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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1767 OF 2016

VjayMahadev Bhosale

..Petitioner.

V/s.

The District Collector, Sangli & Anr.

..Respondents.

Mr.Mahindra B.Deshmukh for the petitioner.

Mrs.N.S.Jain, APP for the respondent.

CORAM: NITIN W.SAMBRE, J.

DATE : MARCH 6, 2018

PC.:-

Heard the respective parties.

2. In an appeal under section 18 of the Arms Act, 1959 the learned Divisional Commissioner, Pune dismissed the same by citing the reasons that no interference is warranted in the order passed by the Licence Issuing Authority, as the petitioner has failed to make out a case for grant of licence for firearm.

3. If the record is perused, it is the case of the petitioner

that he already holds an arms licence and what was prayed by him was extension of area in which he should be permitted to carry the fire-arm.

4. Apart from above, the petitioner remained absent before the learned Appellate Authority, though he was served with the notice of hearing.

5. In the aforesaid background, the order impugned dated May 2, 2014 passed by the Appellate Authority in exercise of his powers under section 18 of the Arms Act is hereby quashed and set aside, subject to the petitioner depositing costs of Rs.5,000/- with the Advocate Association of Western India within a period of four weeks from today. The petitioner to produce a copy of the payment of cost before the Appellate Authority. The petitioner to appear before the Appellate Authority on April 16, 2018. The Appellate Authority shall make every endeavour to decide the appeal afresh within a period of three months thereafter.

6. With the above observations, the petition stands disposed in the above terms.

(NITIN W.SAMBRE, J.)