




(2)

swayed away by the definition of court and since the District Consumer Forum also falls within the category of a court, it had wrongly interpreted that the kind of dispute brought before it was a consumer dispute. Such an approach seems to be misconceived and not sustainable. A case filed for mandatory injunction restraining the opposite-parties from interfering with the complainants' possession was by no stretch of reasoning a consumer dispute and, therefore, the complaint of Sri Maana and others was liable to be dismissed on this ground alone.

Accordingly, we hold that the impugned order suffers from serious infirmity of jurisdiction. It is hereby quashed.

The revision is allowed and the complaint of the opposite-parties/complainants stands dismissed.

  
(JUSTICE BHANWAR SINGH)  
PRESIDENT

  
(CHANDRA BHAL SRIVASTAVA)  
MEMBER

  
(YASHPAL SHARMA)  
MEMBER

Jafri