

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7575 of 2018

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Pramod Singh Son of Late Bishundeo Singh Resident of Mohalla Amber
Pach Aganwan P.S. Bihar, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda.
3. The District Arms Officer, Nalanda.
4. The Director General Police, Bihar Old Secretariat, Patna.
5. The Inspector General Police, Patna.
6. The Deputy Inspector General of Police, Patna.
7. The Superintendent of Police, Nalanda.
8. The Deputy Superintendent of Police, Nalanda.
9. The Sub Divisional Officer, Bihar Sharif, District Nalanda
10. The Officer-in-Charge P.S. Bihar, District-Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8

Mr. Harshavardhan Shivsundaram, AC to SC-8

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 15-05-2018

Heard Mr. Pankaj Kumar, learned counsel for

the petitioner and Mr. Harshavardhan Shivsundaram, learned AC
to SC-8.

The present Writ application has been filed for
a direction to the respondent authorities, particularly, Respondent
no. 2, District Magistrate, Nalanda to renew the Arms Licence No.
2467/1992 of the petitioner.

It is submitted by learned counsel for the
petitioner that the petitioner was in Indian Army and while in



service he was granted licence for gun, in the year 1992 vide Licence No. 2467/1992, as contained in Annexure-1. The licence was renewed from 1992 to 1995 in Ludhiana. Thereafter the petitioner was transferred to Bareilly he got the licence renewed up to 1998 by Licensing Authority at Bareilly. The petitioner retired from the Armed Forces in 2004 and from 1998 to 2012, the licence was renewed by the Licensing Authority, Nalanda, but since 2014 the same is pending for renewal in spite of the fact that the petitioner has submitted the required renewal fee.

Learned AC to SC-8, however, submits that, at present, he is not having any instruction, but if the application of the petitioner for renewal of licence has not been disposed of, it will be disposed of within a time frame.

After having heard the learned counsel for the parties, it appears that there is specific provision of renewal of licence under Section 15 of the Arms Act, 1959. Sub-section 3 of Section 15 stipulates that every licence has to be renewed for the same period for which the licence was originally granted and shall be so renewable from time to time. However, the same provisions stipulated under Sections 13 and 14 shall also apply for the renewal of the licence as they apply to the grant thereof except in the case where the Licensing Authority decides otherwise after



recording the reasons in writing. Rule 54 of the Arms Rule, 1962 stipulates the procedure for renewal. Similar are the provisions under Rule 24 of Arms Rule, 2016. There is nothing on record to suggest the reason for not passing any order with regard to the renewal of the licence of the petitioner.

In view of the discussions made above, it is expected from Respondent no. 2, District Magistrate, Nalanda to dispose of the application of the petitioner with reasoned order in view of the parameters laid down under the Rules, preferably within six weeks from the date of receipt/production of a copy of this order.

Accordingly, this Writ application is disposed of.

(Dinesh Kumar Singh, J)

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