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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 20.10.2016

+ W.P.(C) 6957/2016
APU BANIK

..... Petitioner

versus

THE SECRETARY GENERAL, SUPREME
COURT OF INDIA

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sunil Baloni, Advocate with petitioner in person.

For the Respondents : None.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner has filed the present petition contending that the Registry of the Supreme Court has altered the original number of the suit and the law and registered the appeal being Civil Appeal No.7948/2004 in an incorrect subject category.

2. It is contended that the appeal originated from Suit No. 2/1987 which was for cancellation of sale deed, which should have been registered under the subject category 1806 (Matters relating to allotment, cancellation, fixation of prices of plots/flats) whereas the Registry registered the same in subject category 1805 (Matters relating to specific

performance of contract) for specific performance as Suit bearing No.1/1986. This is contended on the basis of a response dated 02.12.2009 to a RTI application filed by the petitioner.

3. In my view, the petition is misconceived. It is not the contention of the petitioner that mere registration in an incorrect subject category has affected the decision of the appeal. Even if such a contention were to be raised, the same cannot be raised in a petition under Article 226 of the Constitution of India.

4. After the appeal was decided by the Supreme Court, the petitioner filed a review petition and, thereafter, a curative petition, which was subsequently withdrawn with liberty to file a fresh curative petition. However, fresh curative petition has not been filed.

5. Further, the record of the special leave petition, annexed as Annexure – P2, shows that reference is made in the petition to both Suit No.2/1987 and also Suit No. 1/1986.

6. Categorization of petitions as per different subjects is for administrative convenience of listing and for the purpose of facilitation of the Registry in maintaining the records. Mere categorization of a petition in one or the other subject category does not affect the merits of the matter.

7. In my view, this petition is clearly is misconceived.

8. I find no merit in the petition. The same is, accordingly, dismissed.

SANJEEV SACHDEVA, J

OCTOBER 20, 2016/st