

103

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-36620-2025

Date of decision: 14.01.2026

ANIL KUMAR MALHOTRA

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

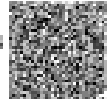
Present:- Mr. Anirudh Gupta, Advocate for the petitioner.

Ms. Shruti, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the order dated 14.12.2023 (Annexure P-18) passed by respondent No.3 and order dated 23.04.2024 and consequential proceedings (Annexure P-19), with a further prayer to direct the respondents to expedite the process of renewal of arms licence of the petitioner and decide the representation (Annexure P-22) and also to direct respondents No.2 to 5 to not take any coercive action arising out of orders Annexure P-18 and Annexure P-19.

2. Learned counsel for the petitioner submitted that the petitioner is having an arms dealership licence and carries on business at Amritsar and in addition to the above, his son namely Amit Malhotra is also an arms dealer. He further submitted that so far as the son of the petitioner is concerned, he left India in the year 2017 and is now settled in Canada as a Canadian citizen and



before leaving for Canada, he had executed a Special Power of Attorney in favour of the petitioner to conduct business under his arms dealership licence but the petitioner has not carried any business so far as the licence of the son of the petitioner is concerned and by way of the impugned order dated 14.12.2023 (Annexure P-18), the licence of the son of the petitioner has been cancelled. In addition to cancelling the arms licence of the son of the petitioner, the Administrative Secretary, Department of Home Affairs and Justice, Punjab has directed the Commissioner of Police, Amritsar in para No.2 of the impugned order (Annexure P-18) to initiate the process of revoking the arms dealership licence of the petitioner as well.

3. Learned counsel for the petitioner further submitted that so far as the challenge to that part of the order (Annexure P-18), whereby arms licence of the son of the petitioner has been revoked is concerned, he does not wish to press the same but his only limited prayer is that in the same order, a direction has been issued to initiate the process of revoking the arms dealership licence of the petitioner due to the reasons mentioned therein. He further submitted that in pursuance of the aforesaid direction issued on 14.12.2023 vide Annexure P-18, no action has been taken against the petitioner till date because not even a show cause notice has been issued but there is an apprehension that the respondents may cancel the licence of the petitioner and therefore, the present petition has been filed challenging that part of the order.

4. On the other hand, Ms. Shruti, AAG, Punjab submitted that the aforesaid impugned order is dated 14.12.2023 and about two years have elapsed that the petitioner has filed the present petition, which is barred by delay and



laches. She further submitted that till date no action has been taken against the petitioner with regard to his arms licence and therefore, the present petition is liable to be dismissed as premature.

5. I have heard the learned counsels for the parties.

6. During the course of arguments, learned counsel for the petitioner has stated that as regards the part of the impugned order (Annexure P-18) to the extent that the arms licence of the son of the petitioner has been cancelled, he does not wish to press the same but his only prayer relates to the direction issued for taking action against the petitioner. It is also stated by both the learned counsels for the parties that no action has yet been taken even though about two years have elapsed. The apprehension of the petitioner is that his licence may be cancelled, although till date no show cause notice has been issued.

7. In view of the aforesaid facts and circumstances, this Court is of the considered view that the present writ petition is premature and therefore, is liable to be dismissed.

8. Consequently, the present Civil Writ Petition is dismissed as premature.

(JASGURPREET SINGH PURI)
JUDGE

14.01.2026
Chetan Thakur

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No