

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CC.No.1722 of 2017

ORDER :

This Contempt Case is filed alleging willful disobedience of the order dt.21.09.2016 passed in WP.No.24260 of 2013.

2. The petitioner herein had applied for arms license which had been rejected vide G.O.Rt.No.1537 Home (Arms) Department dt.11.07.2013, by the respondents. This was challenged in WP.No.24260 of 2013 contending that subsequent thereto there was also acquittal of petitioner by the XV Additional Judge-cum-XIX Additional Chief Metropolitan Magistrate, Hyderabad on 04.12.2014 in C.C.No.303 of 2014, arising out of Crime No.226 of 2009.

3. In view of the said event which has occurred after the passing of the G.O., the WP.No.24260 of 2013 was allowed, the said G.O. was set aside, and the respondents were directed to consider the petitioner's application for restoration of his arms license and for its further renewal keeping in mind this order passed by the Criminal Court also within a period of six (06) weeks.

4. Alleging that this order is not complied with though considerable time has elapsed, the petitioner filed the present Contempt Case in August, 2017.

5. After the present Contempt Case was filed, the respondents passed orders on 09.09.2017, taking into account the acquittal of petitioner in Crime No.226 of 2009 as well as rejecting grant of arms

license to him on the ground that he may misuse the weapon against rivals.

6. Counter-affidavit has been filed by respondents tendering unconditional apology for the delay in complying with the order and explaining the reasons for the delay.

7. Though there appears to be about five (05) months' delay in complying with this Court's order by respondents, after receiving the report from the Commissioner of Police in considering the petitioner's case for grant of renewal of arms license, this Court does not deem it necessary to proceed further in the Contempt Case and punish the respondents for Contempt of Court.

8. Though the counsel for petitioner sought to contend that even the order dt.09.09.2017 is passed mechanically without application of mind, I do not think it is appropriate to go into the said contention in this Contempt Case.

9. Accordingly, the Contempt Case is closed, granting liberty to the petitioner to assail the order dt.09.09.2017 passed by the respondents in appropriate proceedings. No order as to costs.

10. As a sequel, miscellaneous petitions pending if any in this Contempt Case, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 11.07.2018

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