

GAHC040013412024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/445/2024

Oyin Paron and 20 Ors

Son of Shri Kokom Paron, resident of Ngorlung Village, PO and PS Ruksin, East Siang District, Arunachal Pradesh. 2: Bhaity Mengu

Age:

Occupation :

Son of Shri Olom Panggen Obi Mengu

resident of Rasam Village

PO and PS Pasighat

East Siang District

Arunachal Pradesh.

3: Naloh Mibang

Age:

Occupation :

Son of Late Tatok Mibang

resident of Yagrung Village

PO and PS Pasighat

East Siang District

Arunachal Pradesh.

4: Imanual Pertin

Age:

Occupation :

Son of Late Tamaying Pertin

resident of Raling Village

PO and PS Mebo

East Siang District

Arunachal Pradesh.

5: John Padung

Age:

Occupation :

Son of Late Tato Padung

residnet of Sille Village
PO and PS Sille Oyan
East Siang District
Arunachal Pradesh.

6: Lodolong Tayeng
Age:
Occupation :
Son of Shri Nanong Tayeng
resident of near Public Bus Stand
Pasighat
PO and PS Pasighat
East Siang District
Arunachal Pradesh.

7: Tayup Taggu
Age:
Occupation :
Son of Shri Tamang Taggu
resident of Mirem Village
PO and PS Ruksin
East Siang District
Arunachal Pradesh.

8: Indo Taggu
Age:
Occupation :
Son of Shri Olom Panggeng
resident of Berung Village
PO and PS Pasighat
East Siang District
Arunachal Pradesh.

9: Orik Osik
Age:
Occupation :
Son of Shri Komo Osik
resident of Ayeng Village
Po and PS Mebo
East Siang District
Arunachal Pradesh.

10: Kaling Mengu
Age:
Occupation :
Son of Shri Obi Mengu
resident of Rasam Village
PO and PS Pasighat

East Siang District
Arunachal Pradesh.

11: Henrik Lollen

Age:

Occupation :

Son of Shri Bisen Lollen
resident of Gour Hill

Aalo

PO and PS Aalo

West Siang District
Arunachal Pradesh.

12: Olom Lomtung

Age:

Occupation :

Son of Late Tapang Lomtung
resident of Jarku Village

PO and PS Pasighat

East Siang District
Arunachal Pradesh.

13: Nakyam Tasing

Age:

Occupation :

Son of Tate Tasing
resident of Sika Tode village

Po and PS Sille Oyan

East Siang District
Arunachal Pradesh.

14: Otang Yirang

Age:

Occupation :

Son of Late Tasing Yirang
resident of Motum village

PO and PS Mebo

East Siang District
Arunachal Pradesh.

15: Moge Kamsi

Age:

Occupation :

Son of Shri Tomo Kamsi
resident of 12 Mile Village

PO and PS Sille Oyan

East Siang District
Arunachal Pradesh.

16: Kaling Panggeng

Age:

Occupation :

Son of Shri Olom Panggeng

resident of Berung Village

Po and PS Pasighat

East Siang District

Arunachal Pradesh.

17: zing Darang

Age:

Occupation :

Son of Shri Oni Darang

resident of Yagrung Village

PO and PS Pasighat

East Siang District

Arunachal Pradesh.

18: Ruson Taggu

Age:

Occupation :

Son of Shri Tahor Taggu

resident of Rani Village

PO and PS Sille Oyan

East Siang District

Arunachal Pradesh.

19: Dilip Tatak

Age:

Occupation :

Son of Shri Talom Tatak

resident of Pangkang village

Po and PS Rumgong

Siang District

Arunachal Pradesh.

20: Smti Dippy Tatak

Age:

Occupation :

Wife of Shri Kaling Darang

resident of Yagrung Village

Po and PS Pasighat

East Siang District

Arunachal Pradesh.

21: Austeem Muang

Age:

Occupation :
Son of Late T Muang
resident of Tigra Mirbuk Village
Po and PS Pasighat
East Siang District
Arunachal Pradesh

VERSUS

The State of AP and 2 Ors
represented by the Principal Secretary (Home), Govt of Arunachal Pradesh, Itanagar.

2:The Commissioner (Home)

Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Deputy Commissioner cum District Magistrate

Age: 0
Occupation :
East Siang District
Pasighat
Arunachal Pradesh

Advocate for the Petitioner : Ojing Pada, T Mingki, Likha Moriam

Advocate for the Respondent : GA (AP),

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 03.10.2024

Heard Mr. O. Pada, learned counsel for the petitioners. Also heard Mr. S. Tapin, learned Senior Govt. Advocate and Ms. P. Pangu, learned Govt. Advocate for the State respondents.

2. Having considered that the grievance raised in this writ petition is covered by the judgment and order dated 24.08.2022, passed in a bunch of writ petitions, the leading case being WP(C)148/2022 and as agreed to by the

learned counsels appearing for the parties, this writ petition is disposed of at the motion stage itself.

3. Challenge made in this writ petition is to the Order dated 28.12.2021, issued by the District Magistrate-cum-Licensing Authority, East Siang District, Pasighat, whereby Arm licenses issued to 109 Nos. of Arm license holders including the petitioner No.1 have been revoked. The petitioners have also challenged the orders dated 02.09.2016 and the order dated 18.10.2019, issued by the Principal Secretary(Home), Govt. of Arunachal Pradesh and the Commissioner (Home), Govt. of Arunachal Pradesh, putting the Blanket Ban on issue of fresh Arm license. The petitioners have also prayed for renewal of the Arm licenses, which they have submitted before the District Magistrate-cum-Licensing Authority, East Siang District, Pasighat.

4. The petitioners were granted Arm licenses by the District Magistrate, East Siang District in terms of the Arms Act, 1959 and the Arms Rules 2016 in the year 2018 to 2019. On the expiry of the license, the petitioners have submitted for renewal of their Arm licenses.

5. It is contended that the respondent authority has refused to renew the same in view of the impugned orders dated 02.09.2016 and 18.10.2019.

6. It is submitted at the bar that the orders dated 02.09.2016 and 18.10.2019 have been interfered with and set aside by this Court in a bunch of writ petitions (supra). Although, except for the petitioner No.1, other petitioners are not in the list of revocation of Arm license in the impugned order dated 28.12.2021. However, the respondent authority has refused to renew the license

of the petitioners No.1 to 21, though their licenses have not been revoked/cancelled.

7. Having considered that the grievance raised in this present writ petition is fully covered by the judgment and order dated 24.08.2022, passed in the bunch of writ petitions being WP(C)148(AP)2022 & others, and as agreed to by the learned counsels for the parties, this writ petition is disposed of by setting aside the order dated 28.12.2021.

8. Since, this Court has already interfered with the impugned orders dated 02.09.2016 and 18.10.2019 and the notices issued to the Arm license holders in the above referred writ petitions, the Deputy Commissioner, East Siang District, Pasighat is directed to provide the same relief as granted by this Court in the said writ petitions and to consider the representation for renewal of the Arm licenses in accordance with the Act and Rules.

9. The writ petition stands disposed of, accordingly.

JUDGE

Comparing Assistant