F.T. Act, 2007. It provides that “Application not to be admitted unless other remedies exhausted.”

The applicant is, therefore, directed to avail the alternative remedy, available to him, to cancel his name from the order dated 19.8.2014.

With the aforesaid direction this Original Application is disposed of finally.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 941 of 2015

(Inre: EX.A. 25 of 2011 & T.A. No. 429 of 2010)

A.K. Bhardwaj

In person

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant. The record is also not available with the respondents.</p> <p>List this case again on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 943 of 2015
(Inre: T.A. No. 48 of 2013)

Digvijay Singh Bhadoria
In person

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>List has been revised. No one appears for the applicant. However, in the interest of justice list this case again on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 64 of 2015

Vindhyeshwari Prasad

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri M.P. Singh, learned Counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>The matter pertains to grant of disability pension.</p> <p>Inspite of time being granted no counter affidavit has been filed by the respondents as yet. Learned counsel for the respondents again prays for and is granted three weeks and no more time to file counter affidavit.</p> <p>The respondents are also directed to take into consideration, while filing counter affidavit, the judgment and order of the Hon'ble Supreme Court in the case of Sukhvinder Singh v. Union of India & others reported in <i>2014 Legal Eagle (SC) 546</i>.</p> <p>List this case on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 420 of 2010

Inder Bhan Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 3 and 5 to 7 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice list this case again on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 843 of 2010 with M.A. 619 of 2015

Suresh 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 C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice list this case again on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 18 of 2011

Thorat Jai Singh Mahaalu

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice, list this case again on 28.7.205 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

EX-A No. 84 of 2012
(Inrfe: T.A. No. 417 of 2010)

Smt. Malti 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 C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case Shri K.C. Ghildyal, Advocate, appeared and stated that this case be transferred to Lucknow since it will be argued by Shri R. Chandra, learned counsel for the applicant.</p> <p>As prayed by Shri K.C. Ghildyal, list this case on 20.5.2015 at Lucknow before the appropriate Court having jurisdiction as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 25 of 2011

Rakesh Kumar Pathak

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>Aggrieved against the dismissal from service in SCM on three charges under Sections 39(b), 38(1) and 54(b) of the Army Act, the applicant has approached before this Tribunal.</p> <p>For proper adjudication of this case, it felt necessary to go through the record, which the respondents do not possess today.</p> <p>List this case again on 27.7.2015 for hearing before the Circuit Bench at Jabalpur. On the said date the record of SCM proceedings shall be made available by the respondents.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 405 of 2011

JK Roy Chaudhary

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant, list this case on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 53 of 2012

Amit Kumar Sharma

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant, list this case on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 54 of 2012 along with O.A. No. 53 of 2012

Mahendra Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant, list this case on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 235 of 2013

Ajai Gond

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case no one appears for the applicant. However, in the interest of justice this case is adjourned for the day.</p> <p>List on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 286 of 2013

Nand Lal Shukla

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant is not present, rather a person claiming himself to be Nand Lal Shukla, the applicant, is present.</p> <p>Heard the applicant, who has appeared in person, and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents at length.</p> <p>For reasons to follow, this O.A. is allowed.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 117 of 2014

NJK Dahya Lal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>Aggrieved against the order of discharge dated 30.7.2014 the applicant has preferred this Original Application before this Tribunal. However, from paragraph no. 6 of the O.A. it comes out that the applicant has not availed the alternative remedy, against the aforesaid order dated 30.7.2014, by means of filing a statutory petition before the competent authority.</p> <p>Learned counsel for the respondents also submits that there is a bar under Section 21 of the A.F.T. Act, 2007 wherein it has been specifically mentioned that "Application not to be admitted unless other remedies exhausted".</p> <p>It has also come out from the record that this O.A. has been filed by the applicant after his retirement.</p> <p>In view of above, this Original Application is dismissed on the ground of alternative remedy.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 305 of 2010

Dilip Kumar Shukla

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Anand Naik, learned Counsel for the applicant, and Shri D.K. Pandey, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>After hearing learned counsel for the applicant at some length, he submits that he intends to amend the petition and to annex the order of rejection of the appeal of the petitioner by the competent authority. He, therefore, prays for and is granted three weeks' time to file amendment application.</p> <p>If the amendment application is filed, list this case for orders on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
C.B. Jabalpur
T.A. No. 852 of 2010

Parmanand Prasad 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 C.B. Jabalpur
	<p><u>14.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Manisha Yadav, Departmental Representative.</p> <p>While going through the order-sheets we find that this caase has not yet been admitted, though the office has listed this case for hearing.</p> <p>As prayed by learned counsel for the applicant, list this case on 29.7.2015 for admission before the Circuit Bench at Jabalpur.</p> <p style="text-align: center;">(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4
[See rule 11(1)]
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
C.B. Jabalpur

M.A. No. 928 of 2015
(Inre: O.A. No. Nil of 2015)

Prakash Ganpat Burde Applicant
By Legal Practitioner for Applicant

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur

13.05.2015

Hon'ble Mr. Justice Abdul Mateen, Member (J)

Hon'ble Lt. Gen. A.M. Verma, Member (A)

Memo of appearance filed by Shri D.K. Pandey on behalf of respondents No. 1 to 6 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.

Present: Shri R.B. Singh, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.

Misc. Application No. 928 of 2015.

This is an application for condoning the delay in filing the Original Application, which relates to disability pension, claimed by the applicant.

As per office report there is a delay of 16 years, 5 months and 28 days in filing the O.A.

Heard learned counsel for the parties.

The reason shown for the delay in filing the O.A. appears to be genuine. Accordingly, this application is allowed and the delay in filing the O.A. is hereby condoned. The office is directed to register the O.A.

Original Application No. 116 of 2015.

Heard learned counsel for the parties on admission of this O.A.

Aggrieved against non-awarding disability pension, the applicant has filed the present O.A. before this Tribunal.

The factual matrix of the case are that the applicant was enrolled in the Indian Army on 8.2.1983 as Ambulance Attendant and he was invalidated out of service on 13.5.1998 under Army Rule 13(3) Table III(iii) being a case of unspecified psychosis after serving the Indian Army for a period of 15 years, 3 months and 11 days.

It has been pleaded by learned counsel for the applicant that since the applicant has been invalidated out of service on 13.5.1998 after rendering the aforesaid period of service, he is entitled to disability pension with effect from 13.5.1998. The applicant has, therefore, prayed that the order dated 10.3.1999 (Annexure 'A-7' to the O.A.) and the order dated 3.7.2014 (Annexure 'A-10' to the O.A.) be quashed.

Learned counsel for the respondents raised objection stating that the applicant has not availed the alternative remedy, available to the applicant, before coming to this Tribunal as provided under Section 21 of the A.F.T. Act, 2007 by preferring an appeal, firstly before ACFA and thereafter, secondly, before the RM's appellate authority to the Ministry of Defence.

There seems to be some substance in the argument of learned counsel for the respondents since, admittedly, the applicant has not availed those remedies before coming to this Tribunal.

Learned counsel for the applicant submits that as per information received through RTI, the appellate authority is Deputy Commandant, vide Annexure 'A-10' to the O.A., as such the applicant preferred appeal before the Deputy Commandant, being the appellate authority, on 29.9.2014, contained in Annexure 'A-11' to the O.A.

However, to cut short the entire case, we find and also admitted by learned counsel for the applicant, that the applicant did not approach the appropriate appellate authority, which is the first appellate authority being ACFA and the second appellate authority being RM's appellate authority, we direct learned counsel for the respondents and the Departmental Representative to forward the appeal of the applicant, contained in Annexure 'A-11' to the O.A. sent to the said Deputy Commandant to the first appellate authority, viz. ACFA, within a period of one month from today after receipt of a certified copy of this order and the first appellate authority is directed to dispose of the appeal of the applicant with a speaking order within a period of two months from date of receipt of the appeal.

With the aforesaid direction this O.A. stands disposed of finally.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 936 of 2015
(Inre: O.A. No. Nil of 2015)

Ram Niwas Vishwokarma
By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents No. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri N.S. Ruprah, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p><u>Misc. Application No. 936 of 2015.</u></p> <p>This is an application for condoning the delay in filing the Original Application.</p> <p>As per office report there is a delay of 4 months and 27 days in filing the O.A.</p> <p>Since the matter relates to disability pension and the reason shown in the affidavit filed along with this application seems to be genuine, this application is allowed and the delay in filing the O.A. is hereby condoned. The office is directed to register the O.A.</p> <p><u>Original Application No. 117 of 2015.</u></p> <p>The matter relates to disability pension. The matrix of the case, as raised by learned counsel for the applicant, is that the applicant while in serving the Indian Army as Naik was discharged from the service on medical ground on 30.6.2014 after putting in about 22 years</p>

of service and his claim for disability pension has been rejected on the ground that it has not been aggravated due to military service.

The submission of learned counsel for the applicant is that even the Medical Board, on 28.1.2014, had found the applicant disabled to the tune of 50% for life, the Mechanized Infantry Regiment, without considering the Medical Board's opinion, rejected the claim of disability pension of the applicant through they do not possess the authority to sit over the opinion of Medical Board and to re-assess the medical ailment of the candidate to reject his claim.

There seems to be some substance in the aragument of learned counsel for the applicant. Accordingly, we **admit** this O.A.

Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List for orders on 29.7.2015 before the Circuit Bench at Jabalpur.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 111 of 2015

(Inre: O.A. No. Nil of 2015)

Tika Rai

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents No. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>The matter relates to pay and allowances. The claim has been made on the basis of a scheme known as "MACP". The submission of learned counsel for the applicant is that the applicant has not been granted the benefit of the aforesaid scheme during his entire period of service and he has subsequently been retired in one and the same post after having rendered his full term of service.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, this O.A. is admitted.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List for orders on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 112 of 2015

Mahesh Pradhan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents No. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>The matter relates to pay and allowances. The claim has been made on the basis of a scheme known as "MACP". The submission of learned counsel for the applicant is that the applicant has not been granted the benefit of the aforesaid scheme during his entire period of service and he has subsequently been retired in one and the same post after having rendered his full term of service.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, this O.A. is admitted.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List for orders on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 113 of 2015

Birendra Rai

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of respondents No. 1 to 5 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>The matter relates to pay and allowances. The claim has been made on the basis of a scheme known as "MACP". The submission of learned counsel for the applicant is that the applicant has not been granted the benefit of the aforesaid scheme during his entire period of service and he has subsequently been retired in one and the same post after having rendered his full term of service.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, this O.A. is admitted.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List for orders on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 114 of 2015

Pawan Agrawal

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents No. 1 to 7 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Aggrieved against the punishment awarded in GCM the applicant has filed this O.A.</p> <p>The submission of learned counsel for the applicant is that there is no compliance of Army Rules 33 and 34, meaning thereby that the applicant was not afforded adequate opportunity to defend himself before the trial. The further submission is that the charges which have been leveled against the applicant has not been fully proved in its entirety, as such the conviction awarded to the applicant is not justiciable in the eyes of law.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, we admit this O.A.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p>

Misc. Application No. 944 of 2015.

This is an application for suspension of sentence/bail to the applicant.

Learned counsel for the respondents prays for and is granted six weeks' time to file objection.

List this case on 30.7.2015 for orders on this application before the Circuit Bench at Jabalpur.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 163 of 2010

IK Khurana

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of the respondents No. 1 to 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the applicant on admission of this O.A. which is pending since the year 2010.</p> <p>The question that arises is that the applicant who was working as Lt. Col., had been superseded on the basis of ACR. The argument is that only the last page of the ACR was shown to the applicant and the claim is that the original ACR was not shown to him. Thus, the submission is that there is manipulation in the ACR.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, we admit this O.A.</p> <p>Since counter and rejoinder affidavits have already been exchanged in this case, the office is directed to list this case for hearing on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 646 of 2014

Harinam Patel

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case along with O.A. No. 110 of 2015 on 28.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 78 of 2015

Smt Amana Khatoon & Others

Applicants

By Legal Practitioner for Applicants

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents No. 2 and 3 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri Manoj Kumar, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p><u>Misc. Application No. 78 of 2015.</u></p> <p>This is an application for condoning the delay in filing the Original Application, which relates to claim of retiral benefits by the applicant.</p> <p>As per office report there is a delay of 11 years, 8 months and 14 days in filing the Original Application.</p> <p>Heard learned counsel for the parties and have gone through the affidavit filed in support of the delay condonation application. The reasons shown in the affidavit for delay in filing the O.A. seems to be genuine. Further the law is well settled in retiral matters since recurring cause of action arises in favour of the applicant as held by the Hon'ble apex Court.</p> <p>Accordingly, the application is allowed and the delay in filing the O.A. is hereby condoned. The O.A. be retistered.</p> <p><u>Original Application No. 115 of 2015.</u></p>

Heard learned counsel for the parties.

The applicants who are widow, daughter and sons of L/Naik Mohd. Sabir, who died as battle casualty on 9.4.2002 have filed this O.A., being legal heirs, claiming retirement benefits. Since late L/Naik Mohd. Sabir died during battle on 9.4.2002, this point itself is sufficient for admission of this O.A. Accordingly, we **admit** this O.A.

Learned counsel for the respondents prays for and is granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

List for orders on 31.7.2015 before the Circuit Bench at Jabalpur. On the said date it is expected that the respondents will produce the record.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 59 of 2015

Abodhanand Pattanaik

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 4 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted six weeks' further time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on 31.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 60 of 2015

Suresh Kumar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 31.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 416 of 2010

Umesh Kumar Shukla

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri Bhanu Pratap Singh Chauhan on behalf of respondents no. 1 to 7 is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri S.K. Pandey, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Learned counsel for the respondents prays for and is granted three weeks' further time to file supplementary counter affidavit.</p> <p>List for orders/admission on 29.7.2015 before before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 918 of 2010 with M.A. No. 545 of 2015

Smt Vaijanti Pradhan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents is taken on record. When the case is next listed, his name be sown as counsel for the said respondents.</p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p><u>Misc. Application No. 497 of 2015.</u></p> <p>This is an application, moved by the applicant, for amendment in the Transferred Application. In this case the respondents were granted time to file objection, if any, but no objection has been filed by the respondents.</p> <p>We have gone through this application. It is formal in nature since SCM proceedings are already under challenge in the T.A. Accordingly, this application is allowed. Let necessary amendment be incorporated by the applicant during the course of the day.</p> <p>List this T.A. for admission on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 75 of 2012

Ram Sunder Pandey

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents.</p> <p>On call of the case no one appeared for the applicant. However, in the interest of justice list this case again on 29.7.2015 for orders before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 197 of 2013

Manoj Kumar 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 C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 30.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 118 of 2014

Sudershan

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 30.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 281 of 2010

Smt Santi Bakshi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 28.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 472 of 2010

Ram Niwas Bhukar

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents is taken on record. When the case is next listed, his name be shown as counsel for the said respondents.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 31.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 477 of 2010

S 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 C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 27.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 22 of 2011

Gopal Bhakt

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents.</p> <p>As prayed by learned counsel for the applicant, list this case on 29.7.2015 for hearing before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 91 of 2012

K.L. Balkrishna Shetty

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Memo of appearance filed by Shri D.K. Pandey on behalf of the respondents is taken on record. When the case is next listed, his name be shown as learned counsel for the respondents.</p> <p>Present: Smt. P.L. Srivastava, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed, list this case on 30.7.2015 before the Circuit Bench at Jabalpur. The record, which has been brought today by the respondents, shall be kept and be produced on the next date.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 48 of 2013

Digvijay Singh Bhadauria

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>13.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: The applicant in person and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>This case wrongly been listed before this Court. Earlier on 30.3.2015 we had ordered to list the matter before some other Bench.</p> <p>Accordingly, list this case on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 279 of 2014

Col AP Singh

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
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12.05.2015

Hon'ble Mr. Justice Abdul Mateen, Member (J)

Hon'ble Lt. Gen. A.M. Verma, Member (A)

Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.

Learned counsel for the respondents states that the counter affidavit is ready and will be filed before the Registry today itself. He has also served a copy of the counter affidavit in Court on learned counsel for the applicant.

Learned counsel for the applicant prays for and is granted four weeks' time to file rejoinder affidavit.

List on 30.7.2015 for admission before the Circuit Bench at Jabalpur.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 457 of 2010

Amit Kumar Khatkar

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Aggrieved against the trial in SCM with respect to the charges leveled against him under Sections 39(b) and 54(b) of the Army Act, i.e. overstaying on leave and loss of Government items, the applicant has preferred this T.A.</p> <p>The argument advanced by learned counsel for the applicant is that the authorities concerned while punishing the applicant in the shape of dismissal from service totally overlooked the matter that the applicant himself had surrendered voluntarily. It was further argued that this was the first offence of the applicant and the sentence awarded thus is too harsh and not equitable to the charges leveled against him.</p> <p>There seems to be some substance in the argument of learned counsel for the applicant. Accordingly, we admit this T.A.</p> <p>Since counter and rejoinder affidavits have already been exchanged in this case, the office is directed to list this case for hearing on 29.7.2015 before the Circuit Bench at Jabalpur. On that date the respondents are directed to produce the entire record of the SCM proceedings.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 1017 of 2010

Ram Prasad 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case one person claiming himself to be Nar Bahadur Tewari, son of the applicant, appeared and stated that after this case having been transferred to the Circuit Bench at Jabalpur, he intends to engage a counsel at Jabalpur, which he has not yet been able to engage. He, therefore, prays for adjournment to enable him to engage a counsel here at Jabalpur.</p> <p>List this case on 27.7.2015 before the Circuit Bench at Jabalpur to enable the applicant to engage another counsel in the meantime.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 99 of 2010

A Mishra

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.K. Pandey, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>In this case on 20.3.2015 notice was directed to be issued to respondent no. 4. The office report dated 6.5.2015 indicates that the notice issue to respondent no. 4 has not yet received back served or unserved.</p> <p>. Office is directed to await service of notice and list this case again with the office report about service of notice on 29.7.2015 before Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 494 of 2010

Smt. Laxmi 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>In pursuance of the orders passed by the Court and sufficient time having been elapsed since then, the respondents have not yet annexed Annexures No. R-1 to R-3, though referred to in the counter affidavit. Apart from it legible copies of Annexures R-4, R-6 and R-12 have also not been filed inspite of orders passed by the Court. However, the respondents are directed to make good the deficiency in the counter affidavit within four weeks with cost of Rs. 5,000/-, to be deducted from the official concerned. The respondents are also directed to hold an enquiry against the concerned official for not complying the orders of the Court.</p> <p>List this case again on 28.7.2015 for orders before the Circuit Bench at Jabalpur. On that date the respondents shall also inform the Court about the outcome of the said enquiry.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 187 of 2010

Harish Kumar 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.K. Pandey, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>While hearing Shri S.K. Pandey it comes out that the applicant, who was serving under the Territorial Army after being appointed has been discharged from service after finding that he is unlikely to become an efficient soldier under Rule 14(b)(iii) of the Territorial Army Rules, 1948. It has also comes out that due to certain inadvertence, learned counsel for the applicant has quoted wrongly Rule 14(b)(iii) of the T.A. Rules in wrong words.</p> <p>Learned counsel for the applicant submits that he intends to amend the O.A. and for which he prays for and is granted three weeks' time to file amendment application.</p> <p>List on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 442 of 2012

Shailesh Kumar 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 464 of 2012

Nb Sub Krishnan G.

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the applicant on the question of admission of this O.A.</p> <p>It comes out from the pleadings of the parties that the applicant was discharged from service with effect from 31.10.2012, i.e. during pendency of this O.A. No doubt, amendment to that effect has been allowed to be incorporated, but we feel that in the facts and circumstances of the case the applicant be directed to avail the alternative remedy under Section 21 of the A.F.T. Act, 2007. Order accordingly.</p> <p>In view of above, this O.A. is dismissed on the ground of alternative remedy.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 478 of 2012

Yogesh 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 29.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 270 of 2010

Shiv Lal Yadav

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Shri D.K. Pandey, learned Standing Counsel, has filed his power on behalf of the respondents. It be taken on record.</p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>On being asked as to whether the order passed by the GOC-in-C is in possession or not, learned counsel for the respondents prays for adjournment.</p> <p>As prayed by learned counsel for the respondents, the case is adjourned for the day.</p> <p>List on 29.7.2015 before the Circuit Bench at Jabalpur. On that date learned counsel for the respondents shall produce the order passed by the GOC-in-C, referred to in our order dated 13.10.2014.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 322 of 2010

Natthu 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 C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case a person claiming himself to be Natthu Singh, the applicant, appeared and stated that he had not made a request that the matter be transferred to the Circuit Bench at Jabalpur and the case has wrongly been transferred to the C.B. at Jabalpur. The applicant stated that he is doing job at Kanpur and if the case is taken up at Lucknow it will be convenient for him to attend the case there at Lucknow. He, therefore, prays that the case be taken up at Lucknow.</p> <p>Office is directed to list this case on 7.7.2015 before the appropriate Bench at Lucknow having jurisdiction as per roster of that date.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 419 of 2010

Dr. Subhash Chandra Raj

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 482 of 2010

Prem Singh

By Legal Practitioner for Applicant

Applicant

Versus

Chief of Army Staff & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case Shri K.P. Singh, Advocate, appeared and stated that he intends to file his Vakalatnama in this case on behalf of the applicant. He further submits at the first instance when the writ petition was filed before the Madhya Pradesh High Court he was counsel for the applicant. He again submits that since at present the entire record is not available to him as such he is unable to prepare the case.</p> <p>Shri K.P. Singh, therefore, prays that some time be granted to him to enable him to prepare the case.</p> <p>List on 28.7.2015 for hearing before the Circuit Bench at Jabalpur. When the case is next listed, the name of Shri K.P. Singh be shown as counsel for the applicant.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 931 of 2010

Sita Ram

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the parties and have gone through the pleadings.</p> <p>In view of the law laid down by the Hon'ble Supreme Court in the case of Sukhvinder Singh v. Union of India & others reported in <i>2114 Legal Eagle 9SC) 546</i> this T.A. stands allowed. The reasons to follow.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 129 of 2011

Sujit Roy

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>As prayed by learned counsel for the applicant list this case on 30.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 110 of 2015

Harinam Patel

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>The applicant has approached this Court for quashing the discharge order dated 14.3.2015 and indicated in the O.A. that due to certain reasons he is unable to avail the alternative remedy as provided under Section 21 of the A.F.T. Act, 2007. The reason shown for not availing the alternative remedy is that initially the applicant has filed O.A. No. 646 of 2012 before this Tribunal and the notices in that O.A. were issued to the respondents asking them to show the reasons for not considering the applicant for his promotion to the post of Havildar from the post of Sepoy.</p> <p>The submission of learned counsel for the applicant is that due to to filing of the aforesaid O.A. No. 464 of 2012 the authorities became annoyed which resulted into referring him to the Hospital as a Psychiatric patient and ultimately, on the opinion of respondent no.6, the applicant has been discharged from service. Mala fides have also been alleged against respondent no. 6.</p> <p>In the circumstances we direct that this case be connected with the aforesaid O.A. No. 646 of 2012.</p> <p>Let notice be issued to respondent no. 6 showing the date of next listing in the case.</p> <p>Respondents no. 1 to 5 are directed to file their counter affidavit within six weeks, particularly with respect to Section 21 of the A.F.T. Act, 2007.</p>

List this case again on 28.7.2015 before the Circuit Bench at Jabalpur.

It is, however, expected from the respondents that till the date of next listing the applicant shall not be disturbed from the accommodation in his possession.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 136 of 2012

Dhan Raj

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>12.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Heard learned counsel for the parties.</p> <p>Arguments concluded.</p> <p>Judgment reserved.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

M.A. No. 1080 of 2013

Bhagwan Dass

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
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11.05.2015

Hon'ble Mr. Justice Abdul Mateen, Member (J)

Hon'ble Lt. Gen. A.M. Verma, Member (A)

Present: Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.

List has been revised. No one appears for the applicant. List this case again on 27.7.2015 before the Circuit Bench at Jabalpur.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 119 of 2014 with M.A. No. 1389 of 2014

Smt. Bhagwati Thakur

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri Uma Kant Sharma, learned Standing Counsel for the applicant and Ms. Kanak Gaharwar, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p><u>Misc. Application No. 1389 of 2014.</u></p> <p>This is an application moved on behalf of the applicant to implead Smt. Meena Nepali and Sagar Nepali the erstwhile wife and son of late Roshan Singh and also the Union of India as the respondents.</p> <p>Heard learned counsel for the parties.</p> <p>The application is allowed. Let Smt. Meena Nepali and Sagar Nepali as well as Union of India be impleaded as newly added respondents.</p> <p>Let counter affidavit may file by the respondents within six weeks.</p> <p>List on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 166 of 2014

Puran Lal 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 C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri S.P. Tiwari, learned Standing Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant submits that no counter affidavit has yet been filed by the respondents. Learned counsel for the respondents prays for and is granted further six weeks' time to file counter affidavit.</p> <p>List on 28.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 21 of 2011

Om Prakash 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 C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh, learned Standing Counsel for the applicant and Shri D.K. Pandey, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>After hearing learned counsel for the applicant at some length on admission of this T.A., it came out that although the applicant, as per argument of learned counsel for the applicant, is entitled for disability pension, but we find that no prayer has been made on that behalf in the T.A.</p> <p>Learned counsel for the applicant prays for and is granted two weeks' time to move amendment application.</p> <p>List on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 179 of 2010

Mahabeer 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 C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildyal, learned Standing Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>This case has been listed for hearing today.</p> <p>Heard learned counsel for the parties at length.</p> <p>This O.A. has been filed by the applicant seeking the following reliefs :</p> <p>“1. <i>Issue an order or direction to quash the discharge orders dated 15/09/2009 passed by opposite party no. 3 <u>Annexure No. A-1</u> and Appellate order dated 15-06-2010.</i></p> <p>2. <i>Issue an order or direction commanding the respondents to allow the applicant in service with all consequential service benefits.</i></p> <p>3. <i>Any other order or direction which this Hon'ble Tribunal deem fit and proper in the circumstances of the case also be passed in favour of the applicant.”</i></p> <p>The argument advanced by learned counsel for the applicant is that earlier the applicant was recruited in the Indian Army as a Clerk after he attained the age of 23 years, 3 months and 23 days, date of birth of his being 1.9.1985, but during his tenure as Clerk he was required to pass the Clerk Aptitude Test but he failed to go through that test at the first instance and thereafter he was afforded a second change to clear that test but again he could not succeeded in that test. Thereafter the applicant applied to the respondents for change of his</p>

Trade from Clerk to Tradesman, but this application of the applicant, after being considered by the respondents, was rejected on 16.3.2010 on the ground that since the applicant at the time of recruitment as Clerk was 23 years, 3 months and 23 days, meaning thereby that the applicant was overage with respect to any other Trade except for the post of Clerk and, therefore, he could not be allowed to change the Trade from the post of Clerk to any other Trade. Further since the applicant could not be able to clear the aptitude test for the post of Clerk twice he was discharged from service vide order dated 15.9.2009.

In rebuttal learned counsel for the respondents submits that since the applicant himself, as per record, was overage for any other Trade except Clerk at the time of his initial recruitment since he had already crossed 23 years of age, the upper age limit fixed for any other Trade, as such he was rightly declared not eligible as a candidate to change the Trade.

We find force in the argument of learned counsel for the respondents. Accordingly, the argument put forth by learned counsel for the respondents deserves to be accepted and the argument of learned counsel for the applicant deserves to be discarded.

In view of above, this Original Application No. 179 of 2010 is dismissed without any order as to costs.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

PG.

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 4 of 2012

Sukhjit 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 C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri, learned Standing Counsel for the applicant and Shri....., learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>Accordingly, list this case on .7..2015 for before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

O.A. No. 124 of 2013

Dilip Awasthi

By Legal Practitioner for Applicant

Applicant

Versus

Union of India & Others

By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri K.C. Ghildiyal, learned Standing Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case learned counsel for the applicant prays for and is granted two weeks' further time to move amendment application, as directed by the Court on 20.3.2015.</p> <p>List on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) (Justice Abdul Mateen) Member (A) Member (J)</p> <p>PG.</p>

Form No. 4

[See rule 11(1)]

ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

C.B. Jabalpur

T.A. No. 891 of 2010 with M.A. No. 990 of 2014

Nashib Kaur

Applicant

By Legal Practitioner for Applicant

Versus

Union of India & Others

Respondents

By Legal Practitioner for Respondents

Notes of the Registry	Orders of the C.B. Jabalpur
	<p><u>11.05.2015</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>Present: Shri R.B. Singh holding brief of Shri Nashib Kaur, learned Standing Counsel for the applicant and Shri Bhanu Pratap Singh Chauhan, learned counsel for the respondents, along with Capt Manisha Yadav, Departmental Representative.</p> <p>On call of the case we find that this T.A. has not yet been admitted, though this case has been listed by the office for hearing. Further we also find that the respondents have not yet complied the orders dated 22.5.2014, 25.8.2014, 13.10.2014 and 18.3.2015, passed by the Court. Again we also find that the Amendment Application No. 990 of 2014 has not yet been disposed of.</p> <p>The respondents are directed to comply the aforesaid orders dated 22.5.2014, 25.8.2014, 13.10.2014 and 18.3.2015, passed by the Court.</p> <p>The office is directed to list M.A. No. 990 of 2014 for orders and this T.A. for admission on 27.7.2015 before the Circuit Bench at Jabalpur.</p> <p>(Lt. Gen A.M. Verma) Member (A)</p> <p>(Justice Abdul Mateen) Member (J)</p> <p>PG.</p>