

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
E]

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

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