

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

107.

RA 43/2025 with MA 5789/2025 in OA 1411/2017

UOI & Ors. Applicant
Versus
Nk Devendra Singh Respondents

For Applicant : Ms. Jyotsana Kaushik, Advocate
For Respondents : Ms. Archana Ramesh, Advocate

CORAM

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

ORDER
19.12.2025

RA 43/2025

Seeking review/recall of an order passed by this Tribunal on 25.08.2021 after a delay of more than 04 years, this application for review has been filed and the review has been filed seeking recall of the directions contained in Para 35(a)(1) of the order dated 25.08.2021 which reads as under:-

"35(a) In view of SRO 04(E) issued vide Corrigendum Notification dated 06.05.2020, Respondents to:-

- (1) Promulgate a fresh policy letter on Armed Forces Battle Casualty Welfare Fund incorporating all issues as given in SRO 04 (E) and other relevant Govt policies issued from time to time.*
- (2) Issue a fresh common/single Service SOP for the implementation of the policy so formulated.*
- (3) Ensure that the entitlements are updated and are not violative of Articles 14 and 15 of the Constitution of India.*
- (4) The new policy and SOP be formulated within six months of this order and completion report submitted to the Tribunal.*

The order is sought to be reviewed on the ground that the Armed Forces Tribunal does not have jurisdiction to direct for laying down or modification of the policy in the light of the judgment of the Hon'ble Supreme Court in the case of UOI & Ors. Vs. Air Commodore Nk Sharma decided on 14.12.2023. Apart from the fact that there is inordinate delay of more than 04 years in filing this application, the grounds sought for in the subsequent judgment of the Honble Supreme Court which came from more than 02 years after the pronouncement of the order by this Tribunal in the year 2021 on such ground review of an order is not permissible. and, therefore, RA is dismissed.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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