

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

25.

OA 3215/2025

Gp capt Ramesh Verma ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Ms. Shruti Rawat, Advocate  
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC

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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 12.09.2025, 31.01.2025, 22.08.2025 and 17.09.2025 pursuant to which they have directed to recover the sum of Rs.7,80,775/- (Rupees Seven Lakh Eighty Thousand Seven Hundred Seventy-Five only) comprising of Rs. 6,14,346/- (Rupees Six Lakh Fourteen Thousand Three Hundred Forty-Six only) for recovery of training allowance granted to the Applicant for rendering instructional duties at ETI, Bangalore from 30.07.2020 till 31.08.2022 and the sum Rs.1,66,429/- (Rupees One Lakh Sixty-Six Thousand Four Hundred Twenty-Nine only) for recovery of fixation of pay on acting rank of Group Captain w.e.f 01.04.2015, from the pensionary benefits of the Applicant and 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 12.09.2025 directing the recovery of Rs.7,80,775/- (Rupees Seven Lakh Eighty Thousand Seven Hundred Seventy-Five only) in total, comprising of Rs.6,14,346/- (Rupees Six Lakh Fourteen Thousand Three Hundred Forty-Six only) for recovery of training allowance and Rs.1,66,429/- (Rupees One Lakh Sixty-Six Thousand Four Hundred Twenty-Nine only) for recovery of fixation of pay on acting rank of Group Captain w.e.f 01.04.2015, passed by the Respondents for 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 paid to the applicant for the period from 30.07.2020 to 31.08.2022 by the respondents is stayed. The above directions are without prejudice to the final adjudication in the matter and if the applicant is found not entitled to the said amount, the applicant would be liable to refund the same 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 05.02.2026.

Copy of this order be given *DASTI*

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)

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