

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17251 of 2014

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Narendra Prasad Singh S/o Sri Jai Ram Singh Resident of Village Bargaon, P.S. Nalanda, District Nalanda (Bihar) at present Junior Engineer, Road Construction Division, Gadhava (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar through the Director General of Police, Old Secretariat, Patna.
2. The Director General of Police, Old Secretariat, Patna.
3. The Deputy Inspector General, South Zone, Gandhi Maidan, Patna.
4. The District Magistrate, Purnea.
5. The Superintendent of Police, Purnea.
6. The District Arms Magistrate, Purnea.
7. The Additional District Magistrate, Purnea.
8. The Thanadhyaksha, Nalanda Police Station, Nalanda.

.... Respondents

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Appearance :

For the Petitioner : Mr. Basant Kumar Tripathy, Advocate
For the State : Mr. Abhinay Raj, A.C. to A.A.G. 2

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 02-05-2016

Heard parties.

Petitioner's licence was cancelled vide Annexure 1 dated 08.04.2013 by the District Magistrate, Purnea chiefly on two grounds that he did not renew the licence after the year 2004 and he has not produced his firearm for physical verification since then. Second ground is that though he was granted licence for the territory of State of Bihar but he is keeping his firearm in the State of Jharkhand.

Show cause notice was issued on the petitioner on

24.08.2011. In reply to which he had informed the licensing authority that he has been posted in the State of Jharkhand and is keeping the firearm in the locked almirah. The appeal filed by the petitioner against the aforesaid order was dismissed for want of prosecution on 29.08.2013. Thereafter, the petitioner, after about one year, again filed Miscellaneous Case No. 90/2014 which was again dismissed for default on the ground that the petitioner again remained absent. However, it is also stated that there is no merit in the case.

It is submitted on behalf of the petitioner that the appellate authority while taking a decision on the matter of restoration could not have made comment on the merit of the case of the petitioner.

Be that as it may, the petitioner has not been able to satisfy this Court also under what condition he could not renew his licence since 2004 and how could he have taken the firearm in the territory of the State of Jharkhand though the fact is that he was granted licence only for the territory of the State of Jharkhand?

In such a situation, I do not find any reason warranting interference of this Court.

Accordingly, this writ application is dismissed.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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