

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4769 of 2017

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Birendra Singh, S/o Sheo Parsan Singh, R/o Village + P.O.- Chhatauna,
P.S.:- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Sasaram, Rohtas.
3. The Superintendent of Police, Sasaram, Rohtas.
4. Sub-Divisional Officer, Sasaram, Rohtas.
5. Officer-in-Charge, Nokha Thana, Distt.- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vishal Saurabh
For the Respondent/s : Mr. Saroj Sharma, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsels for the parties.

The present writ application has been filed for a direction to the respondent authorities to dispose of the application of the petitioner for grant of Arms license of NP bore revolver.

It is submitted by learned counsel for the petitioner that the petitioner is an elected Mukhia of Chhatauna Gram panchayat. The petitioner is having Arms Licence No. 1/11 of NP Bore Rifle No. 54567, but since the petitioner is elected panchayat representative, he has to travel to different places, hence he has applied for grant of licence for NP Bore revolver by submitting his application in prescribed format in 2015. The petitioner has learnt from reliable sources that respondent no. 5, the Officer-in-Charge, Nokha Police Station has submitted a police report to



the effect that the petitioner is not having any criminal antecedent and he may be granted licence for revolver but even then application for grant of arms licence has not been disposed of.

It is further submitted that though under section 13 of the Arms Act, 1959, there is no prescribed time limit for disposal of an application for grant of arms licence nor there is any such prescribed time limit under Rule 51 of the Arms Rules, 1962 which deals with the procedure for disposal of the application for arms licence but under the Arms Rules, 2016, Rule 13 specifically prescribes the time limit for disposal of the application for arms licence. Rule 13 stipulates that the licencing authority, after considering the application and on being satisfied that the applicant has fulfilled the eligibility condition, shall grant or refuse to grant licence for permissible category of arms, specified in category 3 of Schedule I to any person by recording reason in the order within a period of sixty days of the receipt of the application.

Learned AC to AAG 3 submits that at present he is not having any instruction whether the application of the petitioner has been disposed of or not, but if such application has not been disposed of, it will be disposed of within a time frame.



Having heard learned counsels for the parties, this Court is dismayed to notice that the application of the petitioner for grant of arms licence is pending since 2015. It appears that since last two years the application of the petitioner is pending, but it has not been disposed of. If the application of the petitioner has not yet been disposed of, the respondent no. 2, the District Magistrate, Rohtas at Sasaram is expected to dispose of the application of the petitioner within a period of six weeks of the receipt/production of a copy of this order in accordance with law.

This writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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