

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CM No.2350/2026 in
WP(C) No.116/2026

**M/S Khajuria Gun Works Gun
Manufacturers**

.....Petitioner(s)

Through: Mr. Sachin Gupta, Advocate with
Ms. Arsha Sharma, Advocate

Vs

Union of India and others

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
23.04.2026

CM No.2350/2026

1. Through the medium of the instant application supported with an affidavit, the applicant/petitioner-Firm seeks the issuance of the direction upon the non-applicant/respondent No.3 to address his application seeking grant of transport license so as to enable him to facilitate the transportation of the Arms to Barnala (Punjab) as "No Objection Certificate" stand already received from the District Magistrate, Barnala (Punjab).

2. It has been *inter-alia* averred in this application that the applicant/petitioner has already approached this Court through the writ petition bearing WP(C) No.116/2026 which is pending disposal in which he has impugned the order No.DMJ/JC/25-26/2751-54 dated 24.12.2025 issued by the non-applicant/respondent No.4 to the effect of cancellation of his transport license that was already issued in his favour vide No.DMJ/JC/25-26/86-91/TL dated 18.12.2025, as being illegal and unwarranted under the provisions of the

Arms Act and the rules framed thereunder; that the respondent No.3 has already issued a transportation license pursuant to the direction of this Court dated 24.02.2026 passed in the main petition; that now the non-applicants/respondents 3 & 4 are again interfering in his lawful business by not issuing the license for transportation of Arms from Jammu to Barnala Punjab, when the District Magistrate, Barnala Punjab has already issued the requisite NOCs and the applicant/petitioner has already filed a formal application dated 25.03.2026 before the non-applicant/respondent No.3 seeking the transportation NOC.

3. The case of the applicant/petitioner as projected in the main petition is that his firm is duly licensed for manufacturer of Arms under license No.71/IX/78/10018/48/77-GPA-V. That the license was granted in his favour on 12.03.1978 and since then the petitioner-firm has been running the business of Gun Manufacturing under the name and style of M/S Khajuria Gun Works. That the firm also stands registered with DIC, Jammu vide registration No.07/04/00801/PMT dated 27.03.1978. That the principal office of the petitioner-firm is situated at Extension area, Industrial Estate, Jammu Cantonment, Jammu. That his license is being renewed from time to time and the permissible total quota per annum for manufactures of Arms 1800 guns. That after the enforcement of the Arms rules, 2016, the petitioner-firm applied for the conversation of the license from Form-IX to Form-VII in connection whereof the requisite formalities were complied with. That the petitioner-firm was made unable to get its license renewed as the non-applicants/respondents showed reluctance in converting the license as one under Form-VII of the rules of 2016. That the Ministry of Home Affairs vide order dated 19.12.2018 stated

that in consonance with the provisions contained in Section 15(2) of the Arms Act, 1959, the manufacturing licenses under consideration for conversion before the Ministry shall be considered as valid till any further decision is taken by the Ministry in respect of the same. That since no decision has been taken by the Ministry of Home Affairs till date in respect of the conversion of the manufacturing licenses of the various arms manufacturers, therefore, the license of the petitioner-firm shall be considered as valid, with the authority to the petitioner-firm to manufacture the Arms in consonance with the quota allowed. That the petitioner-firm is entitled to get transport license from the respondents as per the schedule V of the Arms Rules, so as to facilitate the transport of the arms to various States. That the order dated 24.12.2025 impugned in the main petition is not backed by any provision of law justifying the same.

4. Heard the learned counsel for the applicant/petitioner-firm and considered his submissions.

5. The learned counsel submitted that this Court has already in the similar circumstances issued directions to the District Magistrate concerned for issuance of the transport license which is evident from the order dated 01.07.2025 passed in WP(C) No.1042/2025 titled "*Bhargav Arms and Ammunition Manufacturers Vs. UT of J&K*".

6. A ground appears to be made out for indulgence of the Court.

7. Issue notice to the non-applicants/respondents in this application, returnable by the next date of hearing, already fixed in the main case i.e. on 29.07.2026, for filing of objections.

8. List on **29.07.2026**, along with the main petition.

9. In the meantime, the non-applicant/respondent No.3-District Magistrate, Jammu is directed to address the application dated 25.03.2026 of the applicant/petitioner-firm regarding issuance of transportation license and accordingly issue the needful certificate under rules provided the other requirements, if any, are complied, with.

(Mohd. Yousuf Wani)
Judge

Jammu
23.04.2026
Shammi

