

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

CR 383/2017

Date of decision: 10.11.2017

Sanjeev Kumar

.....Petitioner

v.

Krishan Chander and another

.....Respondent

Coram: Hon'ble Mr. Justice Jaswant Singh

Present:- Mr. Satbir Rathore, Advocate for the petitioner/tenant

Mr. Sanjiv Pandit, Advocate for contesting respondent
no.1-Landlord.

None for proforma respondent no.2.

Jaswant Singh, J., (Oral).

Petitioner/tenant is in revision assailing the order dated 15.12.2016 passed by Appellate Authority, Hoshiarpur whereby mesne profit for the demised shop measuring 348 square feet, situated at Talab Road, Dasuya, Distt. Hoshiarpur has been assessed at the rate of Rs.7000/- per month.

This Court while issuing notice of motion on 19.1.2017 had passed the following order:-

“Inter alia submits that mesne profits have been assessed at Rs.7000/-, without any valid barometer as the shop is not situated, as such, in a commercial area and the rent was Rs.1000/-, as per the rent deed dated 14.12.1997.

Notice of motion for 20.7.2017.

Keeping in view the above factors, the petitioner, in the meantime, shall deposit mesne profits @

Rs.4000/- per month, as per the terms and conditions, with the Appellate Authority,Hoshiarpur.

At the time of hearing today,learned counsel for the petitioner submits that the instant petition has become infructuous as the Appellate Authority,Hoshiarpur vide order dated 18.4.2017 has since dismissed the appeal of the tenant/petitioner. It is further submitted that in compliance of the order dated 19.1.2017 passed by this Court mesne profits @ Rs.4000/-, have been paid to the respondent/landlord who has accepted the same.

This contention of the learned counsel for the petitioner/tenant is not opposed by the counsel for the respondent/landlord.

In view of the above, present revision petition is dismissed as having become infructuous.

10.11.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No