

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6576 of 2024

Shahina Khan Wife of Tarique Raza Khan, Tarique Raza Resident of 148B,
Patliputra Colony, P.S.-Patliputra Colony, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary Government of Bihar.
2. The District Magistrate Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The Additional District (Arms) Magistrate Patna.
5. The District Arms Magistrate, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manisha Pandey, Adv.
For the Respondent/s : Mr. Standing Counsel 11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2024

1. The present writ petition has been filed seeking the following relief(s):-

“1. That the petitioner invokes the writ jurisdiction of the Hon'ble High Court and pray for the following:-

Issuance of writ or directions or order(s) which may be deemed fit and proper in light of the fact that the application submitted by the petitioner to the licensing authority, i.e. the respondent No. 3 herein on 11.04.2023 has been kept pending till date without passing of any order thereupon in complete violation of the Arms Act, 1959 and the concerned Arms Rules, 2016, hence the same be directed to be disposed in a time bound manner.

i. For issuance of appropriate writ/orders/ directions to respondents to act upon the letter dated



11.04.2023 filed by the petitioner before the District Magistrate -cum- Licensing Authority, Patna i.e. the respondent No. 3 herein, inasmuch as the recommendation with regard to area extension of the petitioner's license No.193/2011 of Patliputra Police Station has been kept pending.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner is license holder of N.P. bore rifle and pistol, however the petitioner had made an application for extension of area of validity of her arms license from within the state of Bihar to the entire territory of the union of India, before the Office of the District Magistrate, Patna, who vide letter dated 11.04.2023 has made recommendation to the Divisional Commissioner, Patna Division, Patna, for extension of area of validity of the said arms license from Bihar to whole of the union territory of India, however, till date no final order has been passed by the Divisional Commission, Patna Division, Patna, hence appropriate directions be issued.

3. Per contra, the learned counsel for the respondent-State submits that the respondent no.3, shall definitely consider the aforesaid aspect of the matter and pass the final orders, within a stipulated time frame, as is fixed by this Court.

4. Having regard to the facts and circumstances of the



case, I deem it fit and proper to direct the respondent no.3, i.e. the Divisional Commission, Patna Division, Patna, to pass the final order, in accordance with law, on the application forwarded by the District Magistrate, Patna, with regard to extension of area of validity of the arms license of the petitioner, within a period of six weeks of receipt/production of a copy of this order.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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