

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

902 WRIT PETITION NO.90 OF 2022

Sanjaykumar s/o Kashinath Jaiswal,
Age; 55 years, Occ; Business & Agri,
R/o; 7279, Datta Mandir Chowk, Deopur
Dhule Tq. & Dist. Dhule

... Petitioner

VERSUS

1. The State of Maharashtra,
Through the Home Department
Mantralaya Mumbai.
2. The Divisional Commissioner,
Nashik Region Nashik
Tq. & Dist. Nashik.
3. The Collector, Dhule
Tq. & Dist. Dhule.

...Respondents

...
Advocate for Petitioner : Mr.Raje Vikrant P.
AGP for Respondents-State : Mr. S.K. Tambe
...

CORAM : ANIL L. PANSARE, J.

DATE : 09.06.2022.

ORAL JUDGMENT :

1. Heard the learned counsel for the petitioner and the
learned AGP for the Respondent-State.

2. Rule. Rule made returnable forthwith. With the consent of the learned counsel for the parties, the petition is taken for decision at the admission stage.

3. The petitioner is seeking to quash and set aside the order dated 28.08.2020 passed by the respondent No. 2, Additional Commissioner in Appeal No. 22 of 2020 and also the order dated 10th February, 2020 passed by respondent N. 3 the Collector, Dhule. By the impugned orders, request of the petitioner to permit him to obtain additional weapon was rejected.

4. Respondent No. 3 has sought the report of the Superintendent of Police. He has referred to the same, in which, it has been mentioned that there is no threat or life threatening assault upon the petitioner. Accordingly, the request of the petitioner was rejected. The appellate authority i.e. respondent No. 2 has found the reasons and the order to be in consonance with the regulations and accordingly rejected the request of the petitioner.

5. Learned counsel for the petitioner submits that the petitioner has sought additional weapon to protect the animals in his field. A query was made by this Court to the learned counsel for the petitioner, as to whether the weapon much less, additional weapon

can be granted to a person for the protection of others, The learned counsel for the petitioner could not give satisfactory answer.

6. Learned AGP for the Respondent-State has correctly submitted that the permission to obtain a weapon can only be granted for self protection and not for the protection of others.

7. The reasons given by respondent Nos. 2 and 3, while rejecting the request of the petitioner to obtain additional weapon, appears to be in-consonance with the prevailing procedure. It is not the case of the petitioner that he received life threats or has some inputs that weapon available with him is not sufficient for his protection. That being so, there is no perversity in the order passed by respondent Nos. 2 and 3. The Writ Petition is devoid of merit and is liable to be dismissed. Accordingly, the Writ Petition is dismissed. Rule is discharged.

(ANIL L. PANSARE)
JUDGE