IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6265 OF 2024

Yashwant Kondiba Khandagale
VERSUS
The Divisional Commissioner Chhatrapati Sambhajinagar And Others
...
Mr. A. S. Kakade, Advocate for the Petitioner
Mr. A. V. Lavte, AGP for Respondents-State
.....

CORAM : AJIT B. KADETHANKAR, J.
DATED : 22ND OCTOBER, 2026

P.C. :-

. Feeling aggrieved by the order dated 22.12.2023 passed by the Divisional Commissioner, Chhatrapati Sambhajinagar in an appeal under Section 18 of the Arms Act 1959, the petitioner is before this Court. The appeal under Section 18 was raised against the order passed by the District Collector, Beed on 28.06.2023. Vide both the orders, the authorities under the Arms Act, 1959 refused to grant arms license to the petitioner. Petitioner's contention is that he is a social worker and had threats from unknown persons since they are afraid of his activities whereby they apprehend that their illegal activities would be exposed. In view of that, the petitioner filed his application.

2. As per the procedure, the report was called from the concerned police authorities.

3. Mr. A. S. Kakade, learned Advocate for the petitioner submits that the concerned Police Authorities have infact recommended to grant license to the petitioner. However, taking exception to the recommendation, the Collector, Beed and the Divisional Commissioner, Chhatrapati Sambhajinagar have turned down his request.

4. Mr. Kakade, at this juncture would pray to remand the matter back to the District Collector, Beed to decide the application afresh. He would rely on certain judgments passed by this Court particularly an order dated 12.01.2018 in Criminal Writ Petition No.984 of 2016, order dated 23.07.2019 in Criminal Writ Petition No.4498 of 2017 and order dated 15.07.2016 in Criminal Writ Petition No.594 of 2013. Thus, he submits that mere pendency of some criminal prosecutions against the petitioner ought not to have taken as a ground to reject the application. He would submit that the prosecution which petitioner facing is not a serious one and refers to the activities under the National Disaster Management.

5. The request of learned Advocate for the petitioner appears to be a moderate one. Hence, I pass following order:

ORDER

a. Writ petition stands disposed of.

b. The matter is remanded back to the District Collector, Beed for fresh consideration.

c. The District Collector after hearing the petitioner shall pass the appropriate order on application.

d. Needless to mention, this Court has not expressed any opinion on the merits of the case or the merits of the orders passed by the District Collector and Divisional Commissioner.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026