

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5195 of 2018**

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Sushant Anil S/o late Anil Prasad Singh R/o Mohanpur Road, Samastipur,  
P.S. Town Samastipur, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Old Secretariat, Government of Bihar, Patna.
2. The District Magistrate Cum Licensee Authority, District- Samastipur.
3. The District Arms Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The District Arms Magistrate, District- Samastipur.
6. The Officer-in-Charge of Town Thana, District- Samastipur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate  
For the Respondent/s : Mr. Partha Sarthi, GA-4  
Mr. Apurva Kumar, AC to GA-4

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 25-09-2018

Heard Mr. Jai Prakash Verma, learned counsel

for the petitioner and Mr. Apurva Kumar, learned AC to GA-4.

The present writ application has been filed for quashing the order contained in Memo No. 65 dated 11.01.2018 issued under the signature of District Arms Magistrate, Samastipur, whereby petitioner has been intimated that his application for grant of licence for N.P. Bore Pistol/Revolver has been rejected after considering the police report vide order dated 07.12.2017 passed by District Magistrate, Samastipur. Further prayer has been made for a direction to the respondent authority to



grant licence to the petitioner.

It is submitted by learned counsel for the petitioner that the order dated 07.12.2017 has never been supplied to the petitioner, nor the petitioner was aware about the same before getting letter dated 11.01.2018 of the District Arms Magistrate, Samastipur.

Section 14 of the Arms Act, 1959 stipulates the grounds for refusal to grant of licence by the licensing authority, particularly, under sub-section 3 of Section 14, the licensing authority has to give reasons for refusal to grant licence and furnish a copy of a brief statement of the same to the person on demand unless in any case the licensing authority is of the opinion that it will not be in the public interest for furnish such statement, but there is no such stipulation in the impugned order.

This Court deprecates such act of the licensing authority. Since there is no statement in the writ application that any requisition has been submitted by the petitioner for issuance of the order passed by the licensing authority, this Court permits the petitioner to file a requisition for getting the certified copy of the order dated 07.12.2017 within a period of ten days from the date of receipt of a copy of this order. The same will be supplied by the office of the licensing authority within a period of ten days



of the submission of requisition and thereafter the petitioner is permitted to prefer an appeal before the Appellate Authority within a period of four weeks along with application for condonation of delay. It is expected from the Appellate Authority to consider the application for condonation of delay in view of the fact that the writ application was pending before this Court. It is further expected from the Appellate Authority to dispose of the appeal expeditiously.

With the above observation and liberty, the present writ application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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