

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2606 of 2020

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Santosh Ray Son of Ram Chandra Yadav, Resident of Santosh Guest House,
Station Road, Karbigahiya, Police Station- Jakkanpur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Collector, District- Patna.
4. The Arms Magistrate, Collectorate, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Mishra
For the Respondent/s	:	Mr.Md. Nadim Seraj (GP5)
		Mr. A.C, to G.P.5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-02-2020 The present writ application has been filed seeking direction to the Collector, Patna (Respondent no.3) to dispose of Arms Case No.09-424/2007.

It is the petitioner's case that though he had applied for grant of arms licence in the year 2007, till date no order has been passed by the District Magistrate (licensing authority), despite the fact the Superintendent of Police, Patna had recommended for grant of the licence in the year 2009 itself.

The matter has been listed with office note requiring the petitioner to bring on record copy of Arms Case no.9-424/2007. The office note indicates that the petitioner has not enclosed the copy of Arms Case No.9-424/2007, which he had submitted for grant of arms licence.



Learned counsel for the petitioner submits that the petitioner is not in a position to make available copy of the said application.

Be that as it may, there is no justification for delay of nearly 13 years in approaching this Court after filing of the application for grant of arms licence.

Considering the facts and circumstances of the case, without going into the question of defect, as pointed out by the Stamp Reporter, the writ application is disposed of with a liberty to the petitioner to file a fresh application for grant of licence, If he does so, his application shall be considered in accordance with law without taking any objection to the effect that his earlier petition is pending, which shall be treated to have been disposed of.

The Arms Rule, 2016 prescribes the period, within which a petition for grant of licence is to be decided. There is no reason why the respondents shall not adhere to the statutory provisions in this regard.

This writ application is disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

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