

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19452 of 2016

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Sweetty Kumari @ Rekha, Wife of Sri Shailendra Kumar, resident of Mohalla- Munna Chak, P.S.- Patrakar Nagar (Kankarbagh), Town & District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through, Home Commissioner, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.
For the Respondent/s : Mr. Md. Nashrul Hoda Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 30-10-2018

Heard learned counsels for the parties.

The present writ application has been filed for quashing the order dated 06.09.2016 issued by the Respondent no. 2, District Magistrate, Patna vide Memo No. 2716/sh, Patna, as contained in Annexure-1, whereby the petitioner's application for grant of licence for D.B.B.L Gun has been rejected.

It is submitted by learned counsel for the petitioner that this is the fourth round, the petitioner has come up before this Court for grant of arms licence due to callous attitude by the licensing authority. The petitioner had applied for arms licence on 27.12.2008 and since then he is running from pillar



to post.

At this stage, this Court is not inclined to interfere only because the petitioner has an alternative remedy of appeal under Section 18 of the Arms Act, 1959.

In the circumstances, this Court gives liberty to the petitioner to prefer appeal before the Commissioner, Patna Division, Patna against the order dated 06.09.2016, as contained in Annexure-1, along with an application for condonation of delay, whereupon it is expected from the appellate authority to consider the same in view of the fact that the writ application was pending before this Court keeping in view the fact that the petitioner is running from pillar to post since last ten years, it is expected from the appellate authority to dispose of the appeal within a period of six weeks from its filing.

Accordingly, with the above observations and directions, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

