

**IN THE HIGH COURT OF BOMBAY AT GOA****WRIT PETITION NO. 1094 OF 2018**

Mr. Kamlakant R. Chaturvedi,  
Son of RadheCharan,  
Major of age,  
Indian National,  
Businessman,  
Resident of H. No.179/17,  
Lourds Apts.,  
Ground floor, Alto Bella Vista,  
Chogam Road, Sangolda,  
Bardez, Goa.

.... Petitioner

**V e r s u s**

1. The Under Secretary (Home),  
Secretariat, Porvorim,  
Goa.

2. The Chief Minister of Goa,  
Government of Goa,  
Secretariat, Porvorim, Goa.

3. The District Magistrate,  
North Goa,  
Panaji, Goa.

.... Respondents

Adv. Nigel Da Costa Frias for the Petitioner.

Mr. Deep D. Shirodkar, Addl. Government Advocate for Respondent no.1  
to 3.

**Coram:- C. V. BHADANG, J.**

**Date:- 12th June 2019.**

**Oral Order:**

Heard Mr. Costa Frias, the learned counsel for the petitioner and Mr. Shirodkar, the learned Additional Government Advocate for the Respondent nos.1 to 3. Perused record.

2. The petitioner, who is holding a licence under the Arms Act, 1959 (Act, for short) had sought extension of area validity of the said licence to the States of Maharashtra, Karnataka and Madhya Pradesh.

3. The Under Secretary (Home)/first respondent, who is the competent authority by an order dated 27/3/2018 refused to grant the request on the ground that the petitioner had failed to furnish clarification along with the documents on the following aspects:

(i) Documentary evidence of deployment of employees and their details.

(ii) Documentary evidence of registration (self certified) set up in neighbouring states.

4. The petitioner feeling aggrieved challenged the same before the appellate authority, who concurred with the competent authority by an order dated 27/7/2018, which is subject matter of challenge in this petition.

5. A bare perusal of para 8 of the order dated 27/7/2018 shows that the appellate authority has observed that the petitioner is not precluded from furnishing the said documents as stated above and as called for by the first respondent and upon furnishing the same, the application can be considered in accordance with law.

6. Mr. Costa Frias, the learned counsel for the petitioner states that the petitioner shall produce those documents and furnish the clarification as required by the first respondent within a period of three weeks from today.

7. In such circumstances, the petition is disposed of in the following terms:

- (i) The petition is partly allowed.
- (ii) The impugned order is hereby set aside.
- (iii) The application filed by the petitioner is restored on the file of the first respondent.
- (iv) The petitioner shall produce the documents/furnish the explanation as set out in para 3 above before the first respondent within a period of three weeks from today.
- (v) On such production/furnishing of explanation, the first respondent shall decide the application for area extension of the licence on its own merits and in accordance with law within four weeks thereafter.

(vi) In the circumstances, there shall be no order as to costs.

**C. V. BHADANG, J.**

**ap/-**