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

CR-5777-2024

Date of decision: 03.10.2024

Parminder Singh

...Petitioner

Versus

Harjinder Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Dilmrig Nayani, Advocate for
Mr. Anirudh Gupta, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Challenge in the present revision petition is to the order dated 09.08.2024 passed by the Appellate Authority, Amritsar, whereby the Court while assessing the mesne profits and deciding the applications, had passed the following order:-

“7. So, keeping in view the entire facts and circumstances and in the light of the arguments of both the sides, I deem it proper to assess the mesne profits in respect of the shop in question @ Rs.6000/- per month from the date of eviction order. The appellant/tenant is directed to clear the arrears within one month from today and will pay the mesne profits regularly by 15th of every following month. Subject to the payment of mesne profit as assessed, the operation of order under appeal shall remain stayed during the pendency of the appeal. Both the applications stand disposed of accordingly.

*Now case is adjourned to 22.10.2024 for arguments.
Lower Court record be also summoned for the said date.*

Pronounced in open Court on 09.08.2024



*(Sumit Ghai),
Appellate Authority,
Amritsar. UID No.PB0173 ”*

2. Learned counsel for the petitioner has submitted that she wishes to withdraw the present revision petition and has made a limited prayer to the effect that as per the above order, arrears were to be paid within a period of one month from the date of passing of the said order dated 09.08.2024 but since the petitioner has been pursuing the present revision petition, the petitioner be granted liberty to clear the arrears of mesne profits on or before 22.10.2024, which is the next date of hearing in the present case.

3. Keeping in view the abovesaid facts and circumstances, the present revision petition is dismissed as withdrawn with the observation that instead of the period of one month granted by the Appellate Authority vide order dated 09.08.2024 to pay the arrears of mesne profits, the petitioner is granted time upto 22.10.2024 to clear the arrears of mesne profits. The petitioner would however pay the mesne profits at the rate of Rs.6000/- per month by 15th of every month. In case, the petitioner makes the payment of the entire arrears of mesne profits and also deposits the mesne profits of Rs.6000/- per month by 15th of every month, then, the operation of the judgment dated 11.10.2023 passed by the Rent Controller would remain stayed during the pendency of the appeal, as ordered by the Appellate Authority vide order dated 09.08.2024.

03.10.2024

Pawan

**Whether speaking/reasoned:-
Whether reportable:-**

**(VIKAS BAHL)
JUDGE**

**Yes/No
Yes/No**