

(2003) 09 AHC CK 0243
In the Allahabad High Court
Case No : C.M.W.P. No. 18042 of 2003

Ajay Kumar Verma

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 03-09-2003

Acts Referred:

Arms Act, 1959 — Section 14(3)

Citation : (2003) 4 AWC 3078

Hon'ble Judges : Anjani Kumar, J

Bench : Single Bench

Advocate : J.A. Khan, for the Appellant;

Final Decision : Allowed

Judgement

Anjani Kumar, J.—Heard learned counsel for the petitioner and learned standing counsel in opposition of this writ petition. In view of the order proposed to be passed herein. It is not necessary to invite a counter-affidavit.

2. A perusal of the impugned order demonstrates that it does not contain any reason as to why the petitioner has been found disentitled for grant of firearm's license.

3. In view of the Section 14(3) of the Arms Act, 1959, which clearly provides that if the licensing authority refuses to grant license, it must record its reason. Section 14(3) is reproduced below :

"(3) Where the licensing authority refuses to grant a license to any person it shall record in writing the reasons for such refusal and furnish to that person on demand a brief statement of the same unless in any case the licensing authority is of the opinion that it will not be in the public interest to furnish such statement."

4. In view of this mandatory provisions the order dated 4.1.2003, (Annexure-1), impugned in the present writ petition, deserves to be quashed and is hereby

quashed.

5. In the result, the writ petition is allowed. However, there will be no order as to cost.