

[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 638 OF 2006

All Tripura Buddhist Association ..Appellant

versus

State of Tripura & Others ..Respondents

WITH

CIVIL APPEAL NO. 640 OF 2006
S.L.P.(C) No.27151, 27821, 27597 and 27914/2008

O R D E R

Civil Appeal No.638 of 2006

Heard learned counsel for the parties.

This Appeal has been filed against the impugned judgment and order dated 05th October, 2005 passed by the High Court of Gauhati in Writ Appeal No.123 of 2002.

The short question in this case is whether Baruas are Maghs.

No doubt, Maghs have been shown as a Scheduled Tribe in the Presidential Order, being the Constitution (Scheduled Tribes) order, 1950 but Baruas have not, and have also not been mentioned as included in Maghs. It is well settled that the Court can neither add to nor delete from any caste/tribe mentioned in the Presidential Order.

The Tripura Government by order dated 17th July, 1987, Annexure P-7 to this appeal has stated that there is no evidence that Barua community is a part of Magh community. It is not for this Court to sit in appeal over the decision of the Tripura Government. If the appellant has any

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grievance, it may approach the President of India or Parliament, as observed in para 19 of the impugned order. The Appeal is dismissed with the aforesaid observations.

Civil Appeal No.640 of 2006

Heard learned counsel for the parties.

There is no merit in this appeal and it is, accordingly, dismissed.

S.L.P.(C) Nos.27151, 27821, 27597 & 27914/2008

In view of our order passed today in Civil Appeal No. 638 of 2006, these special leave petitions are also dismissed.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
August 24, 2011

.....J.
[CHANDRAMAULI KR. PRASAD]