

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**Case: -WP(C) No. 2802/2024
c/w WP(C) No. 2696/2024
WP(C) No. 2902/2024
WP(C) No. 2994/2024
WP(C) No. 3017/2024
WP(C) No. 209/2025
WP(C) No. 1428/2025**

M/S Amar Armoury & Ors.

.....Appellant(s)/Petitioner(s)

Through: Mr. Atul Verma, Advocate
Mr. Sachin Gupta, Advocate with
Ms. Arsha Sharma, Advocate
Mr. Ankur Sharma, Advocate
Mr. Farhan Mirza, Advocate

vs

U.T. of J&K & Ors.

..... Respondent(s)

Through: Ms. Monika Kohli, Sr.AAG

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

**ORDER
11.08.2026**

WP(C) No. 209/2025

1. The petitioner, M/S Shivam Arms Corporation, has filed the present petition for quashing the Order No. 1191-1211/Arms/DMJ/24 dated 16.11.2024, issued by respondent No. 2, whereby the petitioner's application for grant of an Arms and Ammunition Dealer's Licence in Form-VIII under the Arms Rules, 2016, came to be rejected.
2. It is submitted that the petitioner was holding a license for carrying on the business of sale, transfer and keeping of different types of arms and ammunition under the name and style of "M/S Shivam Arms Corporation". The said license was renewed from time to time and remained valid up to 31.03.2024.

3. It is submitted that, after repeal of the Arms Rules, 1962, and coming into force of the Arms Rules, 2016, every license is required to be uploaded on NDAL system for generation of a Unique Identification Number (UIN) with effect from 30.06.2020, and any license without a UIN is invalid. The petitioner claims to have submitted application before respondent No. 2 for conversion of the Arms License from Form-XI to Form VIII received by respondent No. 2 on 12.12.2022. Pursuant thereto, vide Order No. 1298/DMJ/22, the Additional District Magistrate, Jammu, asked the Tehsildar, Jammu to conduct an inspection and submit his recommendation in prescribed format. Thereafter, on 10.04.2023, respondent No. 1 issued further instructions under the Arms Rules, 2016, directing all the District Magistrates to ensure that no Arms and Ammunition Dealer would be permitted to carry on any trade/transaction in absence of a valid arms license in Form-VIII, as prescribed under Arms Rules, 2016, until the licensing process in favour of the intending/prospective licensees is completed.

4. It is further stated that the license of the petitioner in Form-VIII has already been recommended in its favour by respondent No. 2 and Unique Identification Number bearing UIN DELR15309081982017, has also been issued in its favour. It is also stated that the District Police Headquarters, Jammu, vide communication dated 17.05.2023, submitted a report regarding the clear credentials of the petitioner. Thus, it is contended that despite the petitioner having fulfilled all the requisites conditions and qualifications for issuance of the arms license, its application along with the applications of other applicants, came to be rejected vide the impugned order dated 16.11.2024.

5. It is evident from the order dated 03.07.2026, passed by the Court that Mr. Adarsh Sharma, learned Senior Counsel made a statement that the petitioner has been given clean chit by the CBI by virtue of communication dated 24.04.2025. Ms. Monika Kohli, learned Sr. AAG, was, however, accordingly directed to verify the said statement. Pursuant thereto, she has produced a communication dated 20.07.2026, issued by the Home Department, wherein it has been stated that the petitioner's application for grant of arms license could not be considered by the Home Department, as the requisite report/clearance was sought from the Enforcement Directorate, GoI, Jammu as well as Ministry of Home Affairs and no response thereto has, till date, been received.

6. A perusal of the response filed by the respondents reveals that the petitioner's application for grant of Arms License was rejected, inter alia, on the basis of Home Department's letter dated 07.11.2024, whereby the District Magistrate, Jammu was conveyed that the gun houses recommended by the CBI for revocation, cannot be considered for recommendation by District Magistrate, Jammu to the Home Department for grant of license in Form-VIII in terms of Arms Rules, 2016. However, in view of the communication dated 20.07.2026, produced before this Court, it is evident that the petitioner has subsequently been given a clean chit by the Central Bureau of Investigation. Therefore, the only impediment in grant of arms license to the petitioner is the lack of necessary instructions from the Enforcement Directorate as well as the Ministry of Home Affairs, Union of India.

7. In view of the aforesaid circumstances, the present writ petition is **disposed of** with a direction to respondent No. 1 to take up the matter with the Enforcement

Directorate, Government of India, Jammu, as well as the Ministry of Home Affairs, Union of India, and to obtain the requisite report from the said authorities expeditiously, so that the application of the petitioner for grant of arms license is disposed of.

8. List connected matters on 17.08.2026.

(RAJNESH OSWAL)
JUDGE

Jammu
11.08.2026
AKHILESH