

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12148 of 2014

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Shamshad Anjum Khan Son of Rashiduzzaman Khan Resident of Mohalla- Sena
Patt Kilaghat, Ravan (Nagar), Ward No. 21, P.O. Lal Bag, Police Station- Ravan (Darbhanga), District- Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, cum District Licensing Authority. Darbhanga.
3. Sub- Divisional Officer, Darbhanga, Sadar Darbhanga, District Darbhanga.
4. Superintendent of Police, Darbhanga, District- Darbhanga.
5. Officer In- Charge Darbhanga Town Police Station, District- Darbhanga

.... Respondents

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Appearance :

For the Petitioner : M/s Gajendra Kumar Jha and
Gajendra Kumar Singh, Advocates
For the State : Mr. Sanjeet Kumar Singh, AC to AAG 10

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 21-09-2015

I have heard learned counsel for the petitioner and the State.

Though this case was filed on 17.07.2014 and a copy of the writ petition was served upon the learned counsel for the State on 01.07.2014 but no counter affidavit has been filed till date.

In the aforementioned facts and circumstances of the case, this writ application is being disposed of without waiting further for filing of the counter affidavit.

The petitioner has made an application for grant of arms licence vide Annexure 5 on a prescribed form on 08.09.2011 but till date nothing has been communicated to the petitioner regarding any

decision having been taken upon his application.

Accordingly, this writ application is being disposed of with a direction to the District Magistrate-cum-Licensing Authority, Darbhanga, i.e., respondent no. 2, to take a decision upon the application of the petitioner on its own merit and in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

It is made clear that while making such exercise, respondent no. 2 should, apart from considering other necessary requirements, consider the application of the petitioner in terms of the policy of “Grant of Licences under Family Heirloom Policy” as the father of the petitioner is having a licence of DBBL gun and has surrendered his licence and gun and, thereafter, the petitioner has applied for arms licence and also for the aforesaid gun on the ground mentioned in the policy that the aforesaid gun should be retained in the family.

(Dr. Ravi Ranjan, J)

SC/-

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