

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3744 of 2016

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Neelam Gupta, Wife of Sri Pramod Gupta, Resident of Maharajganj
Gulzarbagh P.S Alamganj District Patna. C/o Shivjee Rai, Jathua, Hajipur.

.... Petitioner

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar.
2. District Magistrate, Vaishali.
3. Divisional Commissioner Tirhut Division Muzaffarpur.
4. Additional District Magistrate (Arms), Vaishali.
5. District Arms Magistrate, Vaishali.
6. Superintendent of Police, Vaishali.

.... Respondents

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Appearance :

For the Petitioner : M/s. Manisha Pandey, Shweta Pandey,
Deepak Kumar, Advocates
For the State : M/s. Raju Giri- Gp30,
Aditi Hansani, A.C. to G.P. 30

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 14-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is aggrieved by Annexure-2 dated 31.07.2015 by which her licence for N.P. Bore revolver/pistol has been cancelled on the ground of non-submission of N.D.A.L. form as well as for non-renewal of her licence.

It is submitted on behalf of the petitioner that it would be evident from the licence of the petitioner, a copy of which has been appended as Annexure-1, that the same was granted till 31.12.2006 and, thereafter, it was being renewed time to time and lastly, it was renewed on 12.02.2013 till the year 2015. Thereafter,

the petitioner has already filed a *challan* for renewal of her licence. Thus, it is contended that it has wrongly been stated in the impugned order that the petitioner's licence was not being renewed. Secondly, admittedly the date of submission of N.D.A.L. form has been extended till 31.03.2016 vide notification dated 23.09.2015.

Having regard to the aforementioned facts and circumstances and in view of the admitted position that the date of submission of such form has already been extended, this writ application stands allowed. The impugned order is quashed and set aside. The petitioner is permitted to fill up the aforesaid form till 31.03.2016 before the Arms Magistrate and, thereafter, let the Licensing Authority take a decision with regard to renewal of licence of the petitioner.

It is expected that such decision would be taken within a period of two months from the date of receipt/production of a copy of this order. If the petitioner's licence is renewed, then the Licensing Authority would be required to pass necessary order for immediate release of the concerned firearm.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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