

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3692 of 2015**

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BISHWANATH SINGH SON OF AKHAURI BHOLA NATH  
SHRIVASTAVA, RESIDENT OF MOHALLA - BAIRAGI, P.S.-  
KOTWALI, DISTRICT- GAYA (BIHAR)

.... .... Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL HOME  
SECRETSRY, GOVERNMENT OF BIHAR, OLD SECRETARIAT,  
PATNA.
2. THE DISTRICT MAGISTRATE GAYA, DISTRICT- GAYA (BIHAR).
3. THE DISTRICT ARMS MAGISTRATE, GAYA, DISTRICT- BIHAR  
(BIHAR).
4. THE SUPERITENDENT OF POLICE, GAYA, DISTRICT- GAYA  
(BIHAR).
5. THE STATION HOUSE OFFICER OF DELHA POLICE STATION,  
DISTRICT- GAYA (BIHAR).
6. THE STATION HOUSE OFFICER, OF KOTWALI POLICE  
STATION, DISTRICT- GAYA (BIHAR).
7. THE ARMS SUB INSPECTOR, KOTWALI POLICE STATION,  
GAYA, DISTRICT- GAYA (BIHAR)

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Manoj Kumar, Advocate  
For the State : Mr. Subhash Pd. Singh, GA 7

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2      15-09-2015              Mr. Manoj Kumar, learned counsel appearing for the  
  
petitioner, informs that this case has been filed for quashing of the  
  
order dated 05.04.2014 passed by the District Magistrate, Gaya,  
  
i.e., respondent no. 2, by which the arms licences of the petitioner  
  
bearing nos. 11361/01 and 1363/01 have been cancelled.

However, it is submitted that the sole petitioner has already  
  
died on 04.06.2015 and since the licence is not heritable one there  
  
would be no question of substitution of legal heirs in this matter.

Accordingly, this writ application stands dismissed having

become incompetent to proceed with.

However, this order would not come in the way of the legal heirs and representatives to seek a permission for its sale or fresh arms licence. In case such application is made before the competent authority the concerned authority would be required to take a decision in the matter on its own merit and in accordance with law.

**(Dr. Ravi Ranjan, J)**

SC/-

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