

SUPREME COURT OF INDIA

Priya Wart B.K.D. Dubaldhan

Vs.

State of Haryana

(A. N. Sen, O. Chinnappa Reddy and V. R. Krishna Iyer JJ.)

16.04.1980

ORDER

The Text below is only a summarized version of the order pronounced

The petitioner contented that the notification by which the Haryana Bricks Supplies Order, 1972 was issued was bad in law on the ground that the an order similarly worded was struck down by the High Court and that the bricks has not been declared as a essential commodity under the Essential Commodities Act. But the apex turned down both the arguments on the ground that the earlier order was struck down as no satisfaction of the statutory authority was obtained. But as the State Government could again issue the order after correcting the irregularity the notification could not be again challenged. With regard to the second contention apex court observed that the notification was not issued under Essential Commodities Act but was issued under East Punjab Control of Bricks Supplies Act, 1949 and hence second contention was also held not to be sustainable.