

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

1.

OA 387/2016

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr., Advocate

For Respondents : Mr., Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

2.

OA 1972/2018

Ex Hony Nb Sub Sube Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. U.S. Maurya, Advocate

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

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

**ORDER
10.12.2018**

1. It is stated by the counsel for the respondents that pension of the applicant has been fixed and PPO has been received but the counsel for the applicant submits that the same is not in accordance with the order and pension has not been granted in the rank of Hony Nb. Subedar.

2. Counsel for the respondents seeks time to take necessary instructions and get the order implemented. Same be done within six weeks.

3. List on **13.03.2019**.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

3.

OA 1993/2018

Ex PO Rajendra Kumar Sharma

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Virender Singh Kadian, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. Notice is accepted by Mr. Arvind Patel, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

4.

OA 2000/2018

Sub Srikanta Kumar Mohanty (Retd) Applicant

Versus

Union of India & Ors. Respondents

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

For Respondents : Mr. Shyam Narayan, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

By way of this O.A. the applicant claims fixation of pay. At the outset counsel for the respondents objects to the maintainability of the O.A. on the ground of jurisdiction as well as the fact that applicant has not exhausted statutory remedies before approaching the Tribunal. It is stated by the counsel for the applicant that cases involving the same issues are listed on 14.12.2018. As such this case be also listed on **14.12.2018.**

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

5

OA 2001/2018

Col Hemant Chaturvedi (Retd)

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. Rajesh Kumar Das, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

By way of the present application applicant claims disability pension. First appeal was filed on 14.03.2018 but so far no reply has been received. Counsel for the respondents seeks time to take necessary instructions regarding disposal of the appeal. In the mean time, in order to avoid further delay, notice is issued in the O.A. Notice is accepted by Mr. Rajesh Kumar Das, advocate for the respondents, who may file counter affidavit within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List on **17.01.2019** before Principal Registrar's Court..

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

6.

OA 2003/2018 with MA 2198/2018

Ex Gnr Bhola Ram

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. Anil Gautam, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr. Anil Gautam, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

7.

OA 2004/2018 with MA 2199/2018

AVM SK Chakrabarty

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr., Harish V. Shankar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER
10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr. Harish V. Shankar, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)

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

8.

OA 2005/2018 with MA 2200/2018

Ex LD (GD) Anek Ram Meena

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Ms. Jyotsna Kaushik, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Ms. Jyotsna Kaushik, advocate for the respondents. She seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

9.

OA 2006/2018 with MA 2201/2018

Ex Hav Chhitar Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Praveen Kumar, Advocate

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

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

**O R D E R
10.12.2018**

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr.J.S. Rawat, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

10.

OA 2007/2018

Sub (Hony Sub Maj) Nimat

Chandra Karmarkar

.....Applicant

Versus

Union of India & Ors.

.....Respondents

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

For Respondents : Mr. V. Pattabhi Ram, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

By way of this O.A. the applicant claims fixation of pay. At the outset counsel for the respondents objects on the ground of jurisdiction as well as the applicant has not exhausted with statutory opportunities before approaching the Tribunal. It is stated by the counsel for the applicant that cases involving the same issues are listed on 14.12.2018. As such this case also be listed on **14.12.2018**.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

11.

OA 2008/2018

Sub Baidya Nath Roy (Retd.)

.....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. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

By way of this O.A. the applicant claims fixation of pay.

At the outset counsel for the respondents objects to the maintainability of the O.A. on the ground of jurisdiction as well as the applicant has not exhausted statutory remedies before approaching the Tribunal. It is stated by the counsel for the applicant that cases involving the same issues are listed on 09.01.2019. As such this case also be listed on

09.01.2019.

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

**(LT.GEN. PHILIP CAMPOSE)O
MEMBER (A)**

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

12.

OA 2009/2018

Sub Mohamad Anees Dar (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. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

By way of this O.A. the applicant claims fixation of pay. At the outset counsel for the respondents objects to the maintainability of the O.A. on the ground of jurisdiction as well as the applicant has not exhausted statutory remedies before approaching the Tribunal. It is stated by the counsel for the applicant that cases involving the same issues are listed on 14.12.2018. As such this case be also listed on **14.12.2018.**

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

13.

OA 2010/2018

Sub Dhirendra Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

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

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr. S.P. Sharma, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **17.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

14.

OA 2011/2018 with MA 2206/2018

Ex L/Dafadar Hemendra Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER
10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr. Arvind Patel, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **22.01.2019** for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)

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

15.

OA 2012/2018 with MA 2207/2018

Sep Lamkhade Anil Rangnath

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

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

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr.K.K. Tyagi, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **22.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

16.

OA 2013/2018 with MA 2208/2018

Ex Rect Ramashray Singh Yadav

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. V.S. Tomar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Heard.

2. Admit.

3. Issue notice in O.A. as well as M.A. Notice is accepted by Mr.V.S. Tomar, advocate for the respondents. He seeks time to file counter affidavit. Same be filed within four weeks with advance copy to the applicant who may file rejoinder within two weeks thereafter.

4. List before Principal Registrar on **22.01.2019** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

17.

MA 1233/2016 in OA 298/2014

Sub Chand Ram Dahiya

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Son of the applicant.

For Respondents : Ms. Barkha Babbar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Son of the applicant is present. He requests for an adjournment on the ground that the applicant is admitted in the hospital. Even the counsel is not available.

2. The applicant has filed the application showing correct calculation sheet as per order of the Tribunal dated 23.04.2018. Counsel for the respondents seeks time to respond to this M.A. Reply be filed within four weeks with copy to the applicant.

3. Ms. Archana Ramesh, Advocate submits that she is no longer counsel for the applicant in this case. As such Registry is directed not to show the names of Ms. Archana Ramesh or Mr. K. Ramesh in this case.
4. List on **07.02.2019**.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)

sudha

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

18.

**CA 3/2017 with MA 606/2018, MA 609/2018,
MA1786/2018 & MA 1787/2018 in OA 298/2014**

Sub Chand Ram Dahiya

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Son of the applicant.

For Respondents : Ms. Barkha Babbar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

List this along with M.A. 1233/2016 in OA 298/2014 on

07.02.2019.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

19.

MA 881/2018 in OA 920/2016

Brig Jagdish Singh & Ors.

.....Applicants

Versus

Union of India & Ors.

.....Respondents

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

For Respondents : Mr. Karan Singh Bhati, Sr. CGSC

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Counsel for the applicant submits that the present MA has been filed based on the decision passed by the Larger Bench in Ex Sgt Girish Kumar Vs. UoI & Ors. The appeal filed by respondents is still pending in Hon'ble Supreme Court. As such it is stated that this application be consigned sine die till disposal of Hon'ble Supreme Court's decision.

2. Counsel for the respondents has no objection to this submission. However, he submits that he has not received copy of the M.A. Same be supplied to him.

3. M.A. be consigned to record room with liberty to seek its revival subject to decision of Hon'ble Supreme Court.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)

sudha

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

20.

OA 670/2018 with MA 1873/2018

Ex WO OP Thareja

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Ajit Kakkar, Advocate

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

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

MA 1873/2018

Vide this application, applicant seeks condonation of delay of 50 days in filing counter affidavit. In view of the averments made in the application the delay in filing the counter affidavit is condoned and the same is taken on record.

2. The M.A. stands disposed off.

OA 670/2018

Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

21.

OA 274/2016

Maj. Gen P.K. Mallick (Retd.)

.....Applicant

Versus

Union of India & Ors.

.....Respondents

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

For Respondents : Mr.Karan Singh Bhati,Sr. CGSC with
Dr. Vijendra Singh Mahindiyan, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

On request of the counsel for the applicant relist on

03.04.2019.

2. Counsel for the applicant does not want to file rejoinder.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

22.

OA 889/2016 with MA 1437/2018

Ex Maj Ranvir Singh

.....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. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

MA 1437/2018

Vide this application the respondents seek permission to place on record additional affidavit. Permission is granted.

The additional affidavit is taken on record.

2. Arguments heard. Order reserved.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

23.

OA 1784/2017 with MA 1337/2017

Ex Wo Mahendra Prasad

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Mr. V.S. Tomar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Counter affidavit has been filed. Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

24.

OA 335/2018 with MA 1884/2018

**Smt. Neetu Teotia W.O Late
Devendra Singh Teotia ME-1**

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. Karan Singh Bhati, Sr CGSC

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

MA 1884/2018

Vide this application, applicant seeks condonation of delay in filing counter affidavit. In view of the averments made in the application the delay in filing the counter affidavit is condoned and the same is taken on record.

2. M.A. stands disposed off.

OA 335/2018

Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

25.

OA 960/2018 with MA 860/2018

Smt. Jai Devi W/o

Late Ex Sep Rajbir Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

MA 860/2018

Respondents have filed reply to the application moved by the applicant seeking condonation of delay in filing the reply.

The same is condoned and the reply is taken on record.

OA 960/2018

Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

26.

O.A. 1004/2018 with MA 895/2018

Ex Swr Dharamvir Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. V.S. Kadian, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Counter affidavit has been filed. Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

27.

OA 659/2015

Capt (Retd) Ram Saran Singh

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Applicant in person, Advocate

For Respondents : Major BVS Chaudhary, OIC, Legal Cell

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Applicant is present in person and has placed on record a certificate issued by Capt Rohit Sethi, Adj for Co. stating that the area where applicant suffered injury was operational. Counsel for both the parties are not present. Major BVS Chaudhary, OIC, Legal Cell seeks time to verify the certificate and competency of the person who issued the certificate that the area was operational as the same has wide repercussion on the case. Moreover, even Gazette Notification has not been placed on record by the counsel for the applicant.

2. On request of applicant list on **03.04.2019.**

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

28.

OA 704/2016 with MA 538/2016

Col Randip Sahu (Retd.)

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Ms. Archana Ramesh, Advocate

For Respondents : Major BBS Chaudhary, OIC, Legal Cell

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER

10.12.2018

Counsel for the respondents has not come. Major BBS Chaudhary has no information as to why the counsel has not come. Although, original proceeding have not come, however he has received certified copies of the same. Copies of the same be provided to the Tribunal as well as to the counsel for the applicant.

2. Counsel for the applicant states that she is not pressing relief regarding AGIR benefit and confines her prayer to the grant of disability pension

2. Arguments heard. Order reserved.

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

29.

TA 735/2009 Writ Petition No. 7302/2001

Ex Hav/Clk Udmi Ram

.....Applicant

Versus

Union of India & Ors.

.....Respondents

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

For Respondents : Mr. V.S. Tomar, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

It is pointed by Major BVS Chaudhary, OIC, Legal Cell that Mr. S.S. Pandey, Advocate who is appearing for the applicant has dealt with this case as OIC, High Court in 2007-2008 for the respondents at some or the other stage. As such it will not be desirable for him to appear in this matter. Counsel for the applicant submits that he will inform the applicant to engage some other counsel.

2. Mr. S.S. Pandey, Advocate is directed to ensure that on the next date of hearing he should also be present in the court along with the other counsel.

3. Relist on **28.01.2019**.

(JUSTICE SUNITA GUPTA)

MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)

MEMBER (A)

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

30.

TA 449/2010 WP(C) 8809/2003

Ex Maj C. Prasad

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant :Applicant in person.

For Respondents : Mr. Anil Gautam, Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

Applicant requests for an adjournment on the ground that grand child of the counsel for the applicant is not well and therefore, he seeks time to engage some other counsel. Adjournment is not opposed by the respondents. The case is also fixed for 11.12.2018. The said date is also cancelled.

2. List on **11.02.2019 and 12.02.2019.**

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

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

1

MA 1316/2018 in OA 486/2015

Brig (Now Maj Gen) Satya

Prakash Yadav

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant :None for the applicant.

For Respondents : Mr. Karan Singh Bhati, Sr. CGSC

CORAM:

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

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

**O R D E R
10.12.2018**

By way of this O.A. the applicant seeks leave to appeal.

2. List before the Bench which could pass the order as and when this Bench will assemble.

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

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

sudha

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

OA

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr., Advocate

For Respondents : Mr., Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha

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

OA

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr., Advocate
For Respondents : Mr., Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)
HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R
10.12.2018

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)

sudha

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

OA

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr., Advocate

For Respondents : Mr., Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

O R D E R

10.12.2018

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

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

sudha