

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3786 of 2017

In
Civil Writ Jurisdiction Case No.18244 of 2016

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Firoze Imam, S/o-Late Rajiuddin, Resident of Mohalla- Samanpura (Madarsa Road), M.V. Apartment, Flat No.01, P.O.-B.V. College, P.S.-Shastri Nagar, District & Town- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Amir Subhani, son of not known to petitioner, Home Secretary, Govt. Of Bihar.
2. Sanjay Kumar Agrawal, son of not known to petitioner, District Magistrate, Patna.
3. Anand Kishore, son of not known to petitioner, Divisional Commissioner, Patna Division, Patna.
4. Manoj Kumar, kson of not known to petitioner, District Arms Magistrate, Patna.
5. Pankaj Kumar, son of not known to petitioner, Additional District Magistrate (Arms), Patna.
6. Manu Maharaj, son of not known to petitioner, Sr. Superintendent of Police, Patna.
7. Bhawesh Mishra, son of not known to petitioner, Sub-Divisional Magistrate, Sadar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Hansa Jha- Advocate.
For the State	:	Mr. Sanjay Kumar Ghosarvey-AC to AAG- 3

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

10 04-04-2023 Heard learned counsel for the petitioner and learned counsel for the State.

The learned counsel for petitioner submits that the present contempt application has been filed alleging violation of the order dated 20.12.2016 in C.W.J.C. No.18244 of 2016. The learned counsel next submits that the petitioner had filed the aforesaid writ application seeking a direction upon the authorities to allow him to hold the D.B.B.L. Gun of his father



under Heirloom Policy under Section 25 of the Arms Rules, 2016. It is next submitted that the writ application was disposed of after quashing the impugned order as appended in the writ application whereby the said application of the petitioner seeking D.B.B.L. Gun of his father was rejected and the matter was remanded back to the licensing authority to take a fresh decision in the matter of the petitioner in accordance with law within a period three months also considering the ratio laid down in *Manish Kumar's case reported in A.I.R. 2016 Patna 9*.

The learned counsel for the petitioner submits that no doubt, the licensing authority in compliance of the order has passed order dated 01.11.2017, but then the said order does not take into consideration the relevant facts.

The learned counsel for the State submits that no mandamus was issued upon the licensing authority rather the licensing authority was merely directed to take a decision in accordance with law and the licensing authority has already passed the order as recorded herein above and in the event, if the petitioner is aggrieved by the same, he can challenge the order dated 01.11.2017, before an appropriate forum.

The learned counsel for the petitioner submits that the



order is unilateral and was passed without hearing the petitioner.

Be that as it may, the contempt application does not merit consideration as the licensing authority has already passed a detailed order and in the event, if the petitioner is aggrieved by the said order passed by the licensing authority, he can avail his remedies available in law.

Accordingly, the contempt application is dismissed.

(Satyavrat Verma, J)

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