

BAIGANA AND ORS. A

v.

DEPUTY COLLECTOR OF CONSOLIDATION AND ORS.

March 14, 1978

[V. R. KRISHNA IYER AND JASWANT SINGH, JJ.] B

*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.*

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 E] C

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) D

*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. E

S.R.

*Petition dismissed.*