

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12903 of 2013

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1. Dr. Sunil Kumar Thakur Son Of Late Devnandan Thakur Resident Of A/404, Jagmano Shri Gardenn Apartment, Ved Nagar, Rukanpura, P.S. Rupaspur, District - Patna, At Present Posted As Bhramanshil Pashuchikitsa Padadhikari, Rajpur, District - Buxar
 2. Dr. Brajesh Kumar Son Of Late Ram Pratap Singh Resident Of Village Baruntar, P.S. Harnaut, Distt. Nalanda, At Present Posted As Bhramanshil Pashuchikitsa Padadhikari, Tehta, District - Jehanabad

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Department Of Animal Husbandry, Government Of Bihar, Patna
2. Accountant General, Bihar, Patna
3. Deputy Secretary, Department Of Animal Husbandry , Government Of Bihar, Patna
4. In Charge Officer, Finance (Vaiyaktik Dawa Nirdharan Koshang), Pant Bhawan, Govt. Of Bihar, Patna
5. Deputy Secretary, Finance (Vaiyaktik Dawa Nirdharan Koshang), Pant Bhawan, Govt. Of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the State : Dr. Anil Kumar Upadhya, SC-2
For the A.G. : Mr. Ranjan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-12-2016

Heard learned counsel for the parties.

In the present case, it appears that selectively benefit has been given to one of the petitioner i.e. petitioner no.1 and, for the reason best known to the authority, the petitioner no.2 has been deprived of the same benefit of Non-Practicing Allowance (N.P.A.).

Learned counsel for the petitioners submits that the petitioner no.2 is also entitled to the same benefit what has been given



to the petitioner no.1.

In the earlier order of this Court dated 9.12.2016, this Court had directed the learned counsel for the State to file counter affidavit explaining as to why the benefit of N.P.A. has not been given to the petitioner no.2 but, no counter affidavit has been filled till date. In that view of the matter, as the petitioner no.1 has been given the benefit of N.P.A., the Principal Secretary, Finance Department, is directed to give same benefit also to the petitioner no.2 considering the fact that the case of the petitioner no.1 and the petitioner no.2 is identical. If there is any difference then the aforesaid Authority will have liberty to pass a speaking order in accordance with law but, after giving an opportunity of hearing to the petitioner no.2. The Authority is directed to dispose of the matter within a period of three months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2017
Transmission Date	

