

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2101 of 2017

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Kailash Singh S/o - Shankar Singh Resident of Village - Chainpur, P.S. -
Turkaulia, P.O. - Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Home, Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The Superintendent of Police, East Champaran at Motihari.
5. The Arms Magistrate, East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh
		Mr. Ramakant Yadav
For the Respondent/s	:	Mr. Prabhat Kumar Verma- Aag3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2018 Heard learned counsels for the parties.

The present writ application has been filed for quashing the order dated 23.02.2016 passed by Respondent No. 3, the District Magistrate, East Champaran in Arms Case No. 180/2016, as contained in Annexure 6, whereby the application submitted by the petitioner for grant of licence for 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, this Court, in the interest of



justice, gives liberty to the petitioner, if so advised, to prefer appeal before the appellate authority, i.e., the Divisional Commissioner against the impugned order along with an application for condonation of delay within a period of three 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 taking into consideration the fact that the present writ application was pending before this Court.

With the aforesaid, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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