

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.7830 of 2018 (O&M)
Date of Order:26.02.2020

Amit Singla

..Petitioner

Versus

Seema Verma

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Jain, Advocate,
for the petitioner.

Mr. Ashwani Gaur, Advocate
for the respondent.

ANIL KSHETARPAL, J(Oral)

Present revision petition has been filed by the tenant, who was ordered to be evicted by the learned Rent Controller. However, in appeal, before the appellate authority, the appellant was directed to pay mesne profit for use and occupation of the premises @ Rs.15,000/- per month.

On 19.11.2018, following order was passed:-

“It is inter alia contended that learned Appellate Authority has not taken into consideration the documents tendered by the petitioner showing the market rate of rent less than Rs.6000/- per month. It is further submitted that the petitioner’s application for stay of the operation of eviction order dated 27.07.2018 has not been decided.

Notice of motion for 04.03.2019.

Dispossession of the petitioner from the demised premises shall remain stayed subject to payment of arrears of rent at the rate of Rs.1875/- per month w.e.f. 01.04.2017 as well as arrears of mesne profit at the rate

of Rs.10,000/- per month w.e.f. the date of order of eviction i.e. 27.07.2018. Deposit be made on or before 03.12.2018 i.e. the date fixed before the Appellate Authority. Thereafter, the petitioner shall regularly deposit the rent and mesne profits by the seventh (7th) of each month.

It is made clear that while arrears of rent be released to the landlord, mesne profits to be deposited by the petitioner be kept in the shape of FDRs in a nationalized Bank till further orders.

In case of any default on the part of the petitioner, this order shall automatically stand vacated.”

Learned counsel for the petitioner has informed the court that the petitioner is regularly paying the arrears of rent @ of Rs.1875/- and is also depositing towards arrears of mesne profit amount of Rs.10,000/- per month.

Keeping in view the facts of the case as also while noticing that the first appeal filed by the tenant is pending before the appellate authority, it is considered appropriate to request the appellate authority to dispose of the appeal itself within a period of 3 months.

The interim order dated 19.11.2018 shall continue to operate till the decision of the first appeal.

Disposed of accordingly.

February 26, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No