

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

10.

RA 6/2023 WITH MA 559/2023 & 560/2023 IN MA
1331/2022 IN OA 1402/2016

Ex Maj Amar Sinha Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. A.K. Aggarwal, Advocate
For Respondents : Mr. YP SINGh, Advocate

CORAM

HON'BLE MS. JUSTICE ANJANA MISHRA, MEMBER (J)
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER
13.02.2023

RA 6/2023

The matter has been adjudicated over and over again and the principle of law is very clear with regard to hearing a review application. The applicant was granted disability element of pension vide order dated 02.08.2017 and thereafter miscellaneous subsequent applications for grant of disability pension were either withdrawn or not allowed to be filed for reasons recorded in the orders passed on them.

MA 559/2023 has been filed seeking condonation of delay in filing the review application.

This court will not sit in appeal over the orders passed by this Tribunal earlier. It is notable to mention that on the last occasion in MA 1331/2022 noticing that the applicant has been repeatedly making the same allegations, heavy costs of

Rupees 10,000/- (Rupees Ten Thousand) were imposed on him which still remains to be paid.

Considering all aspects of the matter and the fact that the review court cannot sit in appeal and revisit the merits of the case, We reject this review application both on the ground of merit and delay with a clear stipulation that any further appeal to be filed by the applicant should proceed with the payment of earlier costs imposed by this Tribunal.

After above order was passed, learned counsel for the applicant submits that he has also filed MA 560/2023 for a reference of this case to a Larger Bench. We do not find any merit in the prayer made and the same is accordingly rejected.

MA 560/2023 stands disposed of.

(ANJANA MISHRA)
MEMBER (J)

(C. P. MOHANTY)
MEMBER (A)

vks/Ps