

ARMED FORCES TRIBUNAL, REGIONAL BENCH, CHENNAI

Review Application No.10 of 2014  
in  
O.A. No. 37 of 2014

Friday, the 17<sup>th</sup> day of October 2014

THE HONOURABLE JUSTICE V. PERIYA KARUPPIAH  
(MEMBER - JUDICIAL)  
AND  
THE HONOURABLE LT GEN K. SURENDRA NATH  
(MEMBER – ADMINISTRATIVE)

123554-F, ERA-III-Shibu Yohannan  
S/o M.K. Yohannan, aged 34 years  
Ship Building Centre (Visag)  
Krishna Gate, Near Naval Dockyard  
Visakhapatnam, A.P.530014.

...Applicant/Applicant

By Legal Practitioner:  
Mr. M.Selvaraj

vs.

1. Chief of Naval Staff  
Naval Head Quarters  
Integrated Head Quarters (IHQ)  
Defence Head Quarters (DHQ)  
New Delhi-110 011.

2. The Project Director  
[(for G.M.(L.A. & P)]  
Ship Building Centre  
Krishna Gate,  
Naval Dockyard Road  
Visakhapatnam-530 014.

3. The Flag Officer Commander-in-Chief  
[(For SO (Personnel)], Head Quarters  
Eastern Naval Command, Naval Base  
Visakhapatnam-530 014.

4. Union of India, rep. by its Secretary  
Ministry of Defence, New Delhi-110011. ...Respondents/Respondents

By Lt Rahul Ahlawat,  
Asst. JAG Officer, Navy

**ORDER**

[(Order of the Tribunal made by  
Hon'ble Justice V. Periya Karuppiah, Member (Judicial)]

1. This application has been filed by the applicant to review the order of dismissal passed in O.A.No.37 of 2014 dated 22.08.2014 and thereby to allow the Original Application or to modify the order passed in favour of the applicant.

2. We have perused the grounds raised in the Review Application and the order passed by us, sought to be reviewed. We do not find any circumstances to post the case before the Court and therefore, the present order is passed on circulation.

3. The grounds raised by the applicant from paras-1 to 4 were already dealt by us elaborately in our order. The grounds put forth by the applicant do not show any new set of facts connected to the case or affecting the decision reached in the order nor any material fact put forth by the applicant in the Original Application was shown to have been unnoticed by the Court while passing the order. Furthermore, the grounds do not depict any new position of law which affects the decision

reached by us in the said order. The grounds were framed as if grounds raised in an appeal preferred before an appellate Court which cannot be re-agitated before us once again in the guise of review. Since the application does not point out any erroneous principle applied or any error committed by us on the face of the record or any mistake of fact or law committed in the present case, we feel that the application for review of our order passed in O.A.No.37 of 2014 does not merit for consideration. Accordingly, the Review Application is dismissed.

LT GEN K. SURENDRA NATH  
MEMBER (ADMINISTRATIVE)

JUSTICE V.PERIYA KARUPPIAH  
MEMBER (JUDICIAL)

17.10.2014

**Member (J)** – Index : Yes/No

Internet : Yes/No

**Member (A)** – Index : Yes/No

Internet : Yes/No

VS

To:

1. Chief of Naval Staff  
Naval Head Quarters  
Integrated Head Quarters (IHQ)  
Defence Head Quarters (DHQ)  
New Delhi-110 011.
2. The Project Director  
(for G.M.(L.A. & P)  
Ship Building Centre  
Krishna Gate,  
Naval Dockyard Road  
Visakhapatnam-530 014.
3. The Flag Officer Commander-in-Chief  
(for SO (Personnel), Head Quarters  
Eastern Naval Command, Naval Base  
Visakhapatnam-530 014.
4. Secretary  
Ministry of Defence, New Delhi-110011.
5. Mr. M.Selvaraj  
Counsel for applicant
6. OIC, Legal Cell (Navy), Chennai.
7. Library, AFT/RBC

HON'BLE MR.JUSTICE V. PERIYA KARUPPIAH  
MEMBER (JUDICIAL)  
AND  
HON'BLE LT GEN K. SURENDRA NATH  
MEMBER (ADMINISTRATIVE)

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Dt:17.10.2014