

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

**Civil Revision No.3545 of 2015 (O&M)
Date of Decision: 17.07.2017**

Kashetriya Punjab Khadi Mandal, Kharar through its Secretary

..... Petitioner

Versus

Kanchan Lata and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Puneeta Sethi, Advocate for the petitioner/tenant.

Mr. Kunal Mulwani, Advocate for the respondents/landlords.

JASWANT SINGH, J. (ORAL)

The respondents/landlords filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act for eviction of the tenant, occupying Site No.213, Sector 37-C, Chandigarh, on the ground of personal necessity. Learned Rent Controller, vide order dated 24.01.2014, allowed the eviction petition. Aggrieved against the same, the tenant filed the rent appeal before the learned Appellate Authority, wherein the aforesaid eviction order was stayed, vide order dated 03.04.2014. During the pendency of the said appeal, the respondents/landlords filed an application for fixation of mesne profits, which is at **Annexure P-2**. Reply to the said application is also at **Annexure P-3**.

Learned Appellate Authority, Chandigarh, vide order dated 20.03.2015 (**Annexure P-1**), disposed of the aforesaid application, fixing Rs.25,000/- as mesne profits to be paid by the tenant from the date of passing of ejectment order by the Rent Controller. It was further directed that out of this amount, Rs.14,700/- be paid to the landlord, if already not paid, and rest of the amount be deposited with the learned

Rent Controller, within two months and the same will be disbursed to the successful party in the appeal. Hence, the present revision.

At the time of hearing, learned Counsel for the petitioner/tenant submits that the present petition stands infructuous as the petitioner/tenant has handed over the actual physical vacant possession of the demised premises to the respondent(s)/ landlord(s).

In view of the above, the present revision petition has become infructuous.

July 17, 2017
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>