

D/L 6
13.11.2024
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 26283 of 2024

Ankush Saha
Vs.
The State of West Bengal & Ors.

Mr. Subhrojyoti Ghosh
Mr. Sudip Sengupta

...for the Petitioner.

Mr. Hemanta Kr. Das
Ms. Paushali Das

...for the State.

1. Affidavit of service filed in Court today is retained with the records.
2. Report filed by the District Magistrate, Nadia signed on 12th November, 2024 is also taken on record.
3. The petitioner is a sportsman involved in shooting sports. He participated in the West Bengal Shooting Championship, 2023 and 2024. He intends to participate in the national level competitions including the Inter University Shooting Championship which is scheduled to take place in the month of December, 2024. Registration for the said championship will be made in the end of November, 2024.
4. For the purpose of participating in such sports event, the petitioner requires an arms license. An application was made by him for obtaining the license in February, 2024. The same is yet to be disposed of.
5. Learned advocate representing the State respondents relies upon a communication made by the District Magistrate, Nadia signed on 12th November, 2024 mentioning that the application for license was received by the Department in February, 2024 and the same was sent for obtaining the antecedent verification to

the Superintendant of Police, Ranaghat in July, 2024 and the same has been delayed because of the Parliament General Election. The antecedent verification report has been received on 7th August, 2024 and a date of hearing has been fixed on 4th December, 2024.

6. The District Magistrate has mentioned that there has been no undue delay and it takes long time to process such official files. The explanation given by the District Magistrate for disposing of the application made by the petitioner is absolutely unacceptable.
7. The Arms Act, 1959 lays down the time period within which the application for license is required to be dealt with and disposed of. The Arm Rules, 2016 categorically lay down that on receipt of an application for grant of license, the licensing authority shall call for a report within a period of thirty days from the date of receipt of the application.
8. In the instant case, the report was sought for in July, 2024 despite receiving the application in February, 2024. The same is beyond the prescribed period.
9. The Rules further lay down that the licensing authority after considering the application and on being satisfied that the applicant fulfilled the eligibility conditions shall grant or refuse to grant license recording in writing the reasons for such grant or refusal by passing a speaking order within a period of sixty days from the date of receipt of the police report.
10. In the instant case, the police report has been received in August, 2024 but, for reasons best known, the date of hearing has been fixed in the month of December, 2024. The same is also beyond the stipulated time period.
11. The petitioner has to get his name registered by the end of November, 2024 for participating in the Inter University Championship which is scheduled to take place in December,

2024. The District Magistrate ought to appreciate the urgency in the matter and take prompt necessary steps.

12. Accordingly, the District Magistrate, Nadia is directed to propone the date of hearing and intimate the same to the petitioner. Hearing shall positively be conducted by 20th November, 2024 and the fate of the hearing shall be made known to the petitioner by 25th November, 2024.
13. The writ petition stand disposed of.
14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)