

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19892 of 2016

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Md. Mahtab Alam Son of Md. Wasi Resident of Ashok Raj Path, Bihar Sao Lane, P.S. Pirbahore, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Arms Magistrate, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev
For the Respondent/s : Mr. Shailendra Kumar, AC to GP 5

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-10-2018 Heard learned counsels for the parties.

The present writ application has been filed for quashing the order dated 04.02.2016 passed by Respondent No. 2, the District Magistrate, Patna in Arms License Case No. 9-558/2008, as contained in Annexure 3, whereby the application submitted by the petitioner for grant of licence for NP Bore rifle has been rejected.

Without expressing any opinion on the merits of the case, this Court is simply not inclined to interfere since the petitioner has alternative remedy of appeal under Section 18 of the Arms Act, 1959.

In the circumstances, in the interest of justice, liberty is being granted to the petitioner to prefer appeal before the appellate authority, i.e., the Divisional Commissioner, Patna



Division against the impugned order along with an application for condonation of delay within a period of four weeks from the date of receipt/production of a copy of this order. It is expected from the Appellate Authority to consider the application for condonation of delay since the present writ application was pending before this Court.

With the aforesaid observation/direction, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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