

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

150

2023:PHHC:135836

**CR-1604-2023
Date of decision: 18.10.2023**

YUSUF ALI

..Petitioner

Versus

RANJIT KAUR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mohd. Yousaf, Advocate
for the petitioner.

Mr. Krishan Singh Dadwal, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The First Appellate Court has directed the appellant (tenant) to deposit mesne profit for use and occupation of premises at the rate of Rs.3,500/- per month while granting interim protection in his favour. The correctness of the aforesaid order has been challenged in this revision petition.

2. The learned counsel representing the petitioner while drawing the attention of the Court to the impugned order submits that the landowner has himself produced a rent note dated 01.03.2022 with respect to two shops let out at the rate of Rs.2,000/- per month. He submits that even as per the best material produced by the landowner, the market rate of rent is Rs.1,000/- per shop.

3. The learned counsel representing the respondent is unable to draw the attention of the Court to any material, which proves that the market rate of rent was Rs.3,500/- per month.

4. Keeping in view the aforesaid facts, the impugned order is modified. The interim order passed in favour of the petitioner shall be

subject to the payment of cost of Rs.1,000/- per month towards mesne profit for use and occupation of the premises from the date of filing of the appeal till its disposal.

5. Since, the appeal filed by the petitioner is pending before the First Appellate Court therefore, a request is made to the First Appellate Court to decide the pending appeal expeditiously preferably within a period of six months, from today, positively.

6. With these observations, the present petition is disposed of.

7. All the pending miscellaneous applications, if any, are also disposed of.

October 18th, 2023

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*