

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOCHI**

I.A.NO.128 of 2011 in R.A. No.6 of 2011 in T.A. No.155 of 2010  
[W.P.(C) No.33694 of 2009 of the Hon'ble High Court of Kerala at Ernakulam]

THURSDAY, THE 15TH DAY OF DECEMBER, 2011/24th AGRAHAYANA, 1933

CORAM:

HON'BLE MR. JUSTICE A.C.ARUMUGAPERUMAL ADITYAN, MEMBER (J)

HON'BLE LT.GEN.THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY,  
MINISTRY OF DEFENCE, NEW DELHI.

2. PRINCIPAL CONTROLLER OF DEFENCE ACCOUNTS(PENSIONS),  
OFFICE OF THE P.C.D.A.(P),  
DRAUPADI GHAT, ALLAHABAD,  
UTTAR PRADESH. (FORMERLY KNOWN AS THE CCDA).

**REVIEW APPLICANTS:**  
***Respondents***

3. CHIEF OF ARMY STAFF, ARMY HEADQUARTERS,  
NEW DELHI.

4. OFFICER I/C RECORDS, ARMY MEDICAL CORPS,  
RECORDS, LUCKNOW-2.

BY CENTRAL GOVT. COUNSEL. SMT. E.V. MOLY

***versus***

SATHEESH KUMAR V.V., EX.NO.13971095 SEP.,  
*POURNAMI HOUSE, CHERANELLOR, KOCHI-34.*  
(SEPOY IN THE ARMY MEDICAL CORPS).

**RESPONDENT/Applicant:**

BY ADV. SRI. V.K. SATHYANATHAN.

**ORDER**

**A.C.A. Adityan, Member (J):**

This application is for condoning the delay in filing the review application. When it was brought to the notice of the learned Central

Government Counsel Smt.E.V.Moly, who preferred this application, that there is no provision to condone the delay in filing the review application incorporated in the Armed Forces Tribunal Act, 2007 in view of the provisions under Rule 18(2) of the Armed Forces Tribunal (Procedure) Rules, 2008, the learned Central Government Counsel has come forward to withdraw the application with a liberty to challenge the order of the Tribunal before the Apex Court. An endorsement is made to that effect in the application.

Hence, I.A. No.128 of 2011 filed for condoning the delay in filing the Review Application is dismissed.

Sd/-  
LT. GEN. THOMAS MATHEW,  
MEMBER (A)

Sd/-  
JUSTICE A.C.A. ADITYAN,  
MEMBER (J)

DK.

(True copy)

Prl. Private Secretary

*I.A.NO.128 of 2011*  
*in R.A. No.6 of 2011*

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ARMED FORCES TRIBUNAL,  
REGIONAL BENCH, KOCHI.

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in R.A. No.6 of 2011

**ORDER**

DATED: 15.12.2011