

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

**CR No.3825 of 2015 (O&M)
Date of decision: 9.10.2015**

Mohammad Israil

..... Petitioner

Versus

Bahadur Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Present : Mr. C.S.Singh, Advocate for
Mr. G.S.Hooda, Advocate for the petitioner.

Mr. Roopam Jain, Advocate for LR's of respondent.

ARUN PALLI, J. (Oral)

Vide order being assailed dated 6.5.2015, rendered by the Appellate Authority, Chandigarh, mesne profits of the demised premises were assessed at ₹25,000/- per month, payable from the date of the order of eviction passed by the Rent Controller.

On July 13, 2015 this Court while issuing notice of motion had passed the following order:-

“Notice of motion returnable by 9.10.2015.

**Operation of the impugned order in the
meanwhile will remain stayed but subject to the following
conditions:-**

**(i) that petitioner will pay 50% of the total
amount of mesne profits as assessed by the learned
Appellate Authority vide the impugned order dated**

6.5.2015 within a period of 15 days from today; and

(ii) that the petitioner shall continue to pay the future rent at the same rate by 11th of each month till further order.

In case the petitioner fails to comply with any of these conditions, then in that eventuality the stay order shall stands automatically vacated”.

Mr. Roopam Jain, Advocate, has caused appearance on behalf of LRs of respondent.

Having argued the matter at some length, learned counsel for the parties, on instructions from their respective clients, submit that let mesne profits be fixed at ₹15,000/- per month, payable from the date of eviction i.e. 17.09.2014. However, the Appellate Authority be directed to decide the appeal on the date already fixed i.e. 4.11.2015 or maximum within a period of one month, thereafter.

That being so, mesne profits for the demised premises are fixed at ₹15,000/- per month, payable from the date of the order of eviction dated 17.09.2014. The impugned order dated 6.5.2015, is modified, accordingly. The Appellate Authority is requested to decide the appeal on the date already fixed or maximum within a period of one month, thereafter.

The revision petition is disposed of in the above terms.

October 9, 2015

Manoj Bhutani

**(ARUN PALLI)
JUDGE**