

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4369-2023

Date of Decision: August 09, 2023

NARESH KUMAR JAIN THROUGH LEGAL HEIRS Petitioners
Versus
DEEPAK JAIN AND ANOTHER Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Jain, Advocate for the petitioners.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition, challenge has been laid to an order dated 13.07.2023 whereby the respondent has been permitted to withdraw the mesne profits as deposited by the petitioner-tenant in the form of FDRs. On 03.08.2023 this Court passed the following order:-

“Learned counsel for the petitioner inter alia submits that the rights of the petitioner-tenant are required to be secured against the release of FDRs pertaining to mesne profits, in favour of respondent-landlord.

Notice of motion for 09.08.2023.
Meanwhile operation of impugned order dated 13.07.2023 shall remain stayed.

The petitioner-tenant shall be at liberty to serve the respondent through the counsel representing before in the trial Court.

Notice through dasti as well.
To be shown in urgent list. “

In pursuance thereof, Mr. Sandeep Sharma, Advocate appears on behalf of respondents and submits that respondents-landlords are ready to furnish bank guarantee/security to the satisfaction of the Ld. Rent Controller so as to safeguard the interest of

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petitioner-tenant against the release of mesne profits.

In view of the above, respondents-landlords are permitted to withdraw the mesne profits lying deposited in the shape of FDRs subject to furnishing of adequate surety in the shape of Bank guarantee to the satisfaction of Rent Controller, Chandigarh. In furtherance thereof, the petitioner shall handover the original FDRs to the respondents before the Rent Controller. It is made clear that the aforesaid arrangement shall continue for all future intents and purposes till the outcome of the tenancy-ejectment dispute pending between the parties.

Disposed of in the aforesaid terms.

09.08.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>