

Sukhdarshan Singh and Others

Vs

State of Rajasthan and Others

Civil Appeal No. 180-83 of 1985

(CJI E. S. Venkataramiah, K. N. Singh, N. M. Kasliwal JJ)

21.11.1989

ORDER

1. In these appeals the appellants have questioned the validity of Section 15 (as amended) of the Rajasthan Imposition of Ceiling on agriculture Holdings Act, 1973. It is not disputed that this Act was enacted by the Rajasthan legislature for bringing about agrarian reforms in the State of Rajasthan. The validity of some of the provisions of the Act came up for consideration before this Court in *Bansidhar v. State of Rajasthan* ((1989) 2 SCC 557) before a Constitution Bench of this Court and this Court made a declaration that the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 was a legislation which was made for the purpose of bringing about agrarian reforms. In view of the above finding, it is clear that the provisions including Section 15 (as amended) contained therein are protected by Article 31-A(1)(a) of the Constitution notwithstanding the fact that some of these provisions contravened Articles 14 and 19.

2. The grounds urged in respect of the appeal are that Section 15 (as amended) in question was violative of Article 14. Since the provisions of the Act was already stated are protected by Article 31-A(1)(a), the attack does not survive. The High Court was therefore right in upholding the validity of Section 15 of the Act. Therefore, there is no ground to interfere with the judgment of the High Court. These appeals fail and are dismissed. Interim orders passed if any, in these cases stand vacated.

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