

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9419 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the inaction of respondent Nos.2 and 3 in considering the petitioner's representation dated 14.09.2018 seeking police protection or Arms Licence from respondent No.3, as illegal, arbitrary and in violation of Articles 14, 19 and 21 of the Constitution of India and consequently, to direct the respondent authorities to consider the petitioner's representation dated 14.09.2018.

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Home, appearing for respondent Nos.1 to 6 and perused the record.

3. Learned counsel for the petitioner would contend that as the petitioner's condition was seriously deteriorated, he was hospitalized and 24 sutures were applied to his head. However, he escaped from the jaws of death. He made a representation dated 14.09.2018 to respondent No.3-Commissioner of Police for issuance of an Arms Licence or to provide police protection, but no action has been taken yet and therefore, prayed to direct respondent No.3 to dispose of the said representation.

4. In the course of submissions, learned Government Pleader for Home had brought to the notice of this Court that on the representation of the petitioner dated 14.09.2018 before

respondent No.3-Commissioner of Police, a memorandum dated 26.10.2018 was passed stating that the petitioner was not having any life threat for possessing a weapon for self defence. A copy of the said memorandum is placed before this Court.

5. Under these circumstances, as the petitioner's representation dated 14.09.2018 was disposed of by way of memorandum, dated 26.10.2018, nothing survives for adjudication in this writ petition.

6. Hence, the Writ Petition is dismissed. However, it is open to the petitioner to work out the remedies available to him under law.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 29.04.2019
ssp