

102.

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP-9099-2022

Date of Decision: 02.05.2022

ANKUR NAIN

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.K. Ganga, Advocate,
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed seeking a writ in the nature of certiorari for setting aside the impugned order dated 25.01.2022 (Anneuxre P-13) whereby the District Magistrate, Hisar has declined to issue arms licence to the petitioner, who is a registered shooter, as would be evident from Annexure P-1. The petitioner stands registered with National Rifle Association of India which Association has already recommended for issuance of an arms licence. It is contended that despite taking note of the above, the District Magistrate has failed to recommend issuance of arms licence.

Notice of motion.

At this stage, Mr. Tapan Kumar, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondents-State and raises a preliminary objection that the petitioner herein has a remedy of filing an

appeal before the Commissioner in terms of Section 18 of the Arms Act, 1959.

Faced with this, learned counsel appearing on behalf of the petitioner seeks to withdraw the instant writ petition to avail of a remedy of an appeal but raises that a direction may be issued for an appeal to be decided expeditiously.

I have heard learned counsel for the petitioner and in view of the provision for filing of an appeal, deem it appropriate to direct the petitioner to avail the said remedy.

Dismissed as withdrawn with liberty aforesaid.

Needless to say the question of limitation would not be raised by the respondent-State, if an appeal is filed within a period of 2 weeks from today. The appeal, if filed, shall be decided expeditiously by passing a speaking order within a period of 2 weeks thereafter and the order conveyed to the petitioner accordingly.

02.05.2022

sanjeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No