

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21594 of 2011

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Vidya Bhushan Kumar S/O Shri Shankar Prasad Yadav Village Bhataura, P.S-
Bagaha, District- West Champaran at Bettiah.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, West Champaran at Bettiah.
3. The Arms Magistrate, West Champaran at Bettiah.
4. The Chief Wild Life Warden, Bihar, Patna through the Deputy Director II,
Balmikinagar Tiger Reserve, Bagaha II.
5. The Deputy Director II, Balmikinagar Tiger Reserve, Bagaha II.

.... Respondents

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Appearance :

For the Petitioner : M/s. Ramakant Sharma, Senior Advocate and
Lakshmi Kant Sharma, Advocate

For the State : M/s. Rajiv Roy G.P. 5 and
Suresh Kumar, A.C. to G.P.5

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 05-08-2015

As prayed, learned counsel for the petitioner is permitted to implead the Chief Wild Life Warden, Bihar, Patna through the Deputy Director II, Balmikinagar Tiger Reserve, Bagaha II and the Deputy Director II, Balmikinagar Tiger Reserve, Bagaha II as respondent nos.4 and 5.

Heard learned counsel for the petitioner and the State.

Grievance of the petitioner is that though he had made a request in the year 2008 itself either for grant of fresh license or for transfer of license existing in the name of his father for N.P. Bore Arms but no decision has been taken as yet.



A counter affidavit has been filed on behalf of the State pointing out certain lacuna in the application and also certain deficiencies including one that necessary declaration has not been made in the application form submitted by the petitioner and also that in view of the area being within the Valmiki Tiger Reserve, necessary No Objection Certificate from the Chief Wild Life Warden, Patna through the Deputy Director, Balmikinagar Tiger Reserve has not been obtained till date. It is also a fact that the licensing authority itself has written to the concerned authority for taking a decision in this regard.

Accordingly, this writ application is disposed of with a direction to the respondent no.4 to take a decision with regard to grant of No Objection Certificate in accordance with law within a period of two weeks from the date of receipt/production of a copy of this order.

Let the District Magistrate, West Champaran communicate this order immediately to the respondent no.5.

The petitioner would also be required to and would be permitted by the District Magistrate concerned to remove the defects or the deficiencies existing in the application form or otherwise by appearing before the District Magistrate himself on 17th August, 2015. The District Magistrate, who is a licensing

authority, would be required to take a final decision in accordance with law within eight weeks from the date of receipt of the decision of the respondent nos.4 and 5.

(Dr. Ravi Ranjan, J)

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