

Ram Lal Chandan Lal And Ors. vs State Of U.P. And Ors. on 19 July, 1984

Equivalent citations: 1984(2)SCALE171A, (1984)4SCC2, 1984(16)UJ933(SC), AIRONLINE 1984 SC 21

Bench: D.A. Desai, V. Balakrishnan Eradi

ORDER

1. This appeal is directed against the judgment of the High Court of Judicature at Allahabad in Writ Petition No. 38 of 1968 and connected petitions in which the constitutional validity of Uttar Pradesh Krishi Utpadan Mandi Adhiniyam 1964 was challenged. The High Court upheld the validity of the impugned Act. Hence this appeal by certificate under Article 133(1)(c) of the Constitution.

2. By sheer passage of time, the point raised herein has lost significance. The question of constitutional validity of the impugned legislation has been examined by a Constitution Bench of this Court in Ramesh Chandra etc. v. State of U.P. etc. . This court upheld the constitutionality of the impugned legislation. There was some lingering doubt as to the validity of some rule which aspect is also concluded by the decision of this Court in Vishnu Dayal Mahendra Pal and Ors. v. State of U.P. and Ors. . Nothing thereafter remains for our consideration.

3. Mr M.S. Gupta, learned Counsel who appeared for the appellant urged that in the High Court the learned Counsel appearing for the petitioner-respondent herein had raised the question about the validity of the composition of the Mandi Samiti. The grievance was that even though a number of interests are represented in Mandi Samiti, unduly high representation has been given to the producers on the Samiti thus denying equality of opportunity even in the matter of being represented on a statutory committee. The High Court repelled this contention after ascertaining representation given to other interests in Mandi Samiti and concluded that scale of representation is not tilted in favour of the producers. Even apart from the basic fact that the impugned legislation was for the protection of the producers of agricultural commodities because they were the victims of exploitation by middlemen, on the facts the contention of undue weightage in favour of producers is not made good. Weightage looking to their number would have been justified on its own merits. We equally agree with the reasons which weighed the High Court in rejecting the contention. There is nothing disproportionate in the representation given to various interests that the Mandi Samiti is supposed to serve. The contention does not appeal to us.

4. Accordingly, the appeal fails and is dismissed with no order as to costs.