

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

CR No.8147 of 2014 (O&M)

Date of Order: 30.03.2015

Dharam Vir Pathania

....Petitioner

Versus

Darshan Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S BEDI

Present: None for the petitioner.

Mr. Naveen Saini, Advocate for the respondent.

M.M.S BEDI, J (ORAL)

This is tenant's revision against the order dated 03.11.2014 passed by the learned Appellate Authority, SAS Nagar, Mohali under East Punjab Urban Rent Restriction Act fixing mesne profits at the rate of Rs.6000/- per month pertaining to tenanted premises, which is a shop in Janta Market, Phase 11, SAS Nagar, Mohali.

Petitioner-tenant had been inducted on 10.8.2004 at the rate of rent of Rs.2300/- per month excluding house tax as per the rent agreement dated 12.8.2004. Appellate Authority while admitting the appeal against the eviction order had assessed the mesne profits at the rate of Rs.6000/- per month against a sum of Rs.10,000/- as claimed by the respondent with effect from the date of ejection i.e 11.9.2012.

Grievance of the petitioner is that the amount has been determined on the higher side. The claim of the landlord-respondent had been that the prevailing market rent is Rs.10,000/- per month excluding electricity and water charges of the similar size shops measuring 4' x 6'

situated in the same market.

After going through the amount of mesne profits assessed, I am of the opinion that the mesne profit has not been assessed at excessive rate. The amount has been determined objectively. There does not appear to be any ground to interfere in the quantum of mesne profit assessed, which appears to be reasonable as per the law laid down by the Hon'ble Apex Court in **Mohammad Ahmad and another Vs. Atma Ram Chauhan and others 2011 (1) RCR (Rent) 394.**

Dismissed.

March 30, 2015
manoj

(M.M.S BEDI)
JUDGE