

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

62.

RA 8/2024 WITH MA 645/2024 IN OA 2042/2023

Union of India & Ors.	Applicants
Versus		
Ex Sub Rohtas Kumar Tanwar (Retd)	Respondent

For Applicants	:	Dr. V.S Mahndiyan, Advocate
For Respondent	:	Mr. Rajiv Manglik, Advocate

CORAM

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

ORDER
28.02.2024

RA 8/2024

Having heard learned counsel for the parties at length, we find that the issue involved in this review application filed by Union of India has been decided by us based on the judgment rendered by the Hon'ble Guwahati High Court in the case of Virendra Dutt Gyani (Ex-acting Chief Justice Guwahati High Court) Vs. Union of India and 5 others [WP (C) 4224/2018] decided on 15.03.2018 and various other orders passed consistently by Benches of this Tribunal and particularly in the case of Sqn Ldr Yogesh Choudhary Vs. Union of India and Ors. (OA 1102/2021) decided on 14.07.2022.

2. Now, the applicant-Union of India wants review on the basis of certain subsequent orders passed by certain Regional Benches and policy decision taken by the Union of India.

3. There being a delay of 193 days, MA 645/2024 has also been filed seeking condonation of the same, for which there is no satisfactory explanation.

4. In our considered view, there is no error apparent on the face of the record warranting review or recall of our order passed in OA 2042/2023 on 02.08.2023.

5. In view of the aforesaid, the RA stands dismissed both on the ground of merit and delay.

6. MA 645/2024 and RA 8/2024 stand disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

1. Faced with the dismissal of RA vide orders of even date, learned counsel for Union of India makes an oral prayer for grant of leave to appeal under Section 31 of the Armed Forces Tribunal Act, 2007, to the Hon'ble Supreme Court.

2. We find no question of law much less any question of law of general public importance involved in the matter to grant leave to appeal. Hence, the prayer for grant of leave to appeal is declined.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

Neha
RA 8/2024