

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7698 of 1997

=====

1.Narendra Kumar Singh s/o Shri Lalan Singh, resident of village- Raghalia, P.S. and District- Aurangabad.
2. Manoj Kumar Ambastha son of Shri Vinod Shankar Prasad, resident of opposite Mata Mandir, 2nd Floor, Matakhudi Road, Mahendru P.S. Sultanganj, District- Patna.

.... Petitioner/s

Versus

1.The State of Bihar through its Commissioner-cum- Secretary, Department of Home, Bihar Old Secretariat, Patna.
2.The Commissioner, Patna Division, Patna.
3.The Commissioner, Magadh Division, Gaya.
4.The District Magistrate, Patna.
5.The District Magistrate, Aurangabad.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : None

For the State : Mr. Anjum Perveen A.C. to S.C.3

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 11-02-2015

No one appears for the petitioners.

Counsel for the State is present.

It is an old matter.

Basically, in the present application, the petitioners have challenged the action of the Collector through Letter No. 118, dated 31.03. 1997 and Letter No. 1777, dated 01.04.1997 whereby the Collector has regulated purchase and sale of arms and ammunition by the authorized license holders.

It appears from the materials on record that the Collector, in view of looking to the Law and Order problem in the district has put restriction for purchasing the cartridge after obtaining permission from the District Magistrate, which is apparent from letter dated 01.04.1997 (Annexure 3) issued by the Collector, Patna, whereby he has notified that the license holder, who was

interested to purchase the cartridge will have to make an application to the Sub-divisional Officer, who after enquiry will submit a report and only after the permission granted by the Collector, the licensee will have a right to purchase the cartridge. In another letter dated 17.04.1997, the Collector, Aurangabad, regulated the sale and purchase of cartridge which was examined at the Government level and vide letter dated 15th June, 1997, declared the imposition of condition in purchase of cartridge is not legal and set aside the order of the Collector.

As no one appearing for the petitioners, in view of subsequent letter issued by the government nullifying the action of the Collector, there is no need to pass any order in this case.

Accordingly, the application is dismissed as infructuous.

(Shivaji Pandey, J)

singh/-

U			
---	--	--	--