

Court No. - 40

Case :- WRIT - C No. - 30381 of 2023

Petitioner :- Chakranath Shukla

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

Counsel for Petitioner :- Subhash Chandra Tiwari, Shakti Shanker Tiwari

Counsel for Respondent :- C.S.C., Dinesh Mishra

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Shri Subhash Chandra Tiwari, learned counsel for the petitioner; Sri Devesh Vikram, learned Additional Chief Standing Counsel for State-respondents and Sri Dinesh Mishra, learned counsel for contesting respondent no.3.

2. The present writ petition is preferred for a direction commanding the respondents to cancel the firearm license of the contesting respondent. The dispute is *inter se* between father and son. The petitioner, who claims to be father of respondent no.3, alleged that his son had obtained the gun licence with some misrepresentation. Once it was brought to the notice of the petitioner, he made a complaint to the respondent authorities and even thereafter lodged a First Information Report. In support of his submission, learned counsel for the petitioner has placed reliance on an inquiry, which was made by the respondent authorities regarding complaint. He submits that it is not disputed that the license was obtained through misrepresentation.

3. Per contra, Shri Dinesh Mishra, learned counsel for contesting respondent states that his client has already deposited the fire arm at the Laxmi Gun House, Prayagraj on 2.9.2022. He has no objection in case the complaint of the petitioner is decided on merits.

4. Shri Devesh Vikram, learned Additional Chief Standing Counsel submits that the complaint of the petitioner is already entertained and fact finding inquiry is also conducted. In case, leave is accorded definitely the Licensing Authority may process the complaint of the petitioner as per law.

5. Considering the facts and circumstances, we are not inclined to keep the matter pending consideration. We ***dispose of*** the petition with direction to the District Magistrate, Prayagraj to consider the grievance of the petitioner strictly in accordance with law.

Order Date :- 28.11.2023

Manish Himwan