

**BY CIRCULATION**

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**

**Review Application No. 70 of 2022 with  
M.A. No. 812 of 2022**

**Inre:**

**O.A. No. 680 of 2021**

**Col Anurag Kumar (Retd)**

.....Review Applicant

vs.

**Union of India & Ors**

.....Respondents

**Friday, this the 12<sup>th</sup> day of August, 2022**

**ORDER**

1. This application has been filed with delay of 02 months and 08 days for review of order dated 29.04.2022 under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008. Relevant portion of aforementioned Rule is reproduced as under:

*"18. Application for review. – (1) 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.*

*(2) -----"*

2. A plain reading of Rule 18 (1) (supra) shows that no application for review shall be entertained after expiry of thirty days from the date of receipt of copy of the order which according to the office report, the present review application has been filed after expiry of stipulated period.

3. Additionally, this Tribunal vide order dated 29.04.2022 had dismissed the petition on the ground that the applicant superannuated on 30.11.2020 in medical category SHAPE-I. Admittedly, the applicant suffered some medical disability during the course of his service but his medical category was upgraded to SHAPE-I w.e.f. 19.12.2009 and he remained in such medical category for about 11 years i.e. up to 30.11.2020 on which date he superannuated. The applicant never raised this issue till his superannuation. In the year 2021 he submitted a representation for his re-medical board which was rejected vide order dated 10.08.2021.

4. Learned counsel for the applicant has not invited attention of this Tribunal to any provision of the aforesaid Rules under which the Tribunal is empowered to condone delay in preferring review application.

5. Since the present application for review of the order dated 29.04.2022 has been filed after expiry of thirty days, it is barred by time.

6. Accordingly, the application for condonation of delay as well as application for review are **rejected** being filed after expiry of stipulated period.

7. The applicant may be informed accordingly.

**(Vide Admiral Abhay Raghunath Karve) (Justice Umesh Chandra Srivastava)**  
**Member (A) Member (J)**

Dated: 12.08.2022

*rathore*