

Court No.3**ARMED FORCES TRIBUNAL, REGIONAL BENCH,
LUCKNOW****REVIEW APPLICATION NO 17 OF 2015
INRE ORIGINAL APPLICATION NO 218 OF 2012**Friday, this the 18th day of December 2015**Hon'ble Mr. Justice D.P. Singh, Member (J)
Hon'ble Air Marshal Anil Chopra, Member (A)**

SL-2647M, Lieutenant Colonel, JSS Kakar (Retired), S/o Late Major Gyanchand Kakar, R/o Major Kakar House, Shyam Nagar Road, Katora Talav, RAIPUR (CG).

.....Applicant

Ld. Counsel for the: **Shri R. Chandra, Advocate**
Applicant

Versus

1. Union of India, Through the Secretary, Ministry of Defence, Government of India, New Delhi.
2. Chief of Army Staff, Army Headquarters, DHQ Post Office, New Delhi.
3. The Adjutant General, Adjutant General's Branch Integrated Headquarter, Ministry of Defence (Army) Wing No. 3, Ground Floor, West Block-III, R.K. Puram, New Delhi.
4. The Principal Chief Controller of Defence Account (Pension), Draupadi Ghat, Allahabad (U.P.).

...Respondents

Ld. Counsel for the : **Mrs Deepti Prasad Bajpai, Central
Govt Counsel assisted by
Capt Priti Tyagi, OIC, Legal Cell.**

ORDER (ORAL)

1. This is an application for review of order dated 30.04.2015 passed in O.A. No. 218 of 2012 with the prayer that disability pension be granted from the date of discharge. Though by order dated 30.04.2015 (supra) the Tribunal had granted disability pension to the applicant with effect from 01.01.2006.

2. Judgment and order dated 30.04.2015 is a well considered order passed by the Tribunal. A review petition may be preferred only in case there is error apparent on the face of the record. Further, in the guise of review it is not open for the Tribunal to exercise jurisdiction of appellate authority. Since relief granted by the Tribunal is well considered relief, it is not open for the Tribunal to proceed de novo in the matter.

3. Review application lacks merit and is accordingly rejected.

No orders as to costs.

(Air Marshal Anil Chopra)
Member (A)

anb

(Justice D.P. Singh)
Member (J)