

X  
ITEM NO.20

COURT NO.3

SECTION XI

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)...../2013  
CC 9351/2013

(From the judgement and order dated 18/02/2009 in CMWP No.58141/2005, of  
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

DEEPENDRA & ORS Petitioner(s)

VERSUS

STATE OF U.P. & ORS Respondent(s)

(With appln(s) for c/delay in filing SLP and office report )

Date: 03/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) None

For Respondent(s)

UPON perusing papers the Court made the following  
O R D E R

This petition is directed against order dated 18.2.2009 of the Division Bench of the Allahabad High Court whereby the writ petition filed by the petitioners in the matter of grant of caste certificate was disposed of by relegating them to avail remedy before the High Powered Committee constituted by the State Government vide order dated 9.4.1997. The petitioners have also filed an application for condonation of 1384 days delay.

Although, the case was taken up twice, no one has appeared for the petitioners.

We have perused the averments contained in the application for condonation of delay and are convinced that the cause shown by the petitioners for delayed filing of the special leave petition, to say the least, is thoroughly unsatisfactory and there is no warrant for exercise of power by this Court under Section 5 of the Limitation Act, 1963.

Even on merits, we are satisfied that the impugned order by which the petitioners were relegated to the alternative remedy of approaching the High Powered Committee does not suffer from any patent legal infirmity requiring interference under Article 136 of the Constitution.

The special leave petition is accordingly dismissed as barred by time and also on merits.

| (Parveen Kr.Chawla)  
| Court Master  
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| | (Phoolan Wati Arora)  
| | Court Master  
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