SUKHDARSHAN SINGH ETC. ETC.

v.

STATE OF RAJASTHAN

NOVEMBER 21, 1989

[E.S. VENKATARAMIAH, CJ., K.N. SINGH AND N.M. KASLIWAL, JJ.]

Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973: Section 15—Validity of—Held protected by Article 31(A)(1)(a) and not violative of Article 14 of the Constitution of India, 1950.

In these appeals on the question: whether section 15 (as amended) of the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 was violative of Article 14 of the Constitution of India.

Dismissing the appeals, this Court,

HELD: Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 was a legislation which was made for the purpose of bringing about agrarian reforms. The provisions of the Act including section 15 (as amended) are protected by Article 31(A)(1)(a) of the Constitution. Therefore, the attack that section 15 of the Act was violative of Article 14 of the Constitution does not survive. The High Court was right in upholding the validity of section 15 of the Act. [247B; C-D]

Bansidhar **v.** *State of Rajasthan,* **[1989] 2 SCC 557, followed.**

CIVIL APPELLATE JURISDICTION: Civil Appeal Nos. 180-83 of 1985.

From the Judgment and Order dated 12.9.1983 of the Rajasthan High Court in D.B. (Civil) Spl. Appeal Nos. 35 of 1982, 76, 268 and 270 of 1983.

S.K. Bagga for the Appellants.

B.D. Sharma for the Respondents.

The Order of the Court was delivered by

VENKATARAMIAH, CJ. In these appeals the appellants have questioned the validity of Section 15 (as amended) of the Rajasthan Imposition of Ceiling on Agricultural 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 declaration that the Rajasthan Imposition of Ceiling Agricultural Holdings Act, 1973 was a legislation which was made for the purpose of bringing out Agrarian Reform. In view of the above finding, it is clear that the provisions including s. 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.

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 as 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.

T.N.A. Appeals dismissed.