

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15150 of 2023

=====

Rama Kant Bhakta Son of Late Sudarshan Bhagat, Resident of Village and
P.O. Lebhari, P.S. Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar Patna.
2. The Divisional Commissioner, Saran Division, Chapra.
3. The District Magistrate, Siwan, District- Siwan.
4. The Arms Magistrate, Siwan, District- Siwan.
5. The Superintendent of Police, Siwan, District- Siwan.
6. The Station Head Officer, Mairwa Police Station, District- Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh, Adv.
For the Respondent/s : Mr. Md. Irshad, AC to SC-1

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-08-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 23.02.2022 passed by the Respondent no.4, as contained in memo no.434 dated 23.02.2022, whereby and whereunder the Respondent no.4 has been pleased to cancel the Arms License of the petitioner bearing License No.116/2007 and the petitioner has been directed to deposit his arms with the nearest Arms Dealer immediately, on the ground that the petitioner had not produced his arms for verification.



(ii). For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to restore the arms license of the petitioner bearing Arms License No.116 of 2007, on the ground that the petitioner had though submitted his application for renewal of his arms license before the Respondent no.3 and Respondent no.4 on 23.12.2015 along with the fee for renewal, however the Respondent no.3 and 4 did not renew the arms license of the petitioner, hence, the petitioner could not produce his arms for verification pursuant to the direction of the Respondent no.4.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 28/22.2.2022, passed by the Arms Magistrate, Siwan, by filing appropriate appeal, under Section 18 of the Arms Act, 1959. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate appeal is filed within a period of four weeks from today, the same shall be considered on merits by the appellate authority and a reasoned and a speaking order shall be passed thereon, in accordance with law, within a period of six weeks, thereafter.

4. Accordingly, the present writ petition stands disposed off



on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

