

ESA-62-2015(O&M)

1

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

ESA-62-2015(O&M)

Date of decision : 20.01.2016

Sukhwinder Kaur

... Appellant

Versus

Davinder Pal Singh Grewal

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Suvir Kumar, Advocate
for the appellant.

Mr. Atul Goyal, Advocate
for the respondent.

REKHA MITTAL. J.(ORAL)

Affidavit filed by appellant Sukhwinder Kaur in the Court is taken on record, undertaking to vacate the premises in dispute by 30.06.2016.

Counsel for the respondent has submitted that the respondent has got no objection in case the appellant is permitted to remain in possession of the premises in question till 30.06.2016 but she may be directed to pay mesne profits for the period w.e.f. August 2014 till 30.06.2016.

Counsel for the parties are ad idem that the appellant would pay mesne profits as assessed by this Court.

In view of the above, the appeal stands disposed of in the

following terms:

1. The appellant shall hand over vacant possession of the premises in question to the respondent by 30.06.2016.
2. She will pay mesne profits for use and occupation of the premises with effect from August 2014 to 30.06.2016 @ Rs.1000/- per month.
3. An amount of Rs.10,000/- towards mesne profits of the aforesaid period shall be paid by her on or before 31.01.2016, Rs.5000/- on or before 31.03.2016 and the balance amount on or before 31.05.2016.

In case, the appellant fails to comply with the undertaking given to vacate the premises by 30.06.2016, she would be liable to pay mesne profits @ Rs.2000/- per month with effect from January 2016 onwards, apart from inviting contempt proceedings.

(REKHA MITTAL)
JUDGE

January 20, 2016.
Davinder Kumar