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

**CWP No.17859 of 2022(O&M)
Date of Decision: 30.11.2022**

Ram Murti

.....Petitioner

Vs

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. Sumit Gupta, Addl, A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

CM No.18931-CWP-2022

Petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus, directing the respondent No.3 to decide the application for grant of Sports Arms Licence.

Learned counsel for the petitioner submits that despite specific order dated 06.04.2022 passed by the High Court in CWP No.3674 of 2022 and order dated 13.04.2022 passed by the Commissioner, Hisar Division, Hisar, Deputy Commissioner,

Hisar did not pass any order deliberately in order to cause irreparable loss to the petitioner.

On 17.08.2022, following order was passed by this Court:-

“Learned counsel for the petitioner contends that Sports Arms Licence has not been issued by the Deputy Commissioner despite directions issued by the Commissioner, Hisar Division, Hisar to consider the case of the petitioner on merits by passing a speaking order.

Notice of motion.

On the asking of the Court, Mr. Narinder Singh Behgal, A.A.G., Haryana accepts notice on behalf of the respondents and seeks time to have further instructions.

Adjourned to 20.10.2022.

Learned State counsel shall ensure that an appropriate order is passed by the Deputy Commissioner by the adjourned date.”

Along with the present application, the petitioner himself has attached an order dated 13.10.2022 passed by the District Magistrate, Hisar, rejecting the application of the petitioner for issuance of arms licence under sports category on the premise that the applicant/petitioner has not participated in the State Level/National Level shooting event organized by any Rifle Association since 2019 and the case of the petitioner does

not fall under the eligibility condition as mentioned under Rule 12(3) (b) of the Arms Rules, 2016. The order dated 13.10.2022 is appealable in nature.

In view of facts and circumstances of the case, the present application is allowed. The date of hearing in the main case is preponed and the case is taken up today itself.

Main case

Since the order dated 13.10.2022 passed by the District Magistrate, Hisar is appealable under Section 18 of the Act, therefore, this writ petition is disposed of as such, giving liberty to the petitioner to file statutory appeal against the aforesaid order in accordance with law.

30.11.2022

Prince

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No