

Supreme Court of India

J.C. Roadways vs Pandiyan Roadways Corporation ... on 2 February, 1977

Equivalent citations: AIR 1978 SC 423, (1977) 3 SCC 558

Bench: A Gupta, V K Iyer

JUDGMENT

1. This appeal raises a short point as to whether executive instructions can be issued under Section 43-A of the Motor Vehicles (Madras Amendment) Act 1948 in determining who should be awarded a permit for running a stage carriage. This Court has held that executive instructions cannot be issued to control the discretionary jurisdiction of the tribunals and the view taken by the High Court is therefore correct. We dismiss the appeal, but, in the circumstances, without costs.