

Baigana And Ors vs Deputy Collector Of Consolidation And ... on 14 March, 1978

Equivalent citations: 1978 AIR 944, 1978 SCR (2) 509, AIR 1978 SUPREME COURT 944, 1978 2 SCC 461, 1978 3 SCR 509, 1978 SCC (TAX) 111, 1978 SCC(CRI) 273

Author: V.R. Krishnaiyer

Bench: V.R. Krishnaiyer, Jaswant Singh

PETITIONER:

BAIGANA AND ORS.

Vs.

RESPONDENT:

DEPUTY COLLECTOR OF CONSOLIDATION AND ORS.

DATE OF JUDGMENT 14/03/1978

BENCH:

KRISHNAIYER, V.R.

BENCH:

KRISHNAIYER, V.R.

SINGH, JASWANT

CITATION:

1978 AIR 944 1978 SCR (2) 509

1978 SCC (2) 461

CITATOR INFO :

R 1987 SC2235 (7)

ACT:

Constitution of India, 1950, Art. 136 read with Order XVI
Supreme Court Rules 1966, -Supreme Court cannot be converted
into a court of fifth appeal.

HEADNOTE:

Dismissing the special leave petition, the Court

HELD : 'The Supreme Court is more than a Court of appeal. it
exercises power only when there is supreme need. It is not
the fifth court of appeal but the final court of the nation.
Therefore, even if legal flaws may be electronically
detected, this Court cannot interfere sans manifest
injustice or substantial question of public importance. [509

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JUDGMENT :

CIVIL APPELLATE JURISDICTION : Special Leave Petition (Civil) No. 4963 of 1977.

(From the Judgment and Order dt. 21-9-75 of the Allahabad High ,Court in Writ Petition No. 92 of 1969) S. N. Singh, for the petitioner.

The Order of the Court was delivered by KRISHNA IYER, J. The Supreme Court is more than a Court of ,appeal. It exercises power only when there is supreme need. It is not the fifth court of appeal but the final court of the nation. Therefore, even if legal flaws may be electronically detected, we cannot interfere sans manifest injustice or substantial question of public importance. By this token, the petitioner has missed the bus. Dismissed. S.R. Petition dismissed 15--277SCI/78