

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

1.

OA 351/2014

Sep Varinder Kumar

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Ms. Archana Ramesh, Advocate

For Respondents

: Mr. K.K.Tyagi, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

OA is allowed.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

2.

OA 851/2018

Ex.Nk(TS) Janak Raj

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. J.P.Sharma, Advocate

For Respondents

: Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Learned counsel for the applicant seeks permission to withdraw this OA with liberty to file the same in proper forum.

2. Learned counsel for the respondents has no objection to the same.

3. In view of the above, OA is dismissed as withdrawn with liberty as prayed for.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

3.

OA 1191/2018

Ex.WO Rajinder Prasad Chaudhary Applicant

Versus

Union of India & Ors Respondents

For Applicant : Mr. Naresh Ghai, Advocate

For Respondents : Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Admit.

2. Issue notice to the respondents.

3. Notice is accepted by Ms. Jyotsana Kaushik, Advocate on behalf of the respondents. He seeks time to file counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

4. List on **30.08.2018** before the Principal Registrar for completion of pleadings.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

5.

OA 1194/2018

Sub Par Singh (Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. S.S.Pandey, Advocate

For Respondents

: Mr. Prabodh Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

O R D E R

18.07.2018

By way of this OA, applicant seeks fixing of his pay.

At the outset, learned counsel for the respondents objects to the jurisdiction of this Tribunal to entertain the OA.

3. Learned counsel for the applicant submits that similar issue is involved in other OAs which are listed for hearing on 23.08.2018. As such, re-list the same on **23.08.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

6.

OA 1195/2018

Sub (AIG) Jaipal Singh(Retd.) Applicant

Versus

Union of India & Ors Respondents

For Applicant : Mr. S.S.Pandey, Advocate

For Respondents : Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

By way of this OA, applicant seeks fixing of his pay.

2. At the outset, learned counsel for the respondents objects to the jurisdiction of this Tribunal to entertain the OA.

3. Learned counsel for the applicant submits that similar issue is involved in other OAs which are listed for hearing on 23.08.2018. As such, re-list the same on **23.08.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

7.

OA 1198/2018

Sub Nagender Singh

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. S.S.Pandey, Advocate

For Respondents

: Mr.J.S.Rawat, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Present OA has been filed by the applicant for fixation of his pay.

2. At the outset, Major BVS Chaudhary, submits that the applicant has served two copies of the OA and it is not clear as to which is the correct OA which has been filed by him.

3. Learned counsel for the applicant submits that he will clarify the same during the course of the day.

4. Another objection taken by the respondents is regarding jurisdiction of this Tribunal to entertain the instant OA.

5. Learned counsel for the applicant submits that similar matters are listed for 23.08.2018, as such, this matter be also listed along with.

6. Relist on **23.08.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

8.

OA 1199/2018

Sub Bharat Lal Dewangan(Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. S.S.Pandey, Advocate

For Respondents

: Ms.Barkha Babbar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

By way of this OA, applicant seeks fixing of his pay.

2. At the outset, learned counsel for the respondents objects to the jurisdiction of this Tribunal to entertain the OA.

3. Learned counsel for the applicant submits that similar issue is involved in other OAs which are listed for hearing on 23.08.2018. As such, re-list the same on **23.08.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

9.

OA 1201/2018

Sub Predman Krishan Bhat(Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. S.S.Pandey, Advocate

For Respondents

: Mr.S.R.Swain, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

By way of this OA, applicant seeks fixing of his pay.

2. At the outset, learned counsel for the respondents objects to the jurisdiction of this Tribunal to entertain the OA.

3. Learned counsel for the applicant submits that similar issue is involved in other OAs which are listed for hearing on 23.08.2018. As such, re-list the same on **23.08.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

10.

OA 1202/2018

Sub C Marimathu (Retd.) Applicant

Versus

Union of India & Ors Respondents

For Applicant : Mr. S.S.Pandey, Advocate

For Respondents : Mr.Y.P.Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Present OA has been filed by the applicant for fixation of his pay.

2. At the outset, Major BVS Chaudhary, submits that the applicant has served two copies of the OA and it is not clear as to which is the correct OA which has been filed by him.

3. Learned counsel for the applicant submits that he will clarify the same during the course of the day.

4. Another objection taken by the respondents is regarding jurisdiction of this Tribunal to entertain the instant OA.

5. Learned counsel for the applicant submits that similar matters are listed for 23.08.2018, as such, this matter be also listed along with.

6. Relist on **23.08.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

11.

OA 1203/2018

Sub Om Prakash (Retd.)

..... **Applicant**

Versus

Union of India & Ors

..... **Respondents**

For Applicant : Mr. S.S.Pandey, Advocate

For Respondents : Mr.J.S.Yadav, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

By way of this OA, applicant seeks fixing of his pay.

At the outset, learned counsel for the respondents objects to the jurisdiction of this Tribunal to entertain the OA.

3. Learned counsel for the applicant submits that similar issue is involved in other OAs which are listed for hearing on 23.08.2018. As such, re-list the same on **23.08.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

12.

OA 1204/2018 with MA 1107/2018

Ex.Nk Reshipal Singh

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Mr.V.Pattabhiram, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Admit.

2. Issue notice to the respondents.

3. Notice is accepted by Mr. V.Pattabhiram, Advocate on behalf of the respondents. He seeks time to file counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

4. List on **30.08.2018** before the Principal Registrar for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

13.

OA 1205/2018 with MA 1108/2018

Ex.Sgt Santosh Kumar Mishra

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. Praveen Kumar, Advocate

For Respondents

: Mr. Harish V.Shankar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Admit.

2. Issue notice to the respondents.

3. Notice is accepted by Mr. Harish V. Shankar, Advocate on behalf of the respondents. He seeks time to file counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

4. List on **30.08.2018** before the Principal Registrar for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

14.

OA 1206/2018 with MA 1109/2018

Ex. Sgt Umesh Kumar Ray

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. Praveen Kumar, Advocate

For Respondents

: Dr.V.S.Mahndiyan, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Admit.

2. Issue notice to the respondents.

3. Notice is accepted by Dr.V.S.Mahndiyan, Advocate on behalf of the respondents. He seeks time to file counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

4. List on **30.08.2018** before the Principal Registrar for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

15.

OA 1207/2018

Ex. Hav/Clk Surender

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.A.K.Trivedi, Advocate

For Respondents

: Maj BVS Chaudhary, OIC Legal Cell

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Present OA has been filed by the applicant claiming the benefit of broad-banding of disability element of pension from 20% to 50% w.e.f. 01.10.2009 in the light of Government of India, Ministry of Defence Letter No.1(2)/97/D(Pen-C) dated 31.01.2018 and judgement of Hon'ble Supreme Court dated 10.12.2014 in the case of Union of India & Ors Vs Ram Avtar, CA No.418/2012. The applicant also claims interest @ 18% p.a. on the arrears till the date of payment.

2. Learned counsel for the respondents has no objection for broad banding of disability element of pension to the applicant from 20% to 50% for life, subject to verification. However, It is submitted that the judgment dated **01.12.2017 passed by the Larger Bench of this Tribunal in OA 1439/2016 Ex Sgt Girish Kumar Vs UOI & Ors.** has been challenged by Union of India by filing civil appeal Diary No.(s)21811/2018 and operation of the impugned judgement and order passed by Larger Bench has been stayed. However, as per the submissions made by Learned Additional Solicitor General, Union of

India that Union of India will be advised to release disability pension for a period of three years prior to filing of the OA or the date of retirement, appropriate orders in accordance with the submissions may be passed.

3. That being so, subject to verification, the applicant is granted benefit of rounding off of disability element of pension from 20% to 50% for life. However, the arrears be granted for three years preceding to filing of the present OA. The arrears be paid within a period of four months from date of receipt of this order failing which the applicant shall be entitled to the interest @ 8% p.a.

4. Subject to the outcome of the aforesaid appeal filed by the Union of India, the applicant will be at liberty to move appropriate representation before the competent authority in the light of the verdict which will be given by Hon'ble Supreme Court.

5. OA stands disposed off accordingly.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

16.

MA 306/2018 with OA 86/2016

Ex Nk Manohar Lal

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. Naresh Ghai, Advocate

For Respondents

: Mr. Ashok Chaitanya, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Learned counsel for the respondents submits that the order has been implemented by the respondents. Copy of the same has also been supplied to counsel for the applicant. As per letter dated 18.07.2018, necessary corr. PPO, if not already issued, be issued within six weeks.

2. Nothing survives in the MA, the same stands disposed of.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN. SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

17.

MA 499/2018 with OA 419/2017

Col Arun Mukherji Retd

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. R.K.Tripathi, Advocate

For Respondents

: Mr. Shyam Narayan, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

MA 499/2018

By virtue of this application, applicant seeks restoration of the OA which was dismissed for non-prosecution on 14.03.2018. Learned counsel for the applicant has shown his diary and filed photo copy of the same on record.

2. Learned counsel for the respondents has no objection in allowing of the application.

3. In view of the averments made in the application which are duly supported by his affidavit, the application is allowed and OA is restored to its original number and file.

OA 419/2017

List for final hearing on **23.10.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN. SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

18.

TA 646/2009 Writ Petition(Civil)No.12353/2005

Ex Hav Nancha Ram Jat Applicant

Versus

Union of India & Ors Respondents

For Applicant : Mr. N.L.Bareja, Advocate

For Respondents : Mr.J.S.Yadav, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Arguments concluded by learned counsel for the applicant.

2. Part arguments made by learned counsel for the respondents heard. However, it is submitted that after the matter was disposed off by this Tribunal, entire record was sent back to Army Headquarter for preferring appeal before Hon'ble Supreme Court. It is not clear, now where the concerned record lies and may take some time. He is trying hard to get the records as early as possible so that arguments can be concluded and seeks two weeks' time for the same.

3. Endeavour be made to get the concerned records within two weeks' so that arguments can be concluded on the next date of hearing.

4. Relist for hearing on **07 & 08 August, 2018.**

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

19.

OA 305/2013

Brig PK Dutta (Retd.)

..... **Applicant**

Versus

Union of India & Ors

..... **Respondents**

For Applicant

: Mr. V.S.Kadian, Advocate for
Mr. IS Singh, Advocate

For Respondents

: Mr.Karan Singh Bhati, Sr.CGSC with
Mr. Aman Brar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Learned senior counsel for the respondents submits that at the time of retirement, the applicant was discharged in Shape-1, however, subsequently, medical was done and there are conflicting opinions of Base Hospital and RR Hospital. Therefore, he wants to file additional affidavit explaining the latest position.

2. Let additional affidavit be filed by the respondent within two weeks with an advance copy to counsel for the applicant, who may, if so desires, file reply to the same.
3. Re-list the matter for hearing on **17.09.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

20.

OA 233/2015 with MA 268/2015

Sep Ram Chander (Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Ms. Archana Ramesh, Advocate

For Respondents

: Mr. K.K.Tyagi, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Learned counsel for the applicant seeks time to address arguments.

2. Re-list for hearing on **12.10.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

21.

OA 491/2015

Smt. Godambari Devi

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr. V.S.Kadian, Advocate
For Respondents : Mr.Y.P.Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Learned counsel for the respondents seeks time to address arguments.

2. Re-list for hearing on **17.10.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

22.

OA 639/2015 with MA 686/2015

Sepoy Raju Popat Bhai

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Ms. Archana Ramesh, Advocate

For Respondents : Mr. Avdhesh Kumar Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

We are busy in hearing part-heard matter in SCM pertaining to year 2005, as such, there is no likelihood to take up this matter today.

2. Re-list for hearing on **18.10.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

23.

OA 1124/2015

Ex.HFO Lakshman Singh

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. J.P.Sharma, Advocate

For Respondents

: Mr. Avdhesh Kumar Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

We are busy in hearing part-heard matter in SCM pertaining to year 2005, as such, there is no likelihood to take up this matter today.

2. Re-list for hearing on **23.10.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

24.

OA 848/2016 with MA 648/2016

Ex. Sep Kanwar Singh

..... **Applicant**

Versus

Union of India & Ors

..... **Respondents**

For Applicant : Ms. Archana Ramesh, Advocate

For Respondents : Mr. Ashok Chaitanya, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

In the counter affidavit, it has been averred by the respondents that Civil Suit was filed by the applicant challenging his discharge from service which was transferred to Armed Forces Tribunal (RB) Chandigarh and the same has been dismissed.

2. Learned counsel for the applicant submits, although it is alleged that copy of order is annexed with the counter affidavit, however the same has not been placed on record.

3. Learned counsel for the applicant also submits that she is also not aware of passing of any order by the AFT (RB), Chandigarh.

4. Learned counsel for the respondents seeks time to place on record copy of order on record. Same be filed within two weeks.

5. Relist the matter for hearing on **17.09.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

25.

OA 185/2017

Sep/MT B Manmadan

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.KPS Chauhan, Advocate

For Respondents

: Maj BVS Chaudhary, OIC Legal Cell

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Maj. BVS Chaudhary states that comments have been received recently, as such, more time is sought for filing the counter affidavit.

2. It is shocking that on 21.03.2018, Maj Charul Bhat, OIC Legal Cell has stated that counter affidavit is ready and same will be filed in the Registry on that date

3. In the interest of justice, four weeks time is granted to the respondents to file counter affidavit with an advance copy to counsel for the applicant.

4. It is stated that matter is connected with OA No.70/2018 to 74/2018, as such re-list this matter with connected matters on **12.11.2018.**

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

26.

OA 1289/2017 with MA 382/2018

Ex. Sgt. K Venkatesh

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Mr. K.K.Tyagi, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Counter affidavit has already been filed. Rejoinder, if any be filed within four weeks with an advance copy to counsel for the respondents.

2. Re-list for hearing on **02.11.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

27.

OA 1485/2017 with MA 1109/2017

Sqn.Ldr Shekhar Singh Rawat

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr. R.K.Tripathi, Advocate

For Respondents : Mr. K.K.Tyagi, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Counter affidavit has already been filed. Rejoinder, if any be filed within four weeks with an advance copy to counsel for the respondents.

2. Re-list for hearing on **02.11.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

28.

OA 1569/2017

Ex. Sgt Utam Kumar

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.Praveen Kumar, Advocate

For Respondents

: Mr. Ashok Chaitanya, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Two weeks more time is sought by learned counsel for the respondents for filing counter affidavit. Same be filed within two weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within four weeks thereafter.

2. Re-list for hearing on **2.11.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

29.

OA 1623/2017

Col Satish Kumar Dagar (Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr. Anil Srivastava, Advocate

For Respondents

: Mr. Ashok Chaaitanya, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Disposed of .

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN. SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

30.

OA 70/2018

Nk/MT Jai Prakash

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr.KPS Chauhan, Advocate
For Respondents : Mr. JS Yadav, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Counter not filed. Learned counsel for the respondents submits that he will be filing the same in the Registry with an advance copy to counsel for the applicant, who may file rejoinder, if any, within four weeks thereafter.

2. Re-list for hearing along with connected matters on **12.11.2018.**
3. Interim order dated 12.01.2018 to continue till then.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

COURT No.3, ARMED FORCES TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

31.

OA 71/2018

Nk/MT Dula Ram

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.KPS Chauhan, Advocate

For Respondents

: Mr. Rajesh Kumar Das, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Counter not filed. More time is sought for filing the same. Let the same be filed within four weeks from today with an advance copy to counsel for the applicant, who may file rejoinder, if any, within four weeks thereafter.

2. Re-list for hearing along with connected matters on **12.11.2018.**
3. Interim order dated 12.01.2018 to continue till then.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

32.

OA 72/2018

Nk/MT Ram Raj Singh Yadav

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.KPS Chauhan, Advocate

For Respondents

: Mr. Prabodh Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Counter affidavit has been filed today.

2. Learned counsel for the applicant does not want to file rejoinder.

3. Re-list for hearing along with connected matters on **12.11.2018.**

4. Interim order dated 12.01.2018 to continue till then.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

33.

OA 73/2018

Nk/MT Ashutosh Pandey

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.KPS Chauhan, Advocate

For Respondents

: Mr. Avdhesh Kumar Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Learned counsel for the respondents submits that he will file counter affidavit today in the Registry. Advance copy of the same be supplied to counsel for the applicant, who may file rejoinder, if any, within four weeks thereafter.

2. Re-list for hearing along with connected matters on **12.11.2018.**
3. Interim order dated 12.01.2018 to continue till then.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

34.

OA 74/2018

Nk/MT Prafulla Bora

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.KPS Chauhan, Advocate

For Respondents

: Mr.J.S.Yadav, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Counter affidavit has been filed today.

2. Learned counsel for the applicant does not want to file rejoinder.
3. Re-list for hearing along with connected matters on **12.11.2018.**
4. Interim order dated 12.01.2018 to continue till then.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

35.

OA 504/2018 with MA1006/2018

**Smt. Chhima Devi w/o Late Swr Ram Swaroop Applicant
Versus**

Union of India & Ors Respondents

For Applicant : Mr.A.K.Trivedi, Advocate

For Respondents : Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Claim of the applicant in the present OA is that her husband Swr Ram Swaroop died on 12.11.2005. She was drawing her family pension upto October 2012. Thereafter, it was stopped on the ground that she had not submitted Life Certificate in the Bank. Despite representation, same has not been restored.

2. Learned counsel for the applicant states that the respondents have now started paying pension with effect from December, 2016 but the arrears have not been paid.

3. As per counter affidavit filed by respondent Nos.1 to 4, they have been writing letters to respondent No.5 to release the pension of the applicant but no response is being received. Even no counter affidavit has been filed on behalf of respondent No.5, as such, concerned person from PCDA (P), Allahabad is directed to be personally present on the next date of hearing to explain position.

4. Re-list for hearing on **31.10.2018**.

5. Copy **dasti**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

36.

OA 506/2018

Ex.PO Harvinder Singh Yadav

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.A.K.Trivedi, Advocate

For Respondents

: Mr. Shayam Narayan, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

More time is sought by learned counsel for the respondents for filing counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

2. List on **28.08.2018** before the Principal Registrar for completion of pleadings.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

37.

OA 507/2018

Smt. Savitri Devi w/o Late Ex. NAOMI Manoj Kumar

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.A.K.Trivedi, Advocate

For Respondents

: Mr.Abhimanyu Gupta, Advocate for
Mr. Tarunvir Singh Khehar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

More time is sought by learned counsel for the respondents for filing counter affidavit. Same be filed within six weeks with an advance copy to counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

2. List on **28.08.2018** before the Principal Registrar for completion of pleadings.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

38.

OA 123/2014 with MA 130/2014

Sep Jai Chand

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Ms.Archana Ramesh, Advocate

For Respondents : Mr. S.P.Sharma, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

Learned counsel for the respondents has placed on record report of RSMB. A copy of the same has been supplied to learned counsel for the applicant.

2. Relist for final hearing on **31.10.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

39.

OA 663/2016

Wg Cdr Vinod Nebb(Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant

: Mr.V.S.kadian, Advocate

For Respondents

: Mr. Shayam Narayan, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
18.07.2018

List for final hearing on **27.09.2018**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.SANJIV CHACHRA)
MEMBER (A)

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

3-Reg.

OA 502/2016

Smt. Saroj Devi

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : Mr.A.K.Trivedi, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

Respondents are directed to bring the original medical record and Part II orders.

2. Re-list for final hearing on **02.11.2018**.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

4-Reg.

OA 507/2016

Maj Saurabh Moond (Retd.)

..... Applicant

Versus

Union of India & Ors

..... Respondents

For Applicant : None

For Respondents : Maj BVS Chaudhary, OIC Legal Cell

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER

18.07.2018

List the matter for regular hearing as per seriatim.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT. GEN.SANJIV CHACHRA)
MEMBER (A)**

18.07.2018nk

