

Court No. - 52

Case :- WRIT - C No. - 17677 of 2017

Petitioner :- Shiv Bhajan @ Bablu Jaiswal

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Arvind Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava,J.

Rejoinder affidavit filed today is taken on record.

Heard Shri Arvind Kumar Shukla, learned counsel for the petitioner and Shri Dhananjay Singh, learned standing counsel for the state respondents.

The consideration as made upon the application preferred by the petitioner for seeking fire arm licence has been decided by the competent authority on the basis of the criminal cases pending against the petitioner. Learned counsel for the petitioner submitted that after deciding the application preferred by the petitioner for seeking fire arm licence all the criminal cases have already been decided in favour of the petitioner but the same has not been taken note of. Learned counsel for the petitioner fairly submitted that appeal preferred under Section 18 of the Arms Act has been decided on the same ground on which the application preferred by the petitioner has been negated by respondent no.3. It is also submitted that the pendency of the criminal case was also sustained at the time of consideration of appeal preferred by the petitioner. The cautious duty of an administrator has been performed by respondent nos.2 and 3 while deciding the application preferred by the petitioner for consideration over the extension of fire arm licence in favour of the petitioner. Once it has finally been adjudicated in certain judicial proceedings that there is hardly any matter remained pending against the petitioner, the petitioner is at liberty to prefer fresh application and the same shall be considered by respondent no.3 for extension of fire arm licence, in case petitioner now wishes the same.

Writ petition stands **disposed of** without interfering in the merit of the matter.

Order Date :- 28.11.2023/Rakesh