

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2554 of 2016

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Md. Dabiruddin, S/o Late Md. Nadir Hussain Resident of Village-
Bhutahshadipur, P.O.- Bhutah, P.S.- Baise, District- Purnia.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home (Police) Govt. of Bihar, Patna.
2. The Principal Secretary, Home (Police) Government of Bihar, Patna.
3. The Commissioner, Purnia Division, Purnia.
4. The Collector, Purnia.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shabbir Ahmad, Advocate

For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC-25

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks quashing of the order dated 19.09.2015 passed by the District Magistrate, Katihar by which his firearm's licence has been cancelled under Section 17 (3) of the Arms Act, 1959 in view of the fact that he could not submit NDAL form.

The petitioner's stand is that though he appeared before the District Magistrate, Katihar along with duly filled up N.DAL form but he was informed that his licence has already been cancelled vide order dated 19.09.2015 as contained in Annexure-3.

It appears from the notice dated 15.09.2015 that the

petitioner was granted three days time for filling up such form but the petitioner obviously approached after a week, however, the petitioner contends that he got the notice only on 19.09.2015.

Be that as it may, since admittedly a notice was published in the Gazette of India on 23.09.2015 by which the last date for submission of aforesaid form was extended from 1st October, 2015 to 1st April, 2016, in my view, another chance should be given to the petitioner for such purpose.

Accordingly, the order as contained in Annexure-3 should be kept in abeyance. The petitioner is directed to fill up the aforesaid form within a period of four weeks. If such form is filled up by the petitioner within the aforesaid period and after its scrutiny, if the same is found in order then the order of cancellation against the petitioner would stand quashed. However, if the petitioner fails to submit the necessary form again then the impugned order shall revive.

This writ application stands disposed of.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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