

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Revision No. 1430 of 2019

Pardeep Kumar

... Petitioner(s)

Versus

Sita Devi and Others

... Respondent(s)

AND

2. Civil Revision No. 3904 of 2019

Krishan Kumar

... Petitioner(s)

Versus

Pardeep Kumar and Others

... Respondent(s)

Date of Decision: 29.10.2022

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. J.K.Singla, Advocate
for the petitioner (In CR-1430-2019) and
for the respondent No.1 (In CR-3904-2019).

Mr. Mohan Singla, Advocate
for the respondent No.1 and 2 (In CR-1430-2019) and
for the petitioner (In CR-3904-2019).

Anil Kshetarpal, J.

1. Both the landlord and tenants have challenged the interlocutory order passed by the Appellate Authority. The landlord's petition seeking ejectment of the tenants (respondents) was allowed by the Rent Controller. The tenants filed the first appeal. During the pendency of the appeal, the Appellate Authority has assessed ₹ 8,000/- as *mesne profit* for use and

occupation of the tenanted premises by the tenants after the order of

eviction. Assailing its correctness, the landlord as well as the tenants have come up in the revision petition.

2. The learned counsel representing the landlord admits that the possession of the tenanted premises has already been delivered to him by the respondents as noticed by the trial Court in the order dated 28.05.2022.

3. The amount of *mesne profit* is applicable only when the tenant wrongfully continues in possession of the premises after passing of the order of eviction by the Rent Controller. The appeal filed by the tenants is still pending.

4. Keeping in view the aforesaid facts, no further order is required to be passed in both the revision petitions. Consequently, both the revision petitions are disposed of.

**(Anil Kshetarpal)
Judge**

October 29, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No