

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

C.R. No.1588 of 2016

Date of Decision.01.03.2016

Yogita

.....Petitioner

Vs.

Jat Dharamshala Sabha, Sirsa

.....Respondent

Present: Mr. Arpandeep Narula, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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?

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K. KANNAN J. (ORAL)

1. The revision petition is against an interim order passed by the Appellate Court which while granting stay had directed the amount to be paid at ₹3500/- per month for continuance in occupation. The decree for possession and recovery of mesne profits is obtained on ₹3500/- while the contention of the defendant-petitioner was that the rent agreed upon was ₹2,000/- and not ₹3500/- per month. The Appellate Court which grants stay has full liberty to impose appropriate conditions. If there is already a determination of mesne profits at ₹3500/-, the Appellate Court will be justified in protecting the petitioner's possession but at the same time imposing appropriate conditions. In so far as there has been already a determination made for mesne profits, I find no cause for interference.

2. The petitioner states that she will be seriously inconvenienced being poor and she will be not able to pay the amount.

The petitioner is bound to pay such amount as determined and if there is any inconvenience, the petitioner may seek for extension of time to comply with the directions. Such plea must also be made only before the Court which has passed the order and cannot be brought before this Court in revision.

3. The revision petition is dismissed but with the above observations.

(K. KANNAN)
JUDGE

March 01, 2016
Pankaj*