

CR No.1967 of 2020 (O&M)

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

CR No.1967 of 2020 (O&M)
Date of Decision: 30.06.2020

Paramjit Singh

...Petitioner

Versus

Durlabh Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Prateek Sodhi, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing.

Through this revision under Article 227 of the Constitution of India read with Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') has laid challenge to order dated 25.02.2020 (Annexure P-4) of the Appellate Authority, directing the petitioner to pay mesne profits @ ₹5,000/- per month qua demised property from the date of passing of eviction order till decision of appeal.

Learned counsel *inter alia* contends that Appellate Authority has illegally awarded mesne profits to the tune of ₹5,000/- per month to the respondent-landlord on his application in this respect without any documentary evidence. Appellate Authority failed to appreciate that tenanted room is on the first floor, which cannot fetch such a huge rent.

Having given thoughtful consideration to the above submissions, this Court finds the instant revision completely devoid of any

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merit for the reasons to follow.

This Court while exercising its revisional powers has very limited jurisdiction, which can only be exercised, (i) when the Courts below have acted beyond jurisdiction vested in them or (ii) have not exercised the same diligently and (iii) have exercised illegally.

Learned counsel for the petitioner has not been able to show any such infirmity in the judgment of the Appellate Authority.

Demised property is situated in the near vicinity of the Golden Temple, where throughout the year remains huge rush of devotees and several thousand foreign visitors. Considering above aspect, it does not lie in the mouth of the petitioner that use and occupation charges fixed by the Appellate Authority are on the higher side.

Dismissed.

June 30, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No