

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

CR-3242-2018 (O&M)

Date of Decision:-16.5.2018

Rakesh Malhotra and another

... Petitioners

Versus

Gajanand Joshi

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. D.K. Singal, Advocate for the petitioners.

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**GURVINDER SINGH GILL, J.**

By way of filing this revision petition, the petitioners/landlord assail order dated 2.2.2018, whereby the learned Appellate Authority, Panchkula has assessed the mesne profits of the demised premises, which is a booth situated in Sector-7, Panchkula, @ ₹ 36,000/- per month.

The learned counsel for the petitioners, while assailing the impugned order, has submitted that in fact the mesne profits ought to have been assessed @ ₹ 1 lac per month, inasmuch as, he had produced rent agreement of adjacent premises indicating that somewhat identical premises had been let out @ ₹ 81,000/- per month.

I have considered the aforesaid submission. A perusal of the impugned order shows that in the rent agreement, relied upon by the landlord, the area was much more than the demised premises and there was a basement alongwith the booth in question, whereas the demised premises does not have any basement.

I do not find any infirmity in the assessment of mesne profits as has been assessed by the learned Appellate Authority @ ₹ 36,000/- per month. Finding no infirmity in the same, the impugned order is upheld. However, in view of the nature of the dispute, wherein the landlord seeks ejection of the premises on account of his personal necessity, the Appellate Authority is expected to make sincere efforts to dispose of the appeal expeditiously preferably within a period of four months from today.

The revision petition stands disposed of.

**16.5.2018**

pankaj

**(Gurvinder Singh Gill)**  
**Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No