

**ARMED FORCES TRIBUNAL REGIONAL BENCH, LUCKNOW****M.A.No. 1461 of 2016****With****Review Application No. 81 of 2016**Tuesday, the 19<sup>th</sup> day of July, 2016**By Circulation  
Court No. 1****“Hon’ble Mr. Justice Abdul Mateen, Member (J)  
Hon’ble Lt. Gen. A.M. Verma, Member (A)”**

No. 13896119A Ex Hav (MT) Daroga Rai S/o Late Satya Deo Rai R/o  
House No. 233131B, Ganga Vihar Colony, Transport Nagar,  
Dhumanganj Allahabad. .... Applicant

Versus

1. Chief of Army Staff, South Block DHQPO New Delhi 110011.
2. Commandant-cum-Chief Record Officer, Army Service Corps Centre (South) and Records Bangalore.
3. Commanding Officer 5133 ASC Battalion C/O 56 APO.
4. Union of India through the Secretary, Ministry of Defence, DHQPO, New Delhi-110011. .... Respondents

**ORDER**

1. M.A.No. 1461 of 2016 for condonation of delay in filing Review Application on behalf of the applicant has been filed with the prayer of restoring the Original Application.

2. On 25.1.2016, M.A.Nos. 1852 and 1853 were heard by us. These two applications respectively were for condonation of delay in filing the recall application and for recall of the order dated 23.3.2015 by means of which O.A.No. 209 of 2013 was dismissed as not pressed. The reasons indicated in the aforesaid two applications did not justify the claim of the applicant so as to condone the delay in filing the recall application and also to recall our order dated 23.3.2015 dismissing the O.A as not pressed. Accordingly, both the applications were rejected.

3. Now, this M.A has been filed for condonation of delay alongwith Review Application against our order dated 23.3.2015 whereby O.A.No. 209 of 2013 had been dismissed as not pressed. The application for condonation of delay mentions ill-health of the applicant and his being out of station as the ground owing to which he could not contact his counsel, because of which the O.A was dismissed as not pressed. The present application, as per office report, has been filed after delay of 01 year, 02 months and 16 days. No reason for this delay has been stated in the application except to say that this delay may be taken care of based on the special provisions contained in Section 14(4)(f) of the Armed Forces Tribunal Act, 2007. We do not find this explanation of delay to be sufficient and are not inclined to condone the delay. Accordingly, we reject the application for condonation of delay in filing the review application.

4. Review Application No. 81 of 2016 has been examined by us in detail wherein we do not find any ground which merits sympathetic consideration and any error apparent on the face of record. Since the application for condonation of delay has also been rejected, consequently this Review Application too stands dismissed.

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

**July, 2016**

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

**July, 2016**

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