

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1723 of 2018

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Piyush Kumar Singh, Son of Tanuklal Singh, resident of Village- Dan Nagar,
Police Station- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through gthe Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The District Magistrate, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The Sub- Divisional Officer, Khagaria.
5. The Deputy Superintendent of Police, Sadar, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh
For the Respondent/s : Mr. Ajay Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 09-10-2018

Heard learned counsels for the parties.

The petitioner has preferred this writ application for quashing the order dated 27.04.2017 passed by Respondent No. 2, the District Magistrate, Khagaria, whereby the application submitted by the petitioner for grant of licence of N.P. bore pistol has been rejected.

It appears that earlier the petitioner's application for grant of licence was rejected by Respondent No. 2, the District Magistrate, Khagaria vide order dated 10.12.2011 which was challenged in CWJC No. 7356 of 2013 and a co-ordinate Bench of this Court vide order dated 25.08.2015 gave liberty to the petitioner to file fresh application, directing the licensing authority to decide the issue afresh without being prejudiced by the earlier order of



refusal for grant of licence. Consequent thereof, vide order dated 27.04.2017 passed in Arms Licence Case No. 16 of 2016 the application of the petitioner for grant of licence has again been rejected, since the petitioner failed to give sufficient reasons for grant of licence.

Since Section 18 of the Arms Act, 1959 stipulates the statutory provision of appeal, the petitioner is permitted to prefer appeal 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 since the present writ application was pending before this Court. It is further expected from the Appellate Authority to decide the appeal without being prejudiced by this order, as this Court has not expressed any opinion on the merits of the case, preferably within a period of eight weeks of its filing.

With the aforesaid, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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CAV DATE	
Uploading Date	
Transmission Date	

