

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11722 of 2016

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Shashi Shankar Pathak, Son of Late Rameshwar Nath Pathak, Resident of village
+ Post office - Saisar, Police Station Dinara, District - Rohtas

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar
2. The District Magistrate, Rohtas
3. The Superintendent of Police, Rohtas
4. The District Arms Magistrate, Rohtas

.... Respondents

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Appearance :

For the Petitioner : Mr. Vindhya Keshari Kumar, Sr. Advocate
For the State : Mr. Apurva Kumar, A.C. to G.A

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 21-11-2016

This is yet another case in which the matter of grant of
licence to the petitioner has been kept pending for about 9 years.

A stand has been taken in the counter affidavit that since
both the petitioner and his brother had applied for grant of licence, no
objection certificate on behalf of the brother was required. However,
petitioner claims that his brother has died on 08.05.2016 itself.

Be that as it may, since the petitioner's brother had died,
there is no question of any no objection certificate and in view of the
averments made in the counter affidavit, let a decision on its own
merit and in accordance with law regarding grant of licence to the
petitioner be taken by the District Magistrate-cum-licensing authority,
Rohtas at Sasaram within a period of there months from the date of

receipt/production of a copy of this order.

The petitioner would be required to file death certificate along with other no objection certificate given by other family members before the District Magistrate-cum-Licensing Authority.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.11.2016
Transmission Date	NA