

ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOCHI

I.A.NO.223 of 2011 in R.A. No.7 of 2011
in T.A. No.51 of 2010
[W.P.C. No.12015/07 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 TO GOVERNMENT,
MINISTRY OF DEFENCE, NEW DELHI -110 011.

2. SENIOR RECORDS OFFICER, MADRAS REGIMENT,
ABHILEKH KARYALAYA, POST BAG NO.1,
WELLINGTON, NILGIRIS - 643 231.

REVIEW APPLICANTS:
Respondents

3. COMMANDING OFFICER, 27TH BATTALION,
MADRAS REGIMENT, WILLINGTON.

BY SENIOR PANEL COUNSEL. SRI. K.M. JAMALUDEEN.

versus

EX. SEPOY B. SUMAN,
VALIYAMADATHIL HOUSE,
KATTAYIL VILLAGE, ODANAVATTOM P.O.,
KOTTARAKKARA, KOLLAM, PIN - 691 512.

RESPONDENT/Applicant:

BY ADV. SRI. C.S. GOPALAKRISHNAN NAIR.

ORDER

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

Heard the learned Senior Panel Counsel Sri.K.M. Jamaludeen, who has
fairly admitted that the review application, under Rule 18 of the Armed

Forces Tribunal (Procedure) Rules, 2008, is not maintainable due to delay, but would contend that there is an error apparent on the face of the order of this Tribunal in T.A. NO.51 of 2010. If it is so, the learned Senior Panel Counsel can file necessary application under Rule 25 of the Armed Forces Tribunal (Procedure) Rules 2008 for exercising the inherent powers of this Tribunal to correct, if there is any error apparent on the face of the record found in the order in T.A. No.51 of 2010. Endorsement is made by the learned Senior Panel Counsel to that effect.

With the above observation, I.A. No.223 of 2011 is dismissed as withdrawn with liberty to file necessary application under Rule 25 of the Armed Forces Tribunal (Procedure) Rules 2008.

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

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

DK.

(True copy)

Prl. Private Secretary

IA No.223/2011 in TA 7/2011
in TA No.51 of 2010

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ARMED FORCES TRIBUNAL,
REGIONAL BENCH, KOCHI.

I.A.NO.223 of 2011
in R.A. No.7 of 2011

ORDER

DATED: 15.12. 2011