

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

RSA No.2544 of 2016 (O&M)

Date of decision : 23.10.2018

Ram Kanwar and others

...Appellants

Versus

Mange Ram and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rishab Lohan, Advocate for
Mr. R.N. Lohan, Advocate for the appellants.

ANIL KSHETARPAL, J. (ORAL)

The plaintiffs-appellants are in the Regular Second Appeal against the judgment passed by the learned First Appellate Court declining the relief of recovery of mesne profits for use and occupation of the property in dispute, although, the relief of possession has been granted in their favour.

Learned First Appellate Court has found that the plaintiffs and defendants are in possession of the properties belonging to each other and, therefore, the plaintiffs cannot claim mesne profits without accounting for his possession with respect to the property owned by the defendants.

This Court does not find that reason assigned by the Court declining the mesne profits is erroneous. Hence, there is no ground to interfere.

Regular Second Appeal is dismissed.

23.10.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**