

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

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CR No.2639 of 2017 (O & M)
Date of Decision:08.08.2018

Rakesh Kumar and others

...Petitioners

Versus

M/s Bihari Lal Raj Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kunal Mulwani, Advocate for
Mr. Abhinav Gupta, Advocate for the petitioners.

Mr. Deepak Aggarwal, Advocate for the respondent.

ANIL KSHETARPAL, J.(Oral)

This revision petition has been filed against assessing mesne profit during the pendency of the First Appeal.

Learned counsel for the tenant-respondent has pointed out that the main appeal filed before the learned First Appellate Court has been dismissed on 17.07.2018.

However, learned counsel for the petitioners-landlord insist that revision petition would survive as landlords are praying for revision in the mesne profit fixed by the learned Appellate Authority. Since the mesne profit as fixed by the learned Appellate Authority are payable only during pendency of the first appeal, therefore, this Court is of the considered view that the revision petition has been rendered infructuous and the decision of the learned Appellate Authority on mesne profit shall not be treated as final.

Keeping in view the aforesaid fact, the revision petition is rendered infructuous.

Dismissed as such.

08.08.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No