



CR-3153-2023 and
CR-4248-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(218)

1. CR-3153-2023

Jaswant Rai

...Petitioner

Versus

Narain Singh

.....Respondent

2. CR-4248-2023

Narain Singh

...Petitioner

Versus

Jaswant Rai

.....Respondent

Date of decision: - 11.08.2025

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Abhishek Singla, Advocate
for the petitioner in CR-3153-2023 and
for the respondent in CR-4248-2023.

Mr. Shubham Chandel, Advocate for
Mr. Sunny K. Singla, Advocate
for the petitioner in CR-4248-2023 and
for the respondent in CR-3153-2023.

VIKAS BAHL, J. (ORAL)

1. This order will dispose of two revision petitions. Challenge in both the revision petitions is to the order dated 19.04.2023 passed by the Appellate Authority vide which the mesne profit has been assessed as Rs.9,000/- per month. Civil Revision No.3153-2023 has been filed by the tenant-Jaswant Rai and Civil Revision No.4248-2023 has been filed by



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the landlord-Narain Singh. The tenant (petitioner in CR-3153-2023) seeking reduction of the said mesne profit, whereas, the landlord (petitioner in CR-4248-2023) is seeking enhancement of the said mesne profit.

2. On 29.05.2023, a Co-ordinate Bench of this Court was pleased to pass the following order: -

“Present:- Mr. Abhishek Singla, Advocate for petitioner.

As an interim measure, subject to payment of admitted rent in the prevalent locality at the rate of Rs.5,000/- per month w.e.f. the date of ejectment order dated 08.12.2022, issue notice of motion for 12.09.2023. Arrears be deposited within a period of 4 weeks from today failing which revision petition shall be deemed as dismissed.

Subject to deposit of aforesaid, operation of the impugned order shall remain stayed.

May 29, 2023”

3. Learned counsel for the tenant has submitted that the petitioner has been depositing Rs.5,000/- per month in accordance with the said order. It is further submitted that the main case is listed for hearing on 29.10.2025 and has prayed that counsel for the tenant before the 1st Appellate Authority would be ready to argue the matter on 29.10.2025 or any other date which the 1st Appellate Authority directs the counsel to argue.

4. Learned counsel for the landlord, on the other hand, has submitted that as per his instructions, the amount of Rs.5,000/- per month, which has been paid, has been paid from 08.06.2023 and not from



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08.12.2022 although the date of eviction is 08.12.2022 and the tenant be directed to pay the mesne profit from the date of eviction. It is further prayed that the amount of Rs.5,000/- per month along with the arrears instead of being deposited be released to the landlord and the same be made, subject to the decision of the Appellate Authority. It is further submitted that even the counsel for the landlord appearing before the Appellate Authority would be ready to argue the matter on 29.10.2025 or any other date which the Appellate Authority directs the counsel to argue. It is prayed that the Appellate Authority be directed to decide the appeal as expeditiously as possible.

5. Keeping in view the above-said facts and circumstances and on the basis of consent between learned counsel for the parties, the present revision petition is disposed of with the following observations/directions: -

- (i) The impugned order dated 19.04.2023 is modified to the extent that the rate of mesne profit during the pendency of the case before the Appellate Authority is assessed as Rs.5,000/- per month.
- (ii) The mesne profit which has been deposited by the tenant @ Rs.5,000/- per month would be released to the landlord subject to the decision of the Appellate Authority in the manner which has been detailed hereinafter.
- (iii) The arrears of mesne profit @ Rs.5,000/- per month, if any, from 08.12.2022 till 08.06.2023 would be deposited by the tenant, within a period of two months from today and the said amount would also be released to the landlord subject to the decision of the Appellate Authority in the manner



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which has been detailed hereinafter.

- (iv) The Appellate Authority is requested to decide the appeal as expeditiously as possible.
- (v) Counsel for the parties, as undertaken before this Court, would be ready to argue the matter on 29.10.2025 or any other date as directed by the Appellate Authority and would fully assist the Appellate Authority in the expeditious disposal of the appeal.
- (vi) In case the appeal filed by the tenant is allowed, then, the amount of mesne profit which has been paid to the landlord would be adjusted in future rent and in case the appeal filed by the tenant is dismissed by the Appellate Authority, then, the said amount which has paid to the respondent would stay with him.
- (vii) It is made clear that this Court has not opined on the merits of the matter and the Appellate Authority would decide the appeal independently, in accordance with law after hearing both the parties concerned.

August 11, 2025
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?	Yes
Whether reportable?	No