

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.3674 of 2022 (O&M)

Date of Decision.06.04.2022

Ram Murti

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

1. The petitioner has filed the instant petition under Article 226 of the Constitution of India seeking grant of Arms Licence, being a Sports Person, which would facilitate him in doing regular practice in order to perform better in the shooting events that would take place at State/National/ International level.

2. Learned counsel appearing for the petitioner would contend that the petitioner is a Sports Person and has participated in the State and National level championships regularly for the past 4-5 years. He is a member of the National Rifle Association. It is contended that if the petitioner would have a licence, he would be able to purchase a rifle and ammunition and consequently, the practice would become cost effective, as lending an arms licence along with ammunition for practice purpose from the Rifle Association is a very costly affair. The petitioner had applied for issuance of an arms licence to the competent authority as far back as 08.07.2019 and despite being recommended the case of the petitioner, till date licence has not been issued to him. It is also submitted that shooting

competitions were to commence on 07.03.2022 and would continue till 28.04.2022, however, as there was no decision taken on his application, he had no option but to file this writ petition.

3. Reply has been filed by the respondent-State in which a stand has been taken that application of the petitioner for grant of arms licence stands rejected as on 24.02.2022 and the petitioner herein would have a remedy of filing an appeal against the said order. While rejecting the application of the petitioner, the concerned authority also opined that the petitioner could always lend a rifle/pistol from the Association/Club and buy ammunition thereunder or lend a weapon for a period of three months from a person having a licenced weapon.

4. I have heard learned counsel for the parties and have perused the paper book and find that the grievance of the petitioner is genuine. However, as a decision has been taken on the application of the petitioner whereby his prayer for issuance of an arms licence has been rejected, against which remedy of appeal lies, the petitioner can be relegated to approach the appellate authority in terms of Section 18(1) of the Arms Act, 1959. Considering the fact that the authorities concerned have already taken an inordinate time in deciding the application of the petitioner, which was filed as far back as 08.07.2019, which necessitated filing of the instant petition and keeping in view that the shooting events are underway, the petitioner is relegated to approach the concerned appellate authority by way of appeal against the order dated 24.02.2022, which he shall file by 08.04.2022 and on his doing so, the appellate authority shall decide the same by passing a speaking order on or before 13.04.2022, taking into consideration all the pleas taken therein.

5. With the aforesaid observations, the instant petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

April 06, 2022
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No