

**ARMED FORCES TRIBUNAL REGIONAL BENCH, LUCKNOW**

**M.A.No. 225 of 2016**

**In Re:**

**Recall/Review Application No. 10 of 2016**

Friday, the 22<sup>nd</sup> day of February, 2016

**By Circulation  
Court No. 2**

**“Hon’ble Mr. Justice Abdul Mateen, Member (J)  
Hon’ble Lt. Gen. A.M. Verma, Member (A)”**

No. 6938130N Ex Sep Dvr (MT) Gajraj Singh Tomar, Son of Shri Ranjit Singh, Ex CAD Pulgaon Camp.

..... Applicant

Versus

1. Chief of the Army Staff, New Delhi-110011
2. General Officer Commanding-in-Chief, Southern Command, Pune.
3. Commandant-cum-Chief Records Officer, Army Ordnance Corps Centre and Records, Secunderabad.
4. Lt Col US Rathore, Adm Officer, Officer Commanding Troops, Care Commandant, CAD Pulgaon.
5. Union of India through Secretary, Ministry of Defence, New Delhi.

..... Respondents.

**ORDER**

1. Review Application No. 10 of 2016 has been filed alongwith an application (M.A.No. 225 of 2016) for condonation of delay in filing the same, which as per office report, is delayed by two months and six days.
2. In pursuance of Rule 18(3) of the Armed Forces Tribunal (Procedure) Rules, 2008, this review application has come up before us for disposal by circulation. Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 provides that no application for review shall be entertained unless it is filed within 30 days from the date of receipt of copy of the order sought to be reviewed. The judgment and order sought to be reviewed is dated 31.10.2015 passed in T.A.No. 1210 of 2010, whereby this Bench had dismissed the petition while giving detailed reasons. Since Rule 18(1) of the Armed Forces Tribunal (Procedure) Rules, 2008 starts with *non obstante* clause that no application for review shall be entertained unless it is filed within 30 days from the date of receipt of copy of order sought to be reviewed, this application for review being beyond time cannot be entertained. The reasons given in the application for condonation of delay (M.A.No. 226 of 2016) do not seem to be genuine and convincing.
3. That apart, we have also gone through the judgment and order sought to be reviewed and do not find any justifiable and valid reason as well as any illegality or irregularity on the face of record which may persuade us to review our aforesaid judgment.

4. Accordingly, the application for condonation of delay (M.A.No. 225 of 2016) is rejected vis-à-vis the application for review is also dismissed.

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

**(Justice Abdul Mateen)**  
**Member (J)**

LN/

**ARMED FORCES TRIBUNAL REGIONAL BENCH, LUCKNOW**

**Review Application No. 12 of 2016**

Monday, the 22<sup>nd</sup> day of February, 2016

**By Circulation  
Court No. 2**

**“Hon’ble Mr. Justice Abdul Mateen, Member (J)  
Hon’ble Lt. Gen. A.M. Verma, Member (A)”**

Ex Sailor Vipin Pratap Singh, son of Sri Surendra Singh, resident of village and Post Choond, Distt. Satna (M.P.)

..... Applicant

Versus

1. Union of India through its Secretary, Min of Defence, New Delhi.
2. Chief of Naval Staff, Naval HQ, New Delhi.
3. Commanding Officer, Indian Naval Ship Vinash, C/O Fleet Mail Office, Vishakhapatnam PIN 530014.

.....Respondents.

**ORDER**

1. This review application has come up before us under Rule 18 (3) of the Armed Forces Tribunal (Procedure) Rules, 2008 by circulation, as such is being taken up by us for disposal.
2. The judgment, which is sought to be reviewed, relates to Original Application No. 251 of 2014, decided by us on 12.1.2016. We have

carefully gone through the aforesaid judgment and order as well as the contents of review application itself and we do not find any illegality or irregularity apparent on the face of record so as to review our aforesaid judgment and order.

3. Accordingly, this application for review being without merit is hereby dismissed.

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

**(Justice Abdul Mateen)**  
**Member (J)**

LN/

**ARMED FORCES TRIBUNAL REGIONAL BENCH, LUCKNOW**

**Review Application No. 06 of 2016**

Friday, the 5<sup>th</sup> of February, 2016

**By Circulation  
Court No. 2**

**“Hon’ble Mr. Justice Abdul Mateen, Member (J)  
Hon’ble Lt. Gen. A.M. Verma, Member (A)”**

No. 7777501N Ex Naik/MP Roopendra Singh, son of Shri Bijendra Singh, R/o Village and Post Sahara, District Mainpuri, Pin Code-205267 (UP) ..... Applicant

Versus

1. Union of India through the Secretary, Ministry of Defence, Government of India, New Delhi.
2. Chief of the Army Staff, Army Headquarters, DHQ Post Office, New Delhi.
3. Officer In-charge, Corps of Military Police Records, Pin-900493.
4. The Commanding Officer, 2 Mountain Div Provost Unit C/o 99 APO. .... Respondents.

**ORDER**

1. This review application has come up before us under Rule 18 (3) of the Armed Forces Tribunal (Procedure) Rules, 2008 to be disposed of by circulation.

2. The application seeks the review of our order dated 1.4.2015, passed in O.A.No. 184 of 2011 filed by the applicant, by means of which this Tribunal had dismissed the O.A. being not maintainable before it.

3. As per office report, this review application is time-barred by 8 months and 17 days. Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008 provides that no application for review shall be entertained unless it is filed within 30 days from the date of receipt of copy the order sought to be reviewed. The reasons shown in the application for condonation of delay (M.A.No. 135 of 2016) as well as in the affidavit filed in support thereof do not seem to be genuine and convincing. *Ex facie* the review application being time-barred is liable to be dismissed.

4. Accordingly, the application for condonation of delay (M.A.No. 135 of 2016) is rejected vis-à-vis the application for review moved under wrong caption i.e. under Rule 25, which ought to have been filed under Rule 18 of the Armed Forces Tribunal (Procedure) Rules, 2008, is also dismissed.

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

**(Justice Abdul Mateen)**  
**Member (J)**

LN/