

Patel Ambalal Gokalbhai

Vs

State of Gujarat and Others

Civil Appeal No. 1869 of 1970

(V. D. Tulzapurkar, A. N. Sen JJ)

13.01.1982

JUDGMENT

1. In the writ petitions that were filed in the High Court both the Gujarat Amending Acts, namely Gujarat Act 16 of 1960 and Gujarat Act 36 of 1965, whereby the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. Act 67 of 1948) was amended, were challenged and the validity thereof was challenged on the ground that the provisions thereof offended Articles 14, 19 and 31. The challenge has been negatived by the Gujarat High Court. Insofar as Act 16 of 1960 is concerned the challenge has been negatived on the ground that it has been included in the Ninth Schedule to the Constitution and so far as Act 36 of 1965 is concerned the challenge has been negatived on the ground that it formed a chain in the agrarian reform and as such it was protected by Article 31-A(1)(a) and that the same was clarificatory in nature. We are satisfied with the reasons which have been given by the High Court upholding the validity of both the Acts and find no ground for interference. It is unnecessary to dilate on the reasons given by the High Court over again. The appeal is therefore dismissed with no order as to costs.

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