



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6454 OF 2025

Shaikh Ansar Shaikh Sattar,
Age: 35 years, Occ. Labour work,
R/o. Sunni Dargah, Plot No. 21, Gut No. 186/1,
Supreme Colony, Mohammad Ali Road,
Jalgaon, Tq. & Dist. Jalgaon.

...Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary, Home Department,
Mantralaya, Mumbai-32.
2. The Divisional Commissioner,
Nashik Division, Nashik. 2.
3. The District Magistrate,
District Magistrate Office, Jalgaon. 3.
4. The Superintendent of Police,
Superintendent of Police Office,
Jagaon, Tq. & Dist. Jalgaon.

...Respondent

- Mr. H. P. Jadhav, Advocate for the Petitioner
- Ms. R. R. Tandale, AGP for the Respondent/State

CORAM : S. G. CHAPALGAONKAR, J
DATE : MAY 06, 2026

FINAL ORDER :

1. The Petitioner impugns order dated 01-4-2025 passed by Divisional Commissioner, Nashik Division, Nashik in Appeal No. 24 of 2024, thereby upholding order dated 28-03-2024 passed by District Magistrate Jalgaon, whereby Petitioner's Application for grant of arms license for practicing game of rifle shooting is rejected.

2. On 16-06-2023, Petitioner made an application for grant of new license for practicing game of rifle shooting. The inquiry was caused by police. The report of inquiry was submitted. It was observed in inquiry report that Petitioner has participated in District Level Competitions of rifle shooting and he has been selected for State level. He has been registered with District Rifle Association. As such, there is no objection for issuing license in his favor. In spite of aforesaid observations in inquiry report submitted by Police Inspector, MIDC Police Station, the Superintendent of Police did not recommend issuance of license. Finally, District Magistrate refused to grant license acting upon negative recommendation. The Petitioner filed Appeal No. 24 of 2024 before Divisional Commissioner at Nashik under Section 18 of Arms Act. However, Divisional Commissioner rejected his application observing that Petitioner has not filed original documents regarding his participation in O.S. Air Rifle Competition. Similarly, he has not clarified as to where he would practice for purpose of sport shooting as Rule 36(3) of Arms Rules 2016 permits issuance of license for purpose of sport shooting limited to practice and competition at sport shooting club or at shooting range. It is further observed that Petitioner has failed to comply with requirement of Rule 13(3)(b).

3. The learned Advocate appearing for Petitioner submits that Petitioner was not given sufficient opportunity of hearing to satisfy authorities regarding compliance of conditions under Arms Act, 1959 and rules framed

thereunder. The Petitioner possesses all requisite documents. Police Inspector, on inquiry, had given positive recommendation. The Superintendent of Police negatively recommended Petitioner's case without assigning any reason. The Petitioner is ready to file all necessary documents to satisfaction of authorities, if matter is relegated back for reconsideration.

4. Having considered submissions advanced by learned Advocate appearing for Petitioner and contents of affidavit-in-reply submitted on behalf of Respondent Nos. 2 & 3, it can be observed that Petitioner had produced his identity card, certificate dated 10-10-2022 regarding his participation in District Level Shooting Championship, certificates dated 10-10-2022 and 26-01-2024 issued by Jalgaon District Rifle Association. In paragraph number 5 of affidavit-in-reply, it has been stated that Petitioner could not produce during course of hearing any certificate issued by NRAI/State Rifle Association to establish that he is eligible sports person or possesses minimum score certificate as required under Rule 4. Further, Petitioner has not clarified name of recognized rifle association or rifle club where he proposes to undertake practice.

5. *Prima facie*, it can be observed that Petitioner is a sports person and wants to practice for rifle shooting. He has been selected for state level competition. The impugned order passed by District Magistrate depicts that although police inspector had recommended for issuance of license, only because of unreasoned negative recommendation of Superintendent of Police, Petitioner's

application has been declined. Perusal of order passed by Appellate Authority shows that certain deficiencies in requirement of documents has been cited. It is not discernible that Petitioner was called upon to comply deficiencies, if any. The Petitioner states before this Court that he possesses necessary documents that would satisfy requirement of Arms Act and Rules.

6. In that view of matter, this Court holds that Petitioner is entitled for grant of one more opportunity to satisfy Authorities regarding his entitlement to get license within parameters of provisions of Arms Act and Rules framed thereunder. In result, Writ Petition is partly allowed. The impugned orders dated 01-04-25 passed by Divisional Commissioner Nashik in Appeal No. 24 of 2024 and order passed by District Magistrate Jalgaon dated 28-03-2024 are quashed and set aside. The matter is relegated back to Respondent No. 3 - District Magistrate, Jalgaon. The Petitioner shall be at liberty to file documents or remove deficiencies as indicated in order passed by Appellate Authority as well as in affidavit-in-reply. The District Magistrate shall reconsider Petitioner's prayer on basis of documents tendered by him strictly in accordance with provisions contained in Arms Act and Rules thereunder. The District Magistrate shall endeavor to take expeditious decision on Petitioner's application and preferably within period of two months from today.

(S. G. CHAPALGAONKAR, J.)

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