

15
10.03.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 30841 of 2024

**Ankush Saha
-versus
The State of West Bengal & Ors.**

**Mr. Subhrajyoti Ghosh.
...For the Petitioner.**

**Mr. Amal Kumar Sen, AGP,
Ms. Ashima Das (Sil).
...For the State.**

1. The application made by the petitioner seeking arms license has been rejected by the authority. The temporary license which was issued in his favour has been revoked. The same is under challenge in the instant writ petition.

2. Specific submission of the learned advocate appearing on behalf of the State respondents is that the firearm which the petitioner has purchased cannot be used for sports purpose.

3. Reliance has been placed on Rule 40 of the Arms Rules, 2016 wherein the type of firearm that can be used by persons of a class is mentioned.

4. The Rule mentions that 0.22 LR rifle/pistol is permissible. The firearm of the petitioner is a 0.32 pistol.

5. According to the petitioner, his firearm falls within the category- any other pistols/revolvers calibre.

6. Whether the firearm purchased by the petitioner may be used for the purpose of sports or not can only be decided by the competent authority.

7. The impugned order revoking license is an appealable one.

8. In view of the above, the instant writ petition is disposed of by observing that it will be open for the petitioner to challenge the impugned order of revocation of license before the competent appellate forum in accordance with law, if so advised.

9. Rule 107 of the Arms Rule, 2016 prescribes thirty days for preferring appeal against the order of revocation of license.

10. As the impugned order of revocation of license was passed during the pendency of the writ petition and the statutory time period prescribed for preferring the appeal has expired in the meantime, accordingly, the petitioner is granted time till 20th March, 2025 for preferring the appeal.

11. If the appeal is preferred within the aforesaid stipulated time period, the competent authority shall entertain the same and decide it on merits.

12. The writ petition stands disposed of.

13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)