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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7387/2016

RAKESH GOSWAMI Petitioner
Through: Ms Eti Solanki, Advocate.

versus

THE STATE (GOVERNMENT OF NCT
OF DELHI) Respondent
Through: Ms Prabhsahay Kaur, Advocate.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **19.09.2017**

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 02.07.2015 (hereafter 'the impugned order'), passed by the Lt. Governor of Delhi, whereby petitioner's appeal against the order dated 12.03.2014 passed by the Licensing Authority, refusing his application for an arms licence, was rejected.
2. Ms Solanki, the learned counsel for the petitioner submits that none of the reasons as set out in Section 14 of the Arms Act, 1959 are applicable in the facts of the present case. She drew the attention of this Court to the order dated 12.03.2014, passed by the Licensing Authority and submitted that the reasons stated therein are routine reasons and had been repeated in a mechanical manner.
3. The learned counsel for the respondent, who appears on advance notice, referred to the decision of a Coordinate Bench of this Court in

Ashish Talgotra v. Addl. Dy. Commissioner of Police Arms and Explosive Licensing Unit: W.P.(C) 6105/2014, decided on 23.11.2015, wherein this Court had, following the decision of a Division Bench of this Court in ***Praveen Kumar Beniwal v. Government of NCT of Delhi & Anr.: 2015 (149) DRJ 434***, rejected a similar petition.

4. The order dated 07.03.2014, passed by the Licensing Authority, indicates the following reasons for rejection of the petitioner's application:-

- "1. You do not have any good reason for grant of an arms license.
2. You do not have any specific threat.
3. In the report from local police, as required under section 13 (2) of Arms Act, 1959, it has been stated that you do not have any requirement or need of weapon."

5. It is seen from the above that none of the aforesaid reasons can be held to be arbitrary or unreasonable. Indisputably, the petitioner does not have any specific threat warranting the petitioner to carry a fire arm. It is seen that the only reason given by the petitioner for requiring to carry a weapon is that he runs a school and is required to carry cash from time to time. He had also stated that an attempt was made to snatch cash from him when he was on the way from school to Syndicate Bank.

6. The Licensing Authority had also considered the incident complained of and had concluded that the same did not warrant carrying a fire arm. This Court finds no infirmity with the said opinion.

7. It is also seen that the reasons as provided for refusal of arms licence in ***Ashish Talgotra (supra)*** are identical to the one as stated in the order

dated 07.03.2014 and, the decision in that case would squarely apply in the facts of the present case.

8. The Appellate authority had also concluded that the petitioner had no genuine need to carry an fire arm. This Court find no reason to interfere with the aforesaid decision. The petition is, accordingly, dismissed.

SEPTEMBER 19, 2017
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VIBHU BAKHRU, J