

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

**Civil Revision No.5390 of 2022
Date of Decision:-09.12.2022**

Satnam Singh

...Petitioner

Versus

Parminder

...Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. C.L. Sharma, Advocate
for the petitioner.

NIDHI GUPTA J.(Oral)

The present Civil Revision has been filed against the order dated 02.8.2022 passed by the District Judge-cum-Appellate Authority, Hoshiarpur, whereby while staying operation of the impugned order, the Appellate Authority has directed the petitioner to pay Rs.11,000/- per month by way of mesne profits and rent for use and occupation of the shop in question w.e.f. 18.10.2021 i.e. the date of passing of eviction order by the Rent Controller.

As per the last order, the petitioner was directed to place on record the reply filed by the petitioner to the application of the respondent/landlord seeking mesne profits, wherein it was averred that the rent in the area, where the demised premises is situated, was only Rs.1357/- per month.

Learned counsel for the petitioner submits that such averment has not been mentioned in the reply filed before the Rent Controller and only receipt to this effect was presented in the Court at the time of arguments.

Perusal of the impugned order, whereby mesne profits of Rs.7000/- plus Rs.4000/- for use and occupation, total of Rs.11000/- have been fixed, shows the same to be a well reasoned order, wherein learned Appellate Authority has duly considered that rent of the shop adjoining the demised premises is Rs.13,000/- per month. However, as the area of the said shop is 30' x 11', whereas the area of the demised premises is 8' x 11'. Learned Appellate Authority has directed payment of Rs.11000/- per month for mesne profits and use and occupation.

Accordingly, I find no error in the impugned order, hence, the present petition is hereby dismissed.

December 09, 2022
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No