

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

CR No.6080 of 2016 (O&M)
Date of Decision: May 09, 2019

B.S. Jattana

...Petitioner

Versus

Group Captain Gurpreet Singh Sandhu and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A.D.S. Jattana, Advocate
for the petitioner.

Ms. Poonam Verma, Advocate for
Mr. Rohit Sapra, Advocate
for the respondent(s).

JAISHREE THAKUR, J. (Oral)

1. This is a civil revision that has been filed under Article 226 of the Constitution of India, praying for setting aside of the order dated 02.08.2016 passed by the Appellate Authority, exercising powers under the East Punjab Urban Rent Restriction Act, 1949 assessing mesne profits/damages at the rate of ₹64,000/- per month by enhancing it from ₹16,000/- per month, for a one kanal house.

2. Notice of motion was issued in the said matter, however, at the same time, there was a direction of the court that the petitioner would continue to deposit the arrears of mesne profits/damages at the rate of ₹40,000/- per month from the date of passing of the eviction order dated

17.11.2015 and the petitioner would continue to deposit the said amount on or before 7th day, which would be an interim arrangement till the final disposal of the revision petition.

3. This court is informed that in fact, eviction has been ordered by the Appellate Authority, upholding the decision of the Rent Controller and in terms of the eviction order, possession has already been handed over to the respondent-landlord.

4. I have heard learned counsel for the parties.

5. In view of the fact that possession of the tenanted premises has already been delivered to the respondent-landlord and that the order dated 16.09.2016 passed by this Court was never challenged by the respondent-landlord before the Supreme Court in SLP and they had continued to accept the mesne profits/damages at the rate of ₹40,000/- per month, in such circumstances, the instant civil revision has been rendered infructuous and disposed of accordingly, while confirming the order that was passed by this court on 16.09.2016.

May 09, 2019

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No