

**RISHI KARAN KAKAR V/S HARYANA STATE
COOPERATIVE SUPPLY AND MARKETING
FEDERATION (HAFED) AND ANR**

Present: Mr. Aman P. Jain, Advocate
for the applicant/petitioner.

RA-CR-83-2021

This Court had earlier disposed off Civil Revision bearing No. CR-5323 of 2019 titled as 'Rishi Karan Kakar versus Haryana State Cooperative Supply and Marketing Federation (HAFED) and another' vide order dated 14.12.2021, whereby, the revision of the revisionist/applicant stood dismissed wherein the landlord has sought payment of mesne profits from the respondents for use of occupation of his premises. The review is primarily on the grounds that this Court has not considered lease deed (Annexure P-3) under the evidence which was in respect of the same very locality.

Upon hearing Mr. Aman P. Jain, Advocate, counsel for the applicant and on perusal of the records, this Court in the impugned findings had specifically held that no independent and reliable evidence of substantial nature has been put forth by the landlord as to rent of such a premises in the area and the

documents put forth by the two sides comprising of Annexure P-3 and report of an Executive Engineer, Provincial Division, Haryana PWD B&R Branch, Panchkula were duly considered by passing impugned orders and it was categorically held by this Court that it is nowhere established that the lease deed so relied is of a premises which can be equated in the premises in question and even the report of the PWD was in respect of year 2018 in which norms of 2010 were applied and the premises in question was let out to the opposite side in the year 1994. Since, there was no tangible evidence to support the claim of mesne profits, this Court had held it so based on the evidence led before the Appellate Authority. So in light of the same, there is no merit in the instant application and the same stands dismissed.

05.01.2022*Neha***(FATEH DEEP SINGH)
JUDGE**