

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15395 of 2015

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Gyaneshwar Kumar, S/o late Kamaldeo Prasad, R/o Village Kunwa, P.S- Chakia,
District- East Champaran, Motihari.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Govt. of Bihar, Patna.
2. The Principal Home Secretary, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The Sub Divisional Officer, East Champaran, District East Champaran, Motihari.
5. The Arms Magistrate, East Champaran District East Champaran, Motihari.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
 Mr. Rajiv Ranjan, Advocate
 Mr. Dhananjay Kumar Gupta, Advocate
For the Respondent/s : Mr. Din Bandhu Singh, G.P.-9

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 13-10-2015

I have heard learned counsel for the petitioner and the

State.

It is contended on behalf of the petitioner that he had filed

an application for grant of licence for DBBL gun in the year 2002

itself as his father wanted to transfer the gun which was held by him

under a valid licence in his favour. In the meantime, his father died.

His licence was cancelled. The petitioner was directed to deposit the

gun which was eventually deposited before the Arms Dealer which

stands reflected in the order passed by the District Arms Magistrate

(Annexure-9), however, no decision could be taken on the application

of the petitioner.

Learned counsel appearing for the State, on instruction, submits that this is a fact that no decision has been taken as yet but the same would be taken after the results of election are declared.

However, I must indicate that it is very unfortunate that the matter of the petitioner has been kept pending since 2002 and, in the meantime, his father died and even after the gun having been deposited by the petitioner with the Arms Dealer in compliance of the direction contained in Annexure-9, no decision has been taken as yet under the Family Heirloom Policy.

Having regard to the facts and circumstances of the case, this writ application is being disposed of directing the District Magistrate-cum-Licensing Authority, East Champaran at Motihari (respondent no.3) to take a final decision in the matter in accordance with law within a period of two months from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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