

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.15131 OF 2025

Swapnil Shivaji Pathare

Age – 37 Years, Occ- aspiring shooter,

R/at:-Survey No.43, Pathare Mala,

Near Balaji Hospital, Kharadi, Pune.

Anand Vihar Building, Sadesatranali

...Petitioner

Versus

1. The Commissioner of Police,
Pune City, Office at 2, Sadhu Vasvani Road,
Camp, Pune.

2. The Dy. Commissioner of Police,
Pune City, Office at 2,
Sadhu Vasvani Road,
Camp, Pune.

3. The State of Maharashtra,
Through the Principal Secretary
(Special), Department of Home Minister,
Maharashtra.

...Respondents

Mr. Balasaheb G. Ligade for the Petitioner.

Mr. B. V. Samant, Addl.G.P. a/w Ms. Pooja Joshi Deshpande, A.G.P. for
the Respondents-State.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 18th NOVEMBER 2025

ORAL ORDER (Per Revati Mohite Dere, J.):

1. By this petition, the petitioner seeks a direction to the respondent No.3-The State of Maharashtra, Through the Principal Secretary (Special), Department of Home Minister, Maharashtra, to decide the petitioner's appeal filed on 23rd July 2025 within a time bound period.

2. Perused the petition. The petitioner is an aspiring shooter who has been participating in various State and National level shooting competitions like "City Pigeon trap shooting", "Shot Gun NSCC trap". It appears that the National Rifle Association of India has already issued a Certificate dated 25th February 2025 in the name of the petitioner certifying the the petitioner is an "Aspiring Shooter. The same has been in terms of the Notification dated 12th February 2020 issued by the Central Ministry of Home Affairs. In the said Certificate it is stated that to improve the performance the petitioner needs arms and ammunition for his target practice and participation in shooting competitions. It is further mentioned that the petitioner may be

granted armed license for “12 bore shot gun” in terms of the Notification dated 12th February 2020. The Certificate issued by the National Rifle Association of India, is annexed as Exhibit - ‘A’ to the petition and the Notification dated 12th February 2020, is at page 30 of the petition. To the petition is also annexed the result sheet of the petitioner of his participation in Maharashtra State Competition which was held in March 2024; the result sheet of Stare 11 Shooting Championship held in July 2024; result sheet of Notational Level Competition held in November 2024 and result sheet of National Competition held in January 2025. It appears that the petitioner has been participating in various State and National Level Competitions including in the event of “Clay vision trap shooting”.

3. It appears that the petitioner has been using the shot gun of his coach and in order to improve his own performance and skills, it is necessary for the petitioner, to have his own personal weapon. The National Rifle Association of India has also certified the use of the said weapon. It further appears that the petitioner has submitted an

application being Application No.439 dated 3rd March 2025 seeking new arms license to possess two shot guns. The petitioner alongwith the said application has filed an undertaking for the use of the said weapon alongwith the medical certificate, affidavit, consent affidavit of his mother and other KYC documents. It appears that the petitioner's application was rejected by the Commissioner of Police, Pune City vide order dated 2nd July 2025. According to the learned counsel for the petitioner the Commissioner of Police, Pune City, while rejecting the petitioner's application failed to take into consideration the necessary documents and the Notifications relied upon by the petitioner.

4. Presently the petitioner has preferred an appeal against the order passed by the Commissioner of Police, Pune City and the same is pending before the respondent No.3. It is the petitioner's case that though the appeal was filed on 23rd July 2025, the same has not been heard till date. He submits that there is urgency in deciding the said appeal, considering that the petitioner will not be able to participate in the various National Level competitions organised by the National

Rifle Association of India, which are to be held in December 2025.

5. It is in these circumstances that the petitioner has approached this Court seeking the aforesaid reliefs.

6. It is pointed out by the learned Add.G.P., that the delay has occasioned because of the objection raised by the office of the respondent No.3 that the payment was made by the Advocate of the petitioner and not by the petitioner himself. The said objection is frivolous

7. We make it clear this frivolous objection ought not to have been entertained and the appeal ought to have been decided on its own merits, since what is important is, that payment was made and not as to who had made the payment.

8. Considering the aforesaid, since the petitioner's appeal is pending before the respondent No.3 and considering the competitions which are to be held in December 2025, we request the respondent

No.3 to decide the petitioner's appeal pending before the said authority, as expeditiously as possible, and in any event within 10 days from the date of receipt of this order.

9. Petition is allowed and disposed of on the aforesaid terms.

10. Stand over to 3rd December 2025, for recording compliance of the aforesaid order.

11. Learned Addl.G.P. to forthwith communicate the aforesaid order to the office of the respondent No.3, so as to enable them to take appropriate steps.

All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.