

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT KAMPALA

(LAND DIVISION)

CIVIL REVISION NO. 0008 OF 2021

(ARISING OUT OF CIVIL SUIT NO. 0007 OF 2018- MAKINDYE LAND CIVIL SUIT)

MAGEMBE PETER-----APPLICANT

V

SSEGUJJA RICHARD-----RESPONDENT

BEFORE: Hon. Lady Justice Olive Kazaarwe Mukwaya.

RULING

15 This application was filed by the Applicant who is unrepresented. It was due for hearing, but he did not appear in Court.

I have nonetheless had the opportunity to peruse the motion and his affidavit in support. Additionally, I have studied the lower Court record vide Civil Suit No. 0007 of 2018 out of which this application for revision arises.

20 **Section 83 of the Civil Procedure Act** provides that the High Court may call for the record of any case which has been determined by any subordinate court and may revise the case if that court appears to have done any or one of three things;

a. Exercised a jurisdiction not vested in it by law;

b. Failure to exercise a jurisdiction vested in that court;

25 *c. acted in the exercise of its jurisdiction illegally or with material irregularity or injustice.*

For a matter to qualify for revision, it must be apparent that it involves a failure to exercise or an irregular exercise of jurisdiction. Revision does not concern itself with conclusions of law or fact in which the question of jurisdiction is not involved. Dissatisfaction with a

- 5 decision by a court with jurisdiction in favour of the other party cannot be a matter for revision. See **Nadiope & 8 Ors v Maluku Development Association Ltd (HCT-04-CV-MA-0073-2010) [2012] UGHC 103 (13 June 2012)**.

It is a fact that the suit was concluded by way of Consent between the Plaintiff, Ms. Nagujja Masitula and the Defendant Mr. Segujja Richard on the 26th October 2018.

- 10 The Applicant was not a party to that suit. He therefore has no locus standi to apply for revision and even if he were a party, procedurally revision is not the correct remedy in the circumstances.

This Application is therefore dismissed with no order as to costs.

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Olive Kazaarwe Mukwaya

JUDGE

14th March 2023