

CR No.5118 of 2019 (O&M)

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

CR No.5118 of 2019 (O&M)
Date of decision: 27.08.2019

Sh. Jiya Lal Garg

.....Petitioner

versus

Dharampal through his LRs

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Divanshu Jain, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this revision, tenant has laid challenge to order dated 11.07.2019 of the Appellate Authority, whereby it has fixed mesne profits at ₹6,000/- per month to be paid by him to the respondent-landlord w.e.f. 22.12.2018.

Learned counsel for the petitioner *inter alia* contends that area of the demised shop is 84 sq. feet for which the petitioner was paying rent @ ₹5,00/- per month. The Appellate Authority has enhanced the same to ₹6,000/- per month without any basis.

Having given thoughtful consideration to the submissions made by learned counsel for the petitioner, this Court finds the instant revision completely devoid of any merit for the reason that, while claiming mesne profits at the rate of ₹30,000/- per month, respondent-landlord in his support produced rent agreement dated 01.12.2016 of a shop measuring 7'x14' i.e. equivalent to area of the demised shop situated in the near vicinity of which monthly rent was ₹14,700/-. Respondent-landlord also produced another

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lease deed dated 08.12.2015, whereby property was rented out in a sum of ₹25,000/- per month.

Considering above prevalent rent in the near vicinity of the demised shop, no interference is called for in the impugned order, whereby the Appellate Authority has fixed a very meagre use and occupation charges at ₹6,000/- per month.

Dismissed.

(Ramendra Jain)
Judge

August 27, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No