

BY CIRCULATION**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW****Review Application No. 83 of 2022 with
M.A. No. 962 of 2022****Inre:****O.A. No. 331 of 2021****Union of India & Ors**

.....Review Applicants

vs.

Ex CPL Dharm Raj

.....Respondent

Tuesday, this the 20th day of September, 2022**ORDER**

1. This application has been filed with delay of 03 months and 07 days for review of order dated 06.05.2022 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. This Tribunal vide order dated 06.05.2022 had allowed the petition with the directions to the respondents to grant pro-rata pension to the applicant from the next date of his discharge.

4. Learned counsel for the review applicants has not invited attention of the 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 06.05.2022 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**.

7. The applicant may be informed accordingly.

(Vide Admiral Abhay Raghunath Karve)
Member (A)

Dated: 20.09.2022

rathore

(Justice Umesh Chandra Srivastava)
Member (J)