



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No.19235 of 2025
Date of Decision: 14.07.2025**

Union of India and others

.....Petitioners.

Versus

Armed Forces Tribunal, Chandigarh and another

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Dr. Anandeshwar Gautam, Senior Panel Counsel, UOI
for the petitioners.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The challenge is to the order passed by the learned Armed Forces Tribunal, Chandigarh dated 21.03.2023, whereby the recovery effected from respondent No.2 was quashed and the petitioners were directed to refund the amount to him within a period of three months along-with interest @ 8% per annum from the date of order till realization.
2. Learned counsel submits that the recovery was rightly done as the amount of Commando Allowance had wrongly been paid to respondent No.2.
3. However, we find that the law is well-settled and the same has



been relied upon by the AFT while passing the impugned order, i.e *State of Punjab and others Vs. Rafiq Masih (White Washer), 2015(1) SCT 195* which has also been reiterated in *Thomas Daniel Vs. State of Kerala and others, 2022 INSC 498*.

4. In view thereto, no case for interference is made out. The present writ petition is, accordingly, dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

July 14, 2025
Yag Dutt

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*