

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (Cr.) No. 5030 of 2006**

Smt. Anita Bivalkar, Wd/o Late Shri Lalit Bivalkar, aged about 50 years, resident of Chhunkatta, P.S. - Utai, District Durg, (C.G.)

---- Petitioner

**Versus**

1. State of Chhattisgarh, through the Secretary, Ministry of Home Affairs, D.K.S. Building, Raipur (C.G.)
2. Additional District Magistrate for District Magistrate, Durg (C.G.)
3. Smt. Subhashini, Wd/o Lalit Kumar, aged about 66 years.
4. Nitin, S/o Late Lalit Kumar, aged about 37 years.
5. Smt. Sima, D/o Late Lalit Bivalkar.
6. Nilesh, S/o Late Lalit Kumar.
7. Obed, S/o Nitin Bivalkar, aged about 9 years, through natural guardian Nitin, S/o Late Lalit Kumar

(Sl. No. 3 to 7 resident of A/12 Karamchari Nagar, Sikolabhata, Durg, District durg (C.G.)

---- Respondents

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For Petitioner: Mr. Vivek Tripathi, Advocate.  
For State : Mr. Arun Sao, Dy. Advocate General.

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order On Board**

**07/11/2017**

(1) Learned counsel for the petitioner submits that the order impugned is bad and unsustainable in law, which is liable to be dismissed.

(2) Per contra, counsel for the State submits that the State Government, by the impugned order, has remitted back the matter to the Collector for hearing and disposal in accordance with law for finding out the legal heirs of the

Licencee and thereafter fire arms be returned to the Legal heirs of the Licencee.

(3) Since the State Government has only remitted the matter back to the Collector for hearing and disposal in accordance with law, the petitioner is at liberty to file all his documents in support of his case before the Collector and that will be decided by the Collector in accordance with law, if the proceedings has already not been concluded.

(4) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-  
Sanjay K. Agrawal  
Judge

D/-