

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.8401 of 2014

ORDER:

The grievance of the petitioner was that the respondent authorities were not renewing his gun licence though an application was made for renewal thereof within time. The petitioner's gun licence expired on 31.12.2013 and his licenced weapon is stated to have been deposited with the Shameerpet Police Station for safe custody.

Though a counter-affidavit has been filed in the matter, the learned Assistant Government Pleader was asked to get instructions as to the present status. Thereupon, the Commissioner of Police, Cyberabad, furnished written instructions dated 17.12.2015 to the office of the learned Government Pleader for Home, wherein he stated that the petitioner earlier held an arms licence in the State of Maharashtra which was re-registered by the Collector, Ranga Reddy District, in the year 2002, as he shifted his residence to Shameerpet Village and Mandal, Ranga Reddy District. This licence was renewed thereafter and was valid from 31.12.2004 to 31.12.2007. While so, the petitioner shifted his residence from Shameerpet Village and Mandal, Ranga Reddy District, to Dimapur in Nagaland State and his licence was renewed by the Nagaland police authorities from 31.12.2007 to 31.12.2013. The petitioner thereafter shifted his residence from Dimapur in Nagaland State to Shameerpet Village and Mandal, Ranga Reddy District and his residence fell within the jurisdiction of Cyberabad Police Commissionerate.

He admittedly applied for re-registration and renewal of his arms licence before the Cyberabad police authorities. However, as the petitioner had, during the period of operation of the licence, been a resident of the State of Nagaland, the local police authorities deemed it appropriate to address the Nagaland police authorities for information as to whether the petitioner could be granted renewal of his arms licence. It is stated that in this regard, the Commissioner of Police,

Cyberabad, Hyderabad, addressed letters on 01.05.2014, 23.09.2015 & 07.12.2015 to the Nagaland police authorities. However, as no response was received from them, the matter was kept pending.

It is an admitted fact that there is no evidence of cancellation of the petitioner's arms licence by the Nagaland police authorities. It is also not the ground that the particulars of the petitioner's arms licence are not available with the respondent authorities.

If that be so, the inference that can be drawn from production of the renewed arms licence by the petitioner would be that the Nagaland police authorities did not take any adverse action in relation thereto. It is no doubt open to the local police authorities to seek necessary clarification from out station police authorities in a case of this nature, but when there is no response from the other State authorities, the matter cannot be kept pending indefinitely on that ground.

In that view of the matter, the writ petition is disposed of directing the respondent authorities to consider the petitioner's application for renewal of his licence in accordance with the relevant rules and proceed in the matter without awaiting the response of the Nagaland police authorities. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:23.12.2015

GJ