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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.2198 of 2015 (O&M)

Date of decision: March 30, 2015

Sat Pal

.....Petitioner

Versus

Rajesh Bhanot

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. V.K. Sandhir, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 07.02.2015, whereby mesne profits were assessed by the Appellate Authority.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

Respondent has sought ejectment of the petitioner from the premises in question by moving a petition under Section 13 of the East Punjab Urban Rent Restrictions Act, 1949. The case of the respondent was that he had been declared owner of the property in question vide judgment and decree dated 07.04.2008. Ejectment petition filed by the respondent was allowed by the Rent Controller vide order dated 25.04.2012. Against the said order, petitioner has filed an appeal. During the pendency of the appeal, respondent moved an application for determination of mesne profits. The Appellate Authority vide impugned order has assessed the mesne profits at the rate of ₹1,500/- per month. A perusal of the impugned order reveals that while assessing the mesne profits, the learned Appellate Authority has taken into consideration the rent notes produced by both the parties. Respondent had placed rent note on record to establish that

the rate of rent was ₹2,000/- per month, whereas the petitioner had placed on record rent note to establish that the rate of rent was ₹600/- per month. Petitioner is in possession of residential premises. The Appellate Authority taking into consideration the said notes has rightly assessed mesne profits at ₹1,500/- per month.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

March 30, 2015

m.singh