

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-791-2024
Date of decision:-15.01.2024

Naazreen Kaur

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Tarun Seth, Advocate
for the petitioner.

Mr.Sharad Aggarwal, AAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

1. By way of present writ petition filed under Articles 226/227 of the Constitution of India, petitioner has approached this Court *inter alia* for issuance of a writ in the nature of mandamus for directing the respondents to grant arms license to the petitioner, who claims to be a renowned shooter. Another prayer has been made in the petition for issuance of a writ in the nature of certiorari for quashing of order dated 21.04.2023, Annexure P5, whereby her application for grant of arms license has been rejected by respondent No.2.
2. Advance copy of the petition has been served upon State.

3. At the outset, State counsel submits that order rejecting the application for grant of arms license is appealable under Section 18 of the Arms Act, 1959.

4. At this stage, counsel for the petitioner submits that the petitioner has not been supplied with the rejection order.

5. State counsel has invited the attention of the Court to Section 14(3) of the Arms Act, 1959, which is reproduced as under:

“Where the licensing authority refuses to grant a licence to any person it shall record in writing the reasons for such refusal and furnish to that person on demand a brief statement of the same unless in any case the licensing authority is of the opinion that it will not be in the public interest to furnish such statement.”

6. When confronted with the above-reproduced sub-rule, counsel for the petitioner could not show any document to establish that petitioner had sought a copy of the order from the respondents.

7. In the light of the above, petition is disposed of with a direction that in case the petitioner applies for copy of the rejection order under the above reproduced provision, the competent authority shall provide a copy to her in case it is permissible to do so. Liberty is also granted to the petitioner to challenge the order by taking recourse to the alternative remedy available to her under the Arms Act, 1959 in accordance with law.

(SUVIR SEHGAL)
JUDGE

15.01.2024
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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No