

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 15892 of 2016

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Asif Ali, Son of Late Sahabuddin Warsi @ Warsi Ahmed, Resident of
Village-Hasanpur Osti, P.S.-Mahua, District-Vaishali.

.... Petitioner.

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The District Magistrate, Vaishali District – Vaishali.
3. The District Arms Magistrate, Vaishali at Hajipur.
4. The Superintendent of Police, Vaishali, District-Vaishali.
5. The Officer-in Charge, Mahua Police Station, Mahua, District-Vaishali.

.... Respondents.

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Adv.

For the Respondents: Mr. Mrigendra Kumar, AC to GA4

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 19-12-2016

Heard learned counsel for the petitioner and the
State.

Petitioner seeks quashing of order dated 31.07.2005
passed by the District Arms Magistrate, Vaishali, as contained in
Annexure-5, by which his licence for DBBL Gun has been
cancelled on the ground that he could not submit NDAL Form.

It is submitted that the identical case has been
allowed in terms of Annexure-6 & 7. That apart it also appears
from Annexure-2 that the petitioner's licence was renewed in the



year 2013 and was valid till December, 2015. Error has been committed by stating that petitioner has not been able to renew his licence for a long period.

Accordingly, this writ petition is allowed in terms of judgments dated 20.06.2016 and 27.06.2016 passed in CWJC Nos. 5904 of 2016 and 7643 of 2016, as contained in Annexure-6 & 7 respectively. The order impugned, as contained in Annexure-5 is quashed and set aside. Petitioner is permitted to fill up the NDAL Form within a period of eight weeks and submit it before the Licensing Authority and, thereafter, a decision should be taken by the Licensing Authority within a period of two months.

However, if the petitioner again fails to fill up NDAL Form then the Licensing Authority would be at liberty to pass necessary order in this matter.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
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