

**COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI
(THROUGH VIRTUAL HEARING)**

10.

RA 13/2021 WITH MA 1513/2021
IN OA 417/2016

Union of India and Ors.

..... Applicant

VERSUS

L/Nk Manu Gopan

..... Respondents

For Applicant : Mr. Neeraj, Sr CGSC, Advocate
Mr. Rudra, Advocate

For Respondents : Ms. Archana Ramesh, Advocate

CORAM

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

ORDER
24.05.2023

RA 13/2021 WITH MA 1513/2021

Heard learned counsel for the parties.

2. The present review application has been filed by the Union of India- respondents in the OA, praying for review of the order dated 21st August, 2018 passed by this Tribunal.

3. Learned counsel for the applicant-Union of India submits that the applicant had only completed six years of service excluding the training period, i.e., with effect from 19th September, 2003, before completion of mustering process of his batchmates i.e. up to 23rd November, 2011. He further submits that the applicant has passed only aptitude test for re-mustering into the clerk category therefore, requirement

which were required for the applicant to qualify for such post were not possessed by him. He further submits that he should also complete the service advance military training that is Clerk Trade Training for 32 weeks successfully viz mid term test and the final test to become eligible for the same.

3. We have gone through the contents of the review application and we find that such statements ought to have well been contended in the OA where the respondents have filed their counter affidavit. We find that there is no error apparent on the face of record, and if some grievances of respondents still subsists, filing a leave to appeal application would be the appropriate forum and not in review jurisdiction.

4. As such we find no error apparent on the face of the record and having considered that the earlier order is a fully reasoned order based on the submissions and counter affidavit filed by the respondents and all issues raised therein have been well considered and adjudicated by the Bench, we do not find any merit in the same.

5. We, hereby, dismiss this review application both on the ground of merit and delay.

(ANJANA MISHRA)
MEMBER (M)

(P. M. HARIZ)
MEMBER (A)