Asit Rai
vs
State of Bihar

आदेश-पत्रक

(देख अभिलेख, 1944 का नियम 129)

Arms Appeal No. - 82/2017

आदेश की संख्या	आदेश एवं पदाधिकारी का हस्ताक्षर	आदेश पर की गई कार्रवाई के बारे में टिप्पणी एवं तारीख के साथ
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19.06.17	Put up before Commissioner on 06.07.2017. Sd/- See to com	
03/7/17 08/07/17	Heard the learned counsel for the appellant on the point of admission. The learned counsel for the appellant states that the instant appeal has been filed against the impugned order passed by D.M. Gopalganj on 09.02.16 in Arms case No. 36/2016. He further submitted that the delay caused in filing this appeal may be condoned after considering the facts mentioned in the limitation petition which has been annexed with this appeal petition. Having heard the learned counsel for the appellant and on going through the memo of appeal petition, it is seen that the impugned order has been passed way back on 09.02.2016 and the appeal has been filed before this Court on 19.06.17. Obviously there is a delay of more than one year. The appellant counsel's contention is that delay caused in filing the appeal was not deliberate rather the same was caused due to unavoidable circumstances. In fact this plea of the appellant is not acceptable in view of the fact that the appellant obtained the certified copy of the order on 08.06.2017, after a gap of more than one year. This action of the appellant is sufficient to believe that he has got no real need of licence. Had it not been so, he could have acted well in time for obtaining the certified copy of the order so that he could have preferred appeal under the statutory period before Appellate Court. Moreover, nothing is mentioned in the limitation petition, nor any reasonable and convincing ground set forth therein to condon the inordinate delay. For the abovementioned reasons, I am not inclined to admit this appeal. Accordingly, the same is rejected itself at the admission stage. Dictated and Corrected by me. Commissioner, 08/07/2017 Saran Division, Chapra 08/07/2017 Commissioner Saran Division, Chapra	