

**2023 STPL(WEB) 15 SC
SUPREME COURT OF INDIA**

(DIPANKAR DATTA AND PANKAJ MITHAL, JJ.)

STATE OF UTTAR PRADESH AND OTHERS

Appellant

VERSUS

DINESH KUMAR PANDEY

Respondent

Civil Appeal No. 8519 of 2012 with Civil Appeal No.8520 of 2012; Civil Appeal No.560 of 2013; Civil Appeal No.2317 of 2013; Civil Appeal No.941 of 2013; Civil Appeal No.940 of 2013; Civil Appeal No.3269 of 2013 and Civil Appeal No.3907 of 2013-Decided on 01-06-2023

Cost by High Court on Licensing authority - Set aside

Advocate(s): Mr. A K Prasad, Addl. Advocate General, Mr. Pradeep Misra, Advocate, Mr. Manoj Kumar Sharma, Advocate, Mr. Bhuwan Chandra, Advocate, for the Appellant; Mr. Viresh Kumar, Advocate, Mr. Md. Farman, Advocate, Mr. Santosh Kumar Tripathi, Advocate, for the Respondent.

ORDER

1. None appears for the respondents (writ petitioners) despite service.
2. We have heard Mr. A. K. Prasad, Additional Advocate General for the State of Uttar Pradesh, appearing for the appellants.
3. By the impugned judgment and order dated 25.07.2012, the High Court while disposing of a bunch of writ petitions directed the appellants, more particularly the Licensing Authority, to consider the applications of the writ petitioners for grant of fire arm licences in the light of the observations made therein and to pass appropriate orders within two months. The High Court also quantified costs at Rupees One lakh per set of writ petition.
4. By an order dated 26.11.2012, this Court had made the following direction:-

'Exemption from O.T. is allowed.

Leave granted.

The operation of the impugned judgment insofar as it relates to the award amount of Rs.1,00,000/- as costs shall remain stayed.

We further direct that if upon reconsideration of the matter as directed by the High Court the licensing authority decides to grant a licence to the respondent - writ petitioner, any such grant shall remain subject to the outcome of this appeal.'
5. Mr. Prasad, for want of instructions, is unable to apprise us the fate of the applications for fire arm licences upon reconsideration in terms of the order dated 26.11.2012 of this Court. Having regard to the nature of direction made by the High Court as well as the order dated 26.11.2012 of this Court, we

see no reason to interfere with the judgment and order under challenge. However, cost imposed by the High Court is made easy.

6. The appeals stand dismissed but subject to the above modification of the judgment and order under challenge.

7. Pending application(s), if any, shall stand disposed of.
