

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18565 of 2015

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Md. Khurshid Alam Son of Late Md. Kamruzzama Resident of Village-
Chandchaur mathurapur, P.s Ujjiarpur, District samastipur.

.... Petitioner

Versus

1. The State of Bihar,
2. The Divisional Commissioner, Darbhanga Division Darbhanga,
3. The District Magistrate, Samastipur,

.... Respondents

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Appearance :

For the Petitioner : Mr. S.N.P. Sinha, Sr. Advocate,
M/s Rohit Kumar and J.N. Sinha, Advocates

For the State : Mr. Nishant Kumar Sinha, AC to GP 21

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 14-03-2016 Heard the parties.

Petitioner is aggrieved by the order dated 11th of July, 2014 passed by the District Magistrate, Samastipur, by which his licence granted for N.P. bore rifle has been cancelled on the ground that he could not purchase the firearm for about 22 years. The petitioner has also assailed the order dated 15.09.2015 passed by the appellate authority who happens to be the Commissioner, Darbhanga Division, by which his appeal has been dismissed and the order passed by the licensing authority has been upheld.

Admitted position being that the petitioner could not purchase the firearm despite several extension of time on several occasions, in fact for about 22 years, is itself sufficient to hold that

the orders impugned cannot be faulted with.

However, in view of the fact that the petitioner has given undertaking before this Court on affidavit that if three months' time is granted to him then he would purchase the firearm within the aforesaid time and also the fact that surprisingly the licensing authority itself continued to extend time to the petitioner on earlier occasions till 2013, i.e., even 21 years after granting licence to him in the year 1992 in place of taking necessary action, let the impugned orders be kept in abeyance for a period of four months and, upon production of a copy of this order, let the licence of the petitioner be extended for a period of three months for purchase of the firearm within the aforesaid period. If the petitioner is able to purchase a firearm then let his licence be restored by the licensing authority. However, if the petitioner again fails to purchase the firearm within the aforesaid period granted to him then the impugned orders as contained in Annexures 1 and 2 would automatically revive.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

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