

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

CR-2433-2023(O&M)

Date of decision:-25.4.2023

Dinesh Kumar Gupta

...Petitioner

Versus

M/s Lajpat Rai & Bros. HUF through Mohinder Kumar Aggarwal

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Amit Dhawan, Advocate
for the petitioner.

H.S. MADAAN, J.

1. Under challenge in this revision petition is the order dated dated 21.3.2023 passed by Additional District Judge, Jalandhar in rent appeal titled 'Dinesh Kumar Gupta Versus M/s Lajpat Rai & Bros.' vide which an application filed by respondent under Section 151 CPC for fixing the market rate of rent and mesne profits for use and occupation of the demised shop has been allowed.

2. The grouse of the revision petitioner, who is tenant in the shop is that the mesne profits have been assessed @ Rs.10,000/- without the respondent/landlord having produced supportive evidence in that regard and mesne profits so fixed are at higher rate.

3. However, after hearing learned counsel for the revision petitioner and going through the impugned order, I find that the amount of mesne profits directed to be paid by the appellant/tenant, who is revision

petitioner before this Court to respondent/landlord @ Rs.10,000/- per month cannot be said to be on higher side considering the fact that shop in question was taken on rent @ Rs.850/- per month in the year 2005 and period of more than 17 years have elapsed since then.

4. The impugned order passed by the Additional District Judge, Jalandhar is quite detailed and well reasoned and it does not suffer from any illegality or infirmity and is not having any element of arbitrariness or perversity. The revisional jurisdiction of this Court is quite limited and considering the facts and circumstances of the case, there is no reason to interfere with the impugned order by way of exercising the revisional jurisdiction.

5. Finding no merit in the revision petition, the same stands dismissed.

Since the main revision petition has been dismissed, the miscellaneous application(s), if any, stand disposed of accordingly.

25.4.2023
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No