

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10470 of 2017

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Sunil Kumar Keshri, Son of Banshropan Prasad Keshri, Resident of Station Road, Infront of D.A.V. School, Post – Gajadharganj, P.S. – Buxar (Town), District – Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vishwanand Upadhyay, Advocate

For the Respondent/s : Mr. Md. Nashrul Hoda Khan, SC-1

Mrs. Babita Kumar, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 29-10-2018

Heard Mr. Vishwanand Upadhyay, learned

counsel for the petitioner and Mrs. Babita Kumari, learned AC to SC-1.

The present writ application has been filed for quashing the order dated 22.02.2016 passed in Arms Case No. 173 of 2012 passed by Respondent No. 2, District Magistrate, Buxar whereby the application of the petitioner for grant of licence for DBBL Gun has been rejected.

It is submitted by learned counsel for the petitioner that the father of the petitioner has a license and the petitioner submitted an application before the Respondent No.02, District Magistrate, Buxar for transferring the said arms in his



name in accordance with the heirloom policy, but without considering the heirloom policy the application of the petitioner has been rejected by Respondent No. 2, District Magistrate, Buxar.

This Court is not inclined to interfere since petitioner has alternative remedy of appeal under Section 18 of the Arms Act, 1959. However, petitioner is given liberty to prefer an appeal before the Appellate Authority, i.e., Commissioner, Patna Division, Patna within a period of three weeks from the date of receipt of a copy of this order 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.

Accordingly, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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