

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2963 of 2024

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Bhola Singh son of Late Ram Chandra Singh, Resident of Flat No. E-4, Ward No. 28, Tara Tower, Hotel Republic, Exhibition Road, P.O.-G.P.O., P.S. Gandhi Maidan, Distirct-Patna, PIN-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Additional District Magistrate (Arms), Patna.
6. The District Arms Magistrate, Patna.
7. The Sub Divisional Officer, Sadar, Patna.
8. The S.H.O. Gandhi Maidan Police Station, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manisha Pandey
For the Respondent/s : Mr.Government Pleader (27)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-04-2024 This application has been filed for setting aside the order dated 27.07.2023 contained in memo no. 2664 of the District Magistrate, Patna by which the application of the petitioner has been rejected.

2. The application of the petitioner has been rejected on the ground that Genealogical Table has not been provided by the petitioner.

3. The application of this petitioner should not have been rejected by the District Magistrate on these flimsy grounds as the same has already been provided by the petitioner which is



annexed with the records.

4. It appears that the District Magistrate, Patna has not applied its mind and the order has been passed without application of mind.

5. In these circumstances, this application is allowed and the impugned order dated 27.07.2023 contained in memo no. 2664 of the District Magistrate, Patna is hereby quashed.

6. The matter is remitted back to the District Magistrate, Patna for fresh consideration in accordance with law and in accordance with the law laid down by this Court in the case of *Mukesh Kumar Singh V/s State of Bihar & Ors; (2019) SCC OnLine Pat 3352*.

7. The order should now be passed after application of mind and if any fresh order is mechanically passed, appropriate cost shall be imposed on the District Magistrate, Patna. The order should be passed by 15th of July, 2024.

(Sandeep Kumar, J)

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