

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1561 of 2019

In
Civil Writ Jurisdiction Case No.17220 of 2017

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1. Sitaram Kumar S/o Late Ram Naresh Prasad Singh R/o Village-Dhivar, P.S.-N.T.P.C, District-Patna
 2. Satyendra Kumar S/o Late Ram Naresh Prasad Singh R/o Village-Dhivar, P.S.-N.T.P.C, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Robert L. Chongthu The Commissioner, Patna Division, Patna
3. Kumar Ravi District Magistrate, Patna
4. Garima Mallick Senior Superintendent of Police, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sahvind Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Venkatesh Kirti, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

8 22-04-2025 This contempt application has been filed alleging violation of the order dated 18.09.2018 passed in CWJC No. 17220 of 2017 wherein, this Court had passed the following order:-

“... In view of the discussions made above, Respondent No. 3, District Magistrate, Patna is expected to dispose of the application of the petitioner, keeping in view the provisions stipulated under Rules 13,14 and 25 of Arms Rules, 2016 within a period of four weeks from the date of receipt/production of a copy of this order...”

2. Opposite party No.3 has filed a show-cause, wherein, in paragraph Nos. 9-11 it has been stated as under:

“..9. That it is humbly submitted that though the petitioners have submitted their applications dated 08.04.2024 but the requisite documents have not been submitted along with the application form. In this regard the petitioners have been issued notice vide memo no.- 2109, dated 06.09.2024 to submit all the certificates written in notice like-consent of father (in case alive) otherwise consent letter of family members in case of death of father, family member list, genealogy. Indemnity Bond, Training Certificate in Form-S1 from recognised institution and Medical Fitness Certification in Form-S3.

10. That for hearing the matter of the petitioners, the District Magistrate, Patna has fixed on 20.09.2024 and letter has been issued to the petitioners vide letter No. 2109, dated 06.09.2024 to remain present in the hearing with all prerequisite documents. The petitioners were present on the said date but the entire documents particularly the Training Certificate in Form-S1 was not submitted, which is mandatory requisite for consideration of arms license application under Arms Rules 2016 Rule 11.

11. That the answering opposite parties shall take needful action, when the entire requisite documents are submitted by the petitioners. So far even after lapse of so much time yet petitioners have not submitted training certificate (S-1)..”

3. On perusal of the averments made in paragraph No. 9-11 of the show-cause filed by the opposite party No. 3, I find that there is no deliberate and willful violation of the order passed in the writ petition by the Opposite Party No. 3. The final order on the application of the petitioner could not be passed as directed by this Court in the writ petition for want of submission of requisite documents by the petitioner.

4. Under the circumstance, I am of the view that no case for contempt is made out against the respondents and accordingly, this contempt application stands closed and disposed off.

(Nani Tagia, J)

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