

Sl. No.32
18.02.2025
Suman
Ct. 02

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

WPA 2612 of 2024
With
CAN 1 of 2025

Jamini Kumar Sarkar
Vs.
The State of West Bengal and Ors.

Mr. Subhasish Misra
Mr. Satyajit Paul
..for the petitioner

Mr. Anirban Banerjee
Ms. Rima Sarkar
..for the State

In Re: **CAN 1 of 2025**

This is an application for restoration.

Upon consideration of the averments made in the restoration application, I am of the view that the petitioner has sufficiently explained the reasons for his non-appearance before this Court on December 20, 2024.

Accordingly, **CAN 1 of 2025** is allowed, and the writ petition is restored to its original file and number.

In Re: **WPA 2612 of 2024**

By an order dated August 11, 2022, the Superintendent of Police, Cooch Behar, was directed to consider the petitioner's case for the grant of a gun

license in accordance with the Arms Rules, 2016 within a period of eight weeks from the date of communication of the order. The Superintendent of Police was also required to provide the petitioner with an opportunity for a hearing and to pass a reasoned order.

In compliance with the said order, the Superintendent of Police, Cooch Behar, by an order dated September 13, 2022, rejected the petitioner's prayer.

Against such rejection, the petitioner submitted a representation dated September 11, 2024, before the District Magistrate and Collector, Cooch Behar, as well as the Superintendent of Police, Cooch Behar. Subsequently, he filed this writ petition, asserting that his representation dated September 11, 2024, had not been considered by the authorities.

The State has filed a report indicating that the petitioner's representation was indeed considered. However, upon further inquiry, the authorities again found the petitioner unfit to be granted a gun license.

The documents enclosed with the report filed by the State were not communicated to the petitioner.

A copy of the report has been provided to the learned advocate for the petitioner by the State today.

In view of the above, I do not find any justification for keeping this writ petition pending.

The petitioner is at liberty to challenge the State's decision based on the documents disclosed in the report.

Accordingly, WPA 2612 of 2024 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)