

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

70.

RA 24/2024 IN OA 2163/2022

Col Kirti Kumar Sharma (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Ms. Barkha Babbar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
08.05.2024

Seeking review/recall of an order passed by this Tribunal in OA No. 2163/2022 on 18.03.2024, applicant has filed this application and it is the contention in the review application that at the time to onset of ailment of Primary Hypertension, the applicant's weight was within the permissible limits and therefore, merely on account of the applicant being overweight after the onset of ailment detected for the first time in 2016, the claim for grant of disability pension cannot be rejected.

2. We have heard the learned counsel for the parties at length on the said issue and we found that after enlisting various aspects and finding the applicant to be overweight, for reasons recorded therein the claim has been rejected by order passed on 18.03.2024.

3. There is no error apparent on the face of the record warranting review of the matter. The limited jurisdiction available to this Tribunal under Rule 18 does not permit to make a review, particularly, in view of the law laid down before the Hon'ble Supreme Court of India in the

case of Sasi through Legal Representatives Vs. Aravindakshan Nair and others (2017) 4 SCC 692.

4. Accordingly, finding no error apparent on the face of the record warranting review or recall, the application is dismissed.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[LT GEN C.P. MOHANTY]
MEMBER (A)

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