

COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

23.

OA 3213/2025

Wg Cdr Vinod Sanjeev ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Ms. Shruti Rawat, Advocate  
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC  
Mr. Pankaj Sharma, Incharge, DAV,  
Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
09.10.2025

The applicant vide the present OA makes the following prayers:-

*“a) Call for records based on which the Respondents have issued the orders including the order dated 30.05.2025 vide which they are intending to recover approx. Rs. 21,41,168/- (Rupees Twenty-One Lakh Forty-One Thousand One Hundred and Sixty-Eight only) from the pensionary benefits of the Applicant, which was paid to the Applicant as Training Allowance being posted as Instructor at ASTE, Bangalore from 15.05.2020 to 14.05.2025 thereafter, quash all such orders.*

*b) Direct the Respondents to extend the benefits of grant of Training Allowance to the Applicant in the same manner as applicable to other similarly posted officer in the said duration.*

*c) Issue any other/direction as this Hon'ble Tribunal may deem fit in the facts of the case.”*

2. Along with the same is a prayer seeking grant of interim relief to the effect:-

*“That keeping in view the facts and circumstances as mentioned above and also in terms of ratio laid down by Hon’ble Supreme Court in the case of State of Punjab and Others v. Rafiq Masih, Thomas Daniel vs State of Kerala and Jogeshwar Sahoo & Ors. Vs. The District Judge, Cuttack & Ors. the Applicant is seeking interim stay on the order dated 30.05.2025 for recovery of approx. Rs. 21,41,168/- (Rupees Twenty-One Lakh Forty-One Thousand One Hundred and Sixty-Eight only), passed by the Respondents of recovering from pensionary benefits of the Applicant till the final disposal the Present OA as the Applicant is due for his retirement on 31.10.2025 and if interim stay is not granted by this Hon’ble Tribunal the Applicant will face Irreparable Loss. Moreover, the Prima Facie case is also made out against the illegal orders passed by the Respondents and balance of convenience also lies in favor of the Applicant and against the Respondents.”*

3. Notice of the OA and interim prayers is issued and accepted on behalf of the respondents. As an interim measure, till further directions recovery of the training allowance qua the applicant for the period from 15.05.2020 to 14.05.2025 by the respondents is stayed. It is further directed that the above interim restraint is without prejudice to the final adjudication in the matter and in the event of the applicant be not found entitled to the same, the applicant would be liable to refund the payment in accordance with law.

4. The pleadings in the matter are directed to be completed by either side within a period of three months. The matter be listed before the Joint Registrar for completion of pleadings on **27.10.2025**.

Re-list the matter on **09.02.2026**.

Copy of this order be given ***DASTI***

**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

**(REAR ADMIRAL DHIREN VIG)**  
**MEMBER (A)**

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