

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13360 of 2013

=====

Ashok Kumar, son of late Bankey Lal @ Bankey Lal Bihari Prasad @
Bankey Bihari Prasad Singh, resident of village-Hakikatpur, P.S.-
Bakhtiyarpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate-cum-Collector, Patna
3. The Sub-Divisional Officer, Barh, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Kuber Pathak

For the Respondent/s : Mr. Manish Kumar, AC to GP-24

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-03-2015

Heard the parties.

The petitioner has filed the present application seeking a direction to the respondent no.2, the District Magistrate-cum-Collector, Patna for issuance of arms licence in favour of the petitioner.

A counter affidavit has been filed on behalf of the respondent no.2 stating therein that the application filed on behalf of the petitioner for grant of arms licence was considered, but it has finally been rejected by the order dated 26.11.2013, which is part of the Annexure-A series.

Admittedly, the order passed by the District Magistrate is appealable under Section 18 of the Arms Act.

In above view of the matter, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty to file an appeal before the prescribed appellate authority.

Permission is accorded.

The writ petition stands disposed of as withdrawn with

the liberty aforesaid.

If such an appeal is filed on behalf of the petitioner within a period of three weeks from today and, if it is found that it has become barred by limitation and, if any petition is filed on behalf of the petitioner for condonation of delay, then the appellate authority shall take into consideration that under a bonafide legal advise the present writ petition had been filed before this Court on 12.07.2013 and that remained pending till date.

(Birendra Prasad Verma, J)

Arvind/-

U			
---	--	--	--