

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

WP(C) 2375/2026 CM(6452/2026)

PEER MOHAMMAD YOUSUF

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

Through: Ms. Aisha Shakeel Zahgeer, Advocatge

Vs.

**UNION TERRITORY OF J AND
K AND OTHERS**

...Respondent(s).

Through: None

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

21.09.2026

1. Heard the learned counsel for the petitioner in respect of the case.
2. The case of the petitioner in nutshell is that he holds a valid license in respect of his weapon 12 bore double barrel breech loading gun bearing No.225/DMS (LN15309A7A19016). That the license was issued in his favour in the year 1981 and came to be renewed from time to time. That the last renewal was scheduled to expire on December 2025 and he, about six months ago, in April 2025 applied for the renewal of the same before the competent authority, that is, the respondent No.2- District Magistrate, Srinagar. That his renewal case is still pending in the office of the respondent No.2, and is not being processed as per the law and the rules governing the same. That his weapon was directed to be deposited with the Police Station- Zadibal, in March 2019 on the conveyed reason that since the Panchayat Elections are going to be held, as such, the deposition of the weapons of private license holders is necessitated as a precautionary measure. That since then the weapon was not returned back

to him. The petitioner, thus, is aggrieved of the pendency of his renewal case before the respondent No.2 and the non return of the weapon by the respondent No.4

3. The learned counsel for the petitioner during her preliminary submissions inter-alia stated that the inaction on the part of the respondent No. 2 and 4 is grossly violative of the provisions of the Arms Act and the rules of 2016 framed thereunder. She submitted that the pendency of the renewal case of the petitioner is violative of the provisions of rule 24 and the non return of weapon to him is also infringing the rule 47 of the Arms Rules of 2016 framed under the Arms Act.

4. The petitioner has accordingly prayed for issuance of the followings directions/ writs:-

- i. In the nature of mandamus or any other appropriate writ Directing the Respondent No.2 to effect the renewal of the license bearing No.225/DMS (LN15309A7A19016) within a shortest possible time so that the statutory obligation on his part are fulfilled in letter and spirit, as same would be in the interest of justice.
- ii. In the nature of mandamus or any other appropriate writ Directing Respondent No.4 to release/return the petitioner's licensed (12 Bore double barrel breech loading shotgun) (DBBL Gun No. 5283/84) which has been illegally and without any order of the competent authority retained by the respondent No.4.

5. In the facts and circumstances of the case, this court is of the opinion that matter can be disposed of even at this threshold stage by passing of such appropriate directions which are not likely to prejudice the interest of the parties and which the respondents are otherwise under a legal obligation to comply with.

6. Accordingly, the instant petition is disposed of with a direction to the respondent No.2 i.e., District Magistrate, Srinagar to immediately process the renewal case of the petitioner strictly in accordance with the law governing the field and pass appropriate orders thereon within a period of eight weeks.
7. The respondent No.4 SHO Police Station- Zadibal Srinagar is also directed to consider the release/return of the petitioner's licensed gun as detailed in the petition in accordance with the rules and regulations governing the same within a period of eight weeks.
8. The respondent Nos.2 and 4 shall file the status report before the Registry of this Court within a period of Nine weeks.
9. Accordingly, petition is **disposed of**.

SRINAGAR
21.09.2026
Opinder

(MOHD YOUSUF WANI)
JUDGE