

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.379 of 2016

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Birendra Singh, Son of Late Harihar Singh, Resident of New Agarwa Veer Chowk
Shivniliam, P.S. Town Motihari, District East Champaran, Motihari.

.... Petitioner

Versus

1. The State of Bihar
2. The Department of Home, Bihar, Patna through its Secretary.
3. The District Magistrate, Motihari.
4. The District Arms Magistrate, Motihari.

.... Respondent/s

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Appearance :

For the Petitioner : M/s Surendra Kishore Thakur and
Subodh Kumar, Advocates

For the State : Mr. Sanjeet Kumar Singh, AAG10

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 11-01-2016

Heard learned counsel for the petitioner and the State.

Petitioner claims to be an Ex-Army man and having been granted licence for DBBL gun by the competent authority when he was posted at Lucknow. Thereafter, he was posted at Pathankot in the State of Punjab where he got his licence renewed till 1987. Thereafter, his licence was again renewed by the Sub Divisional Officer, Motihari, then Areraj, then District Magistrate, Dhanbad in the State of Jharkhand and lastly the Arms Magistrate, East Champaran till 2011.

Petitioner further claims that he has got licence with All India validity. It is contended that, thereafter, he has finally settled at

Motihari and he has applied for renewal of his licence on 10.1.2012 but the matter has been kept pending for this reason or that reason. In the meantime report has been sought from the District Magistrate, Lucknow also along with no objection which has been provided to the licensing authority as would appear from Annexures 6 and 7. Learned counsel for the petitioner submits that still no decision has been taken by the licensing authority and again a letter has been issued to the petitioner vide Annexure 8 as to why his licence has not been renewed till 31.12.2012 whereas last renewal was done by the District Arms Magistrate, East Champaran at Motihari himself which would be evident from the entry made in the licence which has been appended as Annexure 1.

Having regards to the aforementioned facts and circumstances this writ application is being disposed of with a direction to the licensing authority to consider the case of the petitioner for renewal as in the aforesaid facts and circumstances in accordance with law and take a final decision within a period of 8 weeks from the date of receipt / production of a copy of this order.

(Dr. Ravi Ranjan, J)

Spd/-

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