

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12230 of 2018

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Baliram Rai, Son of Late Shree Ram Rai, resident of Village- Govindpur,
Police Station- Buxar (Muffasil), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The Sub- Divisional Magistrate cum Sub Divisional Officer, Buxar
5. The Arms Magistrate, Buxar, Collectorate, District Buxar.
6. The Sub Divisional Police Officer, Buxar, District Buxar.
7. The Police Inspector, Circle Sadar, Buxar, District- Buxar.
8. The Police Inspector Cum SHO, Muffasil Police Station, Buxar,
District- Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra, Advocate
Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr. Partha Sarthi- GA4
Mr. Ustav Kumar, AC to GA4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 16-07-2018

Heard Dr. Amrendra, learned counsel for the
petitioner and Mr. Ustav Kumar, learned AC to GA-4.

The present writ application has been filed for
a direction to Respondent No. 2, District Magistrate, Buxar for
passing an order on the application of the petitioner submitted for
grant of licence for pistol on 28.08.2014.

It is submitted by learned counsel for the
petitioner that the petitioner runs business of medicine in the
township of Buxar and for safety of his life and property he made



an application for grant of licence for pistol on 28.08.2014 which was numbered as Case No. 280/2014 which was subsequently numbered as Arms Case No. 83/2015 when the petitioner made an application before the Public Grievance Redressal Cell, Buxar. Since 2014, several reports were called for by the licensing authority but till date, no final decision has been taken and ultimately the petitioner submitted a complaint before Public Grievance Redressal Authority, but even then till date, no decision has been taken on the application of the petitioner.

Learned AC to GA-4 submits that, at present, he is not having any instruction, but if no decision has been taken on the application of the petitioner, it will be taken within a time frame.

In view of this Court, it is high time now the licensing authority is not following the mandate of Rules 13 and 14 of the Arms Rules, 2016, which suggest that the police report has to be submitted within a period of thirty days of the receipt of the application and the licensing authority has to take a decision on the application for grant or refuse to grant the licence within sixty days of the receipt of the police report. Such kind of delay is being done only because there is no seniority list of the applications submitted for grant of arms licence and this is the



reason, the licensing authority adopts pick and choose method.

In view of the discussions made above, it is expected from Respondent No. 2, District Magistrate, Buxar to get prepared a seniority list of all the pending applications for grant of licence and take a decision in accordance with the seniority within a period of two months on all the pending applications and with regard to the petitioner, such decision should be taken within a period of six weeks from the date of receipt/production of a copy of this order.

It is made clear that henceforth decision will be taken in accordance with the seniority of the applications and any attempt to take a decision by jumping the seniority without reasonable cause will make the District Magistrate, answerable to this Court.

Accordingly, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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