
(1997) 02 AHC CK 0122

Allahabad High Court

Case No: C.M.W.P. No. 6392 of 1997

Hardayal Ram

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision: Feb. 24, 1997

Citation: (1997) 21 ACR 362

Hon'ble Judges: M. Katju, J

Bench: Single Bench

Advocate: Farid Uddin, for the Appellant;

Final Decision: Dismissed

Judgement

M. Katju, J.

Heard learned Counsel for the Petitioner.

2. The Petitioner claims to hold an arms licence which had been issued by some authority in Jammu and Kashmir. The Petitioner is a resident of Fatehpur, Uttar Pradesh. He has alleged that the licence has been renewed till 6.10.97 vide Annexure 1, but this renewal has been done by some authority in Jammu and Kashmir. The Petitioner has received notice dated 28.11.96 from District Magistrate, Fatehpur suspending his arms licence. Aggrieved this he filed a writ petition.

3. It has been held by a learned single Judge of this Court in Pravesh Kumar v. District Magistrate 1995 ALJ 928, that a licence issued by District Magistrate is valid only within the jurisdiction of the said District Magistrate and not beyond that. This decision has been held by the Division Bench in Special Appeal No. 657 of 1996 decided on 4.9.96. In my opinion, it is only a licence issued by the State Government which can be said to be valid for the whole of that particular State and it is only one issued by the Union of India which can be said to be valid throughout India. The Petitioner is a resident of district Fatehpur and surprisingly he has obtained a licence not from the District Magistrate, Fatehpur but for some authority in Jammu and Kashmir. Such a licence cannot be valid in Uttar Pradesh. The writ petition is

dismissed.