

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11663 of 2019

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Mahendra Singh S/o Sri Satya Narayan Singh Vill.- Chandrabhanpur, P.O.-
Panapur, P.s.- Kargahar, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The District Magistrate Rohtas
3. The Superintendent of Police Sasaram, Rohtas
4. Sub Divisional Officer Bikramganj, Rohtas
5. Officer-in-Charge Kargahar, Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vishal Saurabh, Advocate
For the Respondent/s : Mr.Dhurendra Kumar, AC to GP 5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-06-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is aggrieved by the order dated
23.10.2018 passed by the District Magistrate, Rohtas in Arms
Case No. 16/2018.

Earlier the petitioner had approached this Court by
filing CWJC No. 12399 of 2017 which was disposed of with a
direction to the respondents to consider the case of the petitioner
for grant of licence under the heirloom policy.

Learned counsel for the petitioner submits that the
Collector, after the order of this Court, has not considered the
case of the petitioner objectively and on erroneous consideration



rejected the application for grant of arms licence. The District Magistrate proceeded as if the licence was granted in 1999, whereas the licence was issued in 1986 vide Licence No. 47 of 1986.

Prima facie, the Court is of the view that the District Magistrate has committed error in calculating 25 years.

Considering the aforesaid, the writ petition is allowed. The order dated 23.10.2018, contained in Annexure-1 is quashed. The matter is remitted back to the District Magistrate to take fresh decision in the light of the correct facts as to arms licence No. 47/1986 and pass appropriate order in accordance with law. Necessary decision in this regard must be taken within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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