

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

**Civil Revision No.3680 of 2015 (O&M)
Date of Decision: 01.08.2017**

Kashmiri Lal Jain

..... Petitioner

Versus

Manmohan Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Jashanpreet Kaur, Advocate for
Mr. Ravish Bansal, Advocate for the petitioner/landlord.

Mr. Tarun Singla, Advocate for the respondent/tenant.

JASWANT SINGH, J. (ORAL)

The landlord is in revision directed against the order dated 25.11.2014, passed by the Appellate Authority, Bathinda, whereby mesne profits have been fixed at the rate of ₹ 5000/- per month for the demised shop payable from the date of the eviction order dated 21.12.2013.

It is claimed that the awarded rate of mesne profits is on the lower side.

At the time of hearing, learned Counsel for the respondent/tenant submits that the present revision has become infructuous in view of a compromise effected before the Appellate Authority, wherein the statement of the landlord has been recorded on 15.02.2017, which for ready reference reads as under:-

“ I have compromised with the appellant/tenant. Vide compromise, I have given a nine months time to appellant/tenant to vacate the demised premises. After nine months, the appellant/tenant shall hand over the vacant possession of demised premises to me, failing which I shall be entitled to get the eviction order dated 21.12.2013 passed by Rent Controller, Bathinda executed in due process of law and the appellant/tenant shall not resist the execution of said order. The

appellant/tenant shall pay a sum of Rs.10,000/- to me on account of all the mesne profits in lump sum within period of two months.

As per compromise, both the parties shall withdraw all the Civil and Criminal cases against each other on the respective dates fixed before the respective courts including High Court. Both the parties shall abide by the said compromise. Instant appeal may be disposed of accordingly. ”

In view of the above, the parties are agreed that the present petition has become infructuous.

Accordingly, the present revision petition is dismissed as infructuous.

August 01, 2017

Gagan

(JASWANT SINGH)
JUDGE

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