

107

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

**C.R. No.1240 of 2016 (O&M)
Date of Decision : 31.03.2016**

Kuldeep Singh

..... Petitioner

Versus

Subhash Chand

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Surender Pal, Advocate
for the petitioner.

Mr. Deepak Verma, Advocate
for the respondent.

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?

AJAY TEWARI, J. (Oral)

This revision has been filed against the order dated 15.12.2015
passed by the Appellate Authority fixing mesne profits @ Rs.6000/- p.m.

Learned counsel for the petitioner has argued that the shop in
dispute is not situated in the main market and that in the said locality the
other tenants are paying rent @ Rs.425/- to Rs.1200/- per month.

Learned counsel for the respondent has however argued that
this Court had fixed the rent of a similar shop in the said locality @
Rs.20,000/- p.m. and the order passed by the Appellate Authority is not so
palpably perverse or erroneous so as to justify interference in the revisional

jurisdiction of this Court.

In my opinion, the interest of justice would be met if the mesne profit is fixed @ Rs.5000/- p.m. Ordered accordingly. However, it is directed that apart from the contractual rent the petitioner shall deposit the mesne profits in advance by the 7th of every month before the Rent Controller till the disposal of the appeal and the arrears of the same i.e. from the date of eviction order be also deposited within 2 months before the Rent Controller. The Rent Controller shall deposit the same in a fixed deposit in any nationalized bank and will also create a Recurring Deposit for the future mesne profits to enure to the party who would be successful.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

March 31, 2016

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**(AJAY TEWARI)
JUDGE**