

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.353 of 2014

Arising out of

C.W.J.C. No. 10835 of 2010

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Shivnath Kumar Nirala, son of Sri Sukar Paswan, Resident of Village Nasirchak, P.S. Mohanpur, District Gaya At Present Residing At Mohalla Mustafabad, P.S. Rampur, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bala Murugan, D S/O Not Known District Magistrate, Gaya.
3. Nishant Kumar Tiwary S/O Not Known Senior Superintendent Of Police, Gaya.
4. Chandan Kushwaha S/O Not Known City Superintendent Of Police, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Respondent/s : Mr. Ashish Kumar Lal, A.C. to G.A. 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 19-07-2017

Challenging the order passed by the District Magistrate and the Divisional Commissioner in a proceeding held under the Arms Act cancelling arms licence of the petitioner, the writ petition in question was filed which was disposed of on 11.05.2012 after examining various aspects of the matter. It is clear that finding there to be violation of the principles of natural justice and the action taken without grant of proper opportunity, the petition was allowed and the cancellation of arms licence quashed.

From the show-cause now filed by the respondents, it is seen that they have again taken action in the matter, issued notice to



the petitioner and an *ex parte* order has been passed on 13.07.2017 cancelling the arms licence of the petitioner.

That being so, in case the petitioner has any grievance with regard to the action taken by the competent authority on 13.07.2017 vide Annexure-J, petitioner is granted liberty to challenge the same afresh in accordance with law.

With the aforesaid, the contempt application is disposed of.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	21.07.2017
Transmission Date	

