

CLR No. 113 of 2013

Hon'ble Alok Singh, J.

Mr. Pankaj Negi, Advocate for the review applicant.

CLMA No. 8791 of 2015

For the reasons stated in the application, delay in filing review application is condoned.

CLMA No. 8791 of 2015 stands disposed of accordingly.

MCC No. 490 of 2015

It is stated by Mr. Pankaj Negi, learned counsel, appearing for Yunus Beg, review applicant, that in fact review applicant is true owner of the property, in question, however, frivolous suit was filed with the collusion of the tenant by Smt. Ganga Devi posing herself landlord of the property, in question, wherein Smt. Ganga Devi was successful in getting eviction order against the tenant. Further contends that review applicant has also filed O.S. No. 469 of 2014 in the Court of Civil Judge (Senior Division), Dehradun against Smt. Ganga Devi for permanent prohibitory injunction wherein question of title is involved.

In a suit for eviction of tenant, the only question which requires to be seen is as to whether there exists relationship of landlord – tenant between the parties which was adjudicated and ultimately suit for eviction was decreed. As to whether third party / review applicant is owner of the property, in question, is beyond the scope of present

proceedings and this question can very well be adjudicated before the competent Civil Court wherein question of title can be decided without being prejudiced by the judgment passed in the present proceedings in view of the fact that third party / review applicant was not party in eviction suit. Therefore, I do not find any ground to review judgment.

Consequently, review application is dismissed.

CLMA No. 8792 of 2015 and CLMA NO. 8793 of 2015 stand disposed of accordingly.

(Alok Singh, J.)

Dated 31.07.2015

Shiv

