



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

324

CR-2794-2025 (O&M)
Date of decision: 23.09.2025

M/s Sanjeev Sales and others

...Petitioners

V/s

Gulshan Jain

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Raman Chawla, Advocate,
for the petitioners.

Mr. Aayush Gupta, Advocate,
for the respondent.

VIKRAM AGGARWAL, J (ORAL)

The instant revision petition, assails the order dated 03.03.2025 (Annexure P-9) passed by the Appellate Authority, Ludhiana vide which *mesne* profits were assessed @ Rs.48,000/- per month w.e.f. 30.04.2024 to 03.03.2025.

2. At the time of issuance of notice of motion i.e. on 08.05.2025, the following order was passed:-

“Learned counsel for the petitioners inter alia submits that the registered rent note produced by the petitioners as per which the rent in the vicinity of the demised premises was Rs.8500/- has wrongly been discarded and the rent deed produced by landlord has erroneously been accepted. Learned counsel has referred to the impugned order as also to other documents on record.

Notice of motion for 24.07.2025.

Respondent be served through counsel representing him before first Appellate Court.

In the meantime, recovery beyond Rs.25000/- per month shall remain stayed.”

3. Concededly, even after the passing of the aforesaid order, not even a single penny has been deposited by the petitioners.



4. Learned counsel for the respondent submits that since stay had also been granted by the Appellate Authority subject to payment of *mesne* profits and the *mesne* profits were not deposited, possession of the demised premises has been taken over by the respondent-landlord in execution proceedings.

5. He submits that under the circumstances, the instant revision petition has been rendered infructuous.

6. Learned counsel for the petitioners, however, while conceding that no amount has been paid, submits that the order of assessment of *mesne* profits passed by the Appellate Authority is illegal and is not sustainable.

7. Since the order passed by this Court has not been complied with and further possession of the demised premises has already been taken over by the respondent-landlord in execution proceedings on account of non-compliance of stay order passed by the Appellate Authority, the present revision petition has been rendered infructuous and is disposed of as such.

8. Needless to assert that this Court has not expressed any opinion on the legality or otherwise of the impugned order and the question, if so raised, may be decided in appropriate proceedings.

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

(VIKRAM AGGARWAL)
JUDGE

September 23, 2025
vcgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No