

SUPREME COURT OF INDIA

J. C. Roadways

Vs.

Pandiyan Roadways Corpn. Ltd.

C.A.No.1680 of 1968

(V. R. Krishna Iyer and A. C. Gupta, JJ.)

02.02.1977

ORDER

1. This appeal raises a short point as to whether executive instructions can be issued under Section 43-A of the Motor Vehicles (Madras Amendment) Act. 1948 in determining who should be awarded a permit for running a stage carriage. This Court has held that executive instructions cannot be issued to control the discretionary jurisdiction of the tribunals and the view taken by the High Court is therefore correct. We dismiss the appeal. but, in the circumstances, without costs.

Appeal dismissed.