

ITEM NO.9

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2011
CC 5573/2011

(From the judgement and order dated 04/11/2009 in
of The HIGH COURT OF JHARKHAND AT RANCHI)

LPA No. 156/2009

DHANESHWAR KARMALI

Petitioner(s)

VERSUS

COMMR.NORTH CHOTANAGPUR DIVN.& ORS.

Respondent(s)

IA NO.1(c/delay in filing SLP)

Date: 08/04/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Ms. M. Indrani,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

This petition is directed against the judgment of the Division Bench of the Jharkhand High Court whereby the Letters Patent Appeal preferred by the petitioner against the order of the learned Single Judge, who dismissed the writ petition and confirmed the revisional order passed by the Commissioner, was dismissed. The petitioner has also filed an application for condonation of 211 days delay in filing the special leave petition.

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We have heard Ms. M. Indrani, learned counsel for the petitioner and carefully gone through the record of the case and are of the view that the explanation given by the petitioner for delayed filing of the special leave petition is wholly unsatisfactory.

Even on merits, we are satisfied that the reasons assigned by the Commissioner for not entertaining the petitioner's claim as a Scheduled Tribe did not suffer from any legal infirmity and the learned Single Judge and the Division Bench of the High Court rightly refused to interfere with the findings recorded by the Commissioner.

The special leave petition is accordingly dismissed on the ground of delay and also on merits.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master