

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****217****CR-2043-2016 (O&M)****Date of decision: 11.12.2025****M/s. Grand Travel Planners Private Limited****...Petitioner(s)****Vs.****Devinder Singh and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Rupinder Singh Khosla, Senior Advoate with
Mr. Manpreet Sangar, Advocate for the petitioner.

Mr. Aashish Chopra, Senior Advocate through V.C.,
Mr. Yashpal Sharma, Advocate and
Ms. Radhika Sharma, Advocate for the respondents.

NIDHI GUPTA, J.

Present Civil Revision Petition under Article 227 of Constitution of India has been filed by the tenant laying challenge to the order dated 18.01.2016 passed by the learned Appellate Authority, Chandigarh, whereby petitioner had been directed to pay mesne profits to the tune of Rs.1,50,000/- per month i.e. @ Rs.200 per sq. feet.

2. Brief facts of the case are that the respondent/landlord had filed Eviction Petition under Section 13 of the East Punjab Urban Rent Restriction Act in the year 2009. The same was allowed by the learned Rent Controller vide order dated 24.02.2015 (Annexure P-1) primarily on the ground of personal necessity, and Petitioner was granted 2 months time to vacate the demised premises. Petitioner had filed Rent Appeal

No. 1927 of 2015 before the learned Appellate Authority, Chandigarh. In



the meantime, respondent/landlord had filed application dated 08.04.2015 (Annexure P-2) for determination of mesne profits. Petitioner had filed reply to the said application on dated 07.07.2015 (Annexure P-3). Vide the impugned order dated 18.01.2016, learned Appellate Authority had assessed mesne profits @ Rs.1,50,000/- per month. The petitioner has assailed the said impugned order.

3. The record reveals that Notice was issued in the present Revision Petition vide order dated 21.03.2016; while simultaneously directing the petitioner *'to deposit the mesne profits @ Rs.125 per square feet per month as an interim measure and the arrears be cleared within a period of two weeks from today'*. Subsequently, the said order was modified vide order dated 04.09.2019, which reads as follows: -

"Admittedly, the vacant possession of the premises in dispute has been taken over by the respondents/landlords but no mesne profits as ordered by this Court have been deposited till date.

In view of the order dated 20.12.2018 passed in CM-5201-CII-2017 in/and CR-3898-2013 and other connected cases by the Coordinate Bench pertaining the same building, this Court deems it proper to modify the order dated 21.03.2016 at this stage with a direction to deposit the entire amount as per order dated 21.03.2016 itself within one month from today. However, the amount shall be released to the respondents/landlords @ Rs.50/-per sq.feet alongwith interest upto the date of handing over the vacant possession and the remaining amount shall be kept in fixed deposit.



In case the said amount is not deposited within one month from today, the execution proceeding shall proceed, in accordance with law.

To be listed alongwith CR No.8095 of 2015.”

4. Petitioner had then filed an application bearing No. CM-21087-CII-2019 seeking recalling/ modification of the order dated 04.09.2019. The said application was dismissed by this Court vide order dated 22.10.2019 on the ground that no modification was required as *“the order dated 04.09.2019 was passed in the presence of both the learned counsel for the parties. Therefore, this Court finds no reason to modify the same.”*

5. The said orders dated 04.09.2019 and 22.10.2019 were then assailed by the petitioner before the Hon’ble Supreme Court by way of filing **Special Leave to Appeal (C) Nos. 27144-27145/2019** titled as **M/s. Grand Travel Planners Private Limited vs. Devinder Singh Sra and others**; which was disposed of by the Hon’ble Supreme Court vide order dated 21.11.2024 by declining to interfere in the interim order passed by this Court and requesting this Court to take up CR No. 2043 of 2016 for hearing and deciding the same on its own merits in accordance with law within a period of 8 weeks.

6. On the last date of hearing i.e. 19.09.2025, as the only surviving dispute between the parties was with regard to the rate of mesne profit payable upto date of vacation of the demised premises, learned Senior Counsel for the respondents had sought time to get

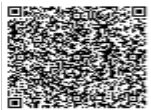


instructions as to whether the respondents are willing to accept mesne profits @ Rs.50 per square feet per month. Today it is informed by learned Senior Counsel for the respondents that the said rate of mesne profits is acceptable to the respondents; and a direction be issued to the Registry to release the said payment to the respondents. Learned Senior Counsel for the petitioners has no objection to the same and prays that in case the petitioner has deposited mesne profits @ Rs.125 per square feet per month, the excess amount so deposited by the petitioner be released to him. It is accordingly prayed by learned Senior Counsel for the petitioner that the present Revision Petition be disposed of in above terms.

7. Heard.

8. In view of the facts noticed above, and in view of the fact that learned Senior Counsel for the parties are ad idem for disposal of the present petition in the above terms, Registry is directed to release mesne profits deposited by the petitioner from the date of passing of impugned order dated 18.01.2016 till date of vacation of demised premises @ Rs.50 per square feet per month be released to the respondents. In case petitioner has deposited mesne profits @ Rs.125/- per square feet per month, the remaining excess amount be released to the petitioner, after deducting the amount due to the respondents for the above said period.

9. The present Civil Revision Petition is accordingly **disposed of**, above terms.



10. Pending application(s), if any, also stand(s) disposed of.

11.12.2025

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No