

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1693 of 2022

Date of Decision: November 24, 2022

Arun Kumar Kansra

...Petitioner

Versus

Rajesh Aggarwal & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Bhavesh Aggarwal, Advocate for
Mr.Ashish Aggarwal, Advocate,
for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this revision petition under Article 227 Constitution of India to challenge the impugned order dated 12.11.2021 (Annexure P-5) passed by the Appellate Authority, Amritsar, whereby the application filed by the respondent-landlord seeking mesne profit has been allowed.

Learned counsel appearing on behalf of the petitioner has argued that at the time of commencement of tenancy, the tenant was paying rent of ₹20/- per month for the property in question where he is residing, i.e., ground floor and first floor. He submits that after judgment of eviction, the tenant has filed an appeal, wherein the landlord has applied for grant of mesne profit and the Appellate Authority has awarded the same @ ₹2500/- per month. He submits that the same is on higher side and warrants interference of this court.

During the course of hearing, it is not disputed by the learned

counsel that the parties have not adduced any material to apprise the Appellate Authority about the prevailing market rate of rent and the claim of the landlord was for a sum of ₹5000/- per month and the court has awarded only ₹2500/- per month.

After hearing the learned counsel for the petitioner and considering the above background, this court finds that the Appellate Authority has carefully examined the material on record while assessing the mesne profits @ ₹2500/- per month. The order does not suffer from any illegality or impropriety, therefore, no interference is called for exercise of revisional jurisdiction.

Dismissed.

November 24, 2022
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No