

Form No. 4
[See rule 11(1)]
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1
ORDER BY CIRCULATION.

M.A. No. 688 of 2016 with R.A. No. 25 of 2016
(Inre: O.A. No. 135 of 2012)

Union of India & others
By Legal Practitioner for Applicants

Applicants

Versus

Parikhhan Pal
By Legal Practitioner for Respondent

Respondent

Notes of the Registry	Orders of the Tribunal
	<p><u>12.04.2016</u> <u>Hon'ble Mr. Justice Abdul Mateen, Member (J)</u> <u>Hon'ble Lt. Gen. A.M. Verma, Member (A)</u></p> <p>This Review Application, filed by the applicants under Rule 18 of the A.F.T. (Procedure) Rules, 2008, has come before us by means of circulation under Rule 18(3) of the A.F.T. (Procedure) Rules, 2008 and is being taken up for decision.</p> <p><u>Misc. Application No. 688 of 2016.</u></p> <p>This is an application for condonation of delay in filing Review Application No. 25 of 2016 arising out of our judgment and order dated 27.8.2015, passed in O.A. No. 135 of 2012.</p> <p>By means of the aforementioned judgment and order dated 27.8.2015 we had partly allowed the O.A.</p> <p>As per office report, there is a delay of 6 months and 2 days in filing the Review Application.</p> <p>Rule 18(1) of the A.F.T. (Procedure) Rules, 2008 specifically prohibits that <i>"No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed."</i></p> <p>Since there being a specific bar under the Rules and admittedly the Review Application has been moved after expiry of the period of limitation, as such Review Application cannot be entertained. Apart from it the reason for the delay in filing the Review Application, taken by the applicants, seems to be quite casual in nature and cannot be entertained.</p> <p>Accordingly, M.A. No. 688 of 2016 stands rejected.</p>

Review Application No. 25 of 2016.

This review application has been filed along with the application, being M.A. No. 688 of 2016, for condoning the delay.

We have already rejected the delay condonation application. Apart from it the grounds taken for review of our aforementioned judgment and order dated 27.8.2015 seems not to be genuine. Accordingly, this R.A. No. 25 of 2016 is hereby rejected.

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

(Justice Abdul Mateen)
Member (J)

PG/-