

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(114)

CWP-11612-2017

Decided on: May 25, 2017.

Jiwan Kumar

.... Petitioner

Versus

District Magistrate and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Preetwinder Singh Dhaliwal, Advocate,
for the petitioner.

M.M.S. BEDI, J (ORAL)

Learned counsel for the petitioner submits that vide order Annexure P-3, the petitioner has been wrongly denied the arms licence on a frivolous ground that he was not able to show any extraordinary reason for grant of arms licence.

Learned counsel for the petitioner relies upon the observations of this Court in CWP-17265-2015 titled Sisan Pal Vs. District Magistrate-cum-Deputy Commissioner, Barnala and another, decided on 11.01.2017 in which similar order has been held to be illegal.

I have considered the contentions of learned counsel for the petitioner.

The petitioner has got an alternative remedy available to him to file an appeal under Section 18 of the Arms Act before the competent authority prescribed under the rules framed under the said Act, against the rejection order.

Without expression of any opinion on merits, at this stage, the petition is held not maintainable as there is an efficacious remedy available to the petitioner to file a statutory appeal.

It will be open to the petitioner to seek relief on the basis of the observations in *Sisan Pal's case (supra)*.

The petitioner is relegated to avail the alternative remedy.

In case, the appeal is filed within a period of 15 days, it will be entertained by the competent authority and would be decided expeditiously in accordance with law.

Disposed of with above observations.

(M.M.S. BEDI)
JUDGE

May 25, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No