

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

CWP No.6279 of 2017

Date of Decision.18.04.2017

Ramesh Kumar

.....Petitioner

Vs

State of Haryana and others

.....Respondents

Present: Mr. Sandeep Goyat, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

-.-

AMIT RAWAL J.(ORAL)

Notice of motion.

Mr. Rajbir Singh, AAG, Haryana accepts notice.

The petitioner is aggrieved of the impugned order dated 28.07.2016 (Annexure P-4) passed by respondent No.2 whereby the appeal filed by the petitioner against the order dated 02.03.2013 (Annexure P-2) has been dismissed in default on the premise that the counsel who was engaged had been selected as judicial officer in the State of Gujarat and therefore, the authorities did not issue notice. It is in this aspect of the matter, the petitioner is aggrieved of not having presented in the statutory remedy of appeal by assailing the impugned order.

I have heard learned counsel for the petitioner, appraised the paper book and of the view that in order to prevent the miscarriage of justice and to do justice, let an opportunity be given to the petitioner to address the points raised in the ground of appeal preferred before the Divisional Commissioner, Hisar against the order dated 02.03.2012 whereby the application for obtaining of arm licence has been rejected.

Resultantly, the order passed by respondent No.2 is set aside

and the executive appeal bearing No.10448 of 2013 (Arms Act) is restored on file. Parties through counsel are directed to appear before the Divisional Commissioner, Hisar for addressing arguments on the appeal on 08.05.2017 and the Divisional Commissioner shall decide the same within a period of two months thereafter.

The writ petition is disposed of in the above terms.

(AMIT RAWAL)
JUDGE

April 18, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No