

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1794 of 2017

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Rajeev Kumar S/o late Uma Sankar Singh Resident of Mohalla- Moldiyar
Tola Mokama, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna, Bihar.
4. The District Magistrate, Patna, Bihar.
5. The District Arms Magistrate, Patna, Bihar.
6. The Senior Superintendent of Police, Patna, Bihar.
7. The Dy. S.P., Barh, Patna.
8. The Station House Officer, Mokama, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Respondent/s : Mr.Partha Sarthi- Ga4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 15-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ
petition is against the inaction on the part of the District
Magistrate in taking decision after remand of the matter by the
Divisional Commissioner, Patna in Arms Appeal No. 40 of
2016.

Learned counsel for the petitioner, with reference to
the order passed by the Commissioner, contained in Annexure-6,
submits that the Commissioner has considered various



judgments of this Court and on consideration thereof, he remanded the matter back to the licensing authority to pass appropriate order. The order of the Commissioner is dated 26.4.2016, yet the District Magistrate is sitting tight over the matter and no fresh decision has been taken in the light of the appellate order dated 26.4.2016.

The order of the Commissioner was passed in 2016 and we are in 2019, i.e more than three years have passed yet no decision has been taken.

Under the aforesaid circumstances, the Court is constrained to direct the licensing authority to take fresh decision in the light of the observations made in the order of the appellate authority in Arms Appeal No. 40 of 2016 within a period of sixty days after the General Parliamentary Election.

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

(Anil Kumar Upadhyay, J)

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