

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 13 of 2017 (O&M)
Date of decision: 26.09.2017

Madhu Sudan Kohli and another

...Petitioners

Vs.

Mahender Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Daljit Singh , Advocate for the petitioners.

Mr. Gaurav Mohunta, Advocate for the respondent.

RAJIV NARAIN RAINA, J. (ORAL)

1. Learned counsel for the petitioner has produced an order dated 12.01.2017 passed by Sh. Gaurav Dutta, Rent Controller Chandigarh which proves that interim order dated 10.01.2017 of this Court has been complied with. The arrears of mesne profits ₹ 22,000/- (minus the agreed rent i.e. ₹ 7,200/-) have been deposited by way of demand draft of ₹ 74,000/- drawn on Kotak Mahindra Bank in favour of landlady Mahinder Kaur for the period 01.09.2016 to 31.01.2017.

2. It appears plain after hearing learned counsel for the respondent that tenant though has complied with the interim order but has thereafter failed to regularly deposit the mesne profits after 30.01.2017, and in case this is the factually correct and the undisputed position, then the arrears of mesne profits @₹ 22,000/- (minus the agreed rent i.e. ₹ 7,200/-) per mensum shall be deposited within a month from today and paid regularly in future by the 10th day of each

calendar month and in default of which, the petitioner will be liable to be evicted.

3. An important supervening event has transpired between the parties on disclosure by the learned counsel for the respondent that the main appeal has been dismissed recently on 12.09.2017 by the Appellate Authority, Chandigarh during the pendency of this case and the petitioner has been evicted rendering the present petition infructuous which is accordingly declared as such.

4. However, the arrangement made in the interim order dated 10.01.2017 by co-ordinate bench and the complimenting order passed today will continue in operation till the vacant possession of the demised premises is delivered to the landlady after clearing outstandings.

5. The revision petition is disposed of in the above terms.

6. The photocopy of the order dated 12.01.2017 produced in Court today is retained on record.

[RAJIV NARAIN RAINA]
JUDGE

26.09.2017

kv

Whether speaking/reasoned: Yes

Whether Reportable: No