

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****133****CR-1768-2025 (O&M)****Date of decision: 12.02.2026****Balbir Singh since deceased through LRs****...Petitioner(s)****Vs.****Bharat Bhushan****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Harish Kumar, Advocate for
Mr. Rahi Mehra, Advocate for the petitioner.

*********NIDHI GUPTA, J.**

Present Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioner/tenant against the order dated 10.01.2025 passed by Id. Appellate Authority, Yamuna Nagar in **Rent Appeal No. 30 of 2022** titled as '**Balbir Singh vs. Bharat Bhushan**'.

2. It is *inter alia* submitted by learned counsel for the petitioner that vide the impugned order dated 10.01.2025, the petitioner has been directed to pay deposit mesne profits directly into the account of the respondent/landlord against the proper receipt and identification, instead of depositing the same in Court. It is submitted that impugned order will have long bearing consequence on the case of the petitioner and irreparable loss and injury shall be suffered by the petitioner in case impugned order is not set aside. It is accordingly prayed that the



present Revision Petition be allowed; and the impugned order be set aside.

3. No other argument is raised by learned counsel for the petitioner. I have heard learned counsel and perused the file. I find no merit in the submissions advanced on behalf of the petitioner.

4. Brief facts of the case in chronological order are as follows: -
10.07.2017: The respondent/landlord had filed Rent Petition No. 123 of 2017 against the petitioner/tenant under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act dated 10.07.2017.

07.10.2022: Vide order dated 07.10.2022, the Rent Petition of the respondent was allowed.

05.11.2022: Against the same, the petitioner had preferred instant Rent Appeal No. 30 dated 05.11.2022 before the Rent Appellate Authority.

09.12.2022: Before the Appellate Authority, respondent/landlord had filed an application dated 09.12.2022 for fixation of mesne profits @ Rs.1,000/- per day.

09.01.2023: The petitioner had filed reply dated 09.01.2023 to the said application.

06.05.2023: Vide order dated 06.05.2023 (Annexure P-1), mesne profits of the demised premises was determined as Rs.7,000/- p.m. as follows:-

“8. The amount of arrears of mesne profits @ 7,000/- per month for each shop (minus assessed rent, if paid), fixed by this Authority, shall be deposited within fifteen days from today in the court of learned Rent Controller, Jagadhri and respondent shall continue to deposit the future mesne profits



by 10 day of each calendar month. The mesne profits shall be disbursed after decision of the appeal, in accordance with law. in case the mesne profits are deposited, as ordered, operation of the impugned eviction order shall remain stayed."

22.10.2024: Thereafter, respondent had moved an application dated 22.10.2024 (Annexure P-2) for alteration of the order dated 06.05.2023.

10.01.2025: Petitioner had filed reply dated 10.01.2025 (Annexure P-3) to the said application of the respondent.

10.01.2025: Vide the order dated 10.1.2025, the order dated 6.5.2023 has been modified, and petitioner has been directed to deposit the mesne profits in the account of the respondent, instead of before the Controller.

5. Perusal of the impugned order shows that the direction to pay the mesne profits directly to the respondent has been made on the statement made by learned counsel for the petitioner. Relevant extract of the impugned order dated 10.01.2025 reads as follows:-

"Arguments on the said application heard. During the course of arguments, Shri Rohit Arya, Advocate for the appellant has made the following separately recorded statement of the even date:-

"Stated that I have no objection if the order dated 6.5.2023 passed by this Court is modified to the extent that mesne profits assessed @ Rs.7000/- p.m., instead of deposit in the court and release thereof to the respondent after decision of the appeal, is modified by ordering that mesne profit so assessed may be paid directly to the respondent from today onwards without



waiting for final decision of the appeal. The said order may be modified in the said terms."

In view of the said statement of the learned counsel for the appellant but without commenting anything on merits of the appeal as well as application dated 22.10.2024, it is ordered that from today onwards, mesne profits assessed by this Court vide order dated 06.05.2023 shall be paid by the appellant Balbir Singh to the respondent Bharat Bhushan directly against proper receipt and identification. The order dated 06.05.2023 is modified accordingly from today onwards. The application dated 22.10.2024 is disposed of. Its record be attached with the main appeal."

6. In view of the fact that it is not denied by learned counsel for the petitioner that aforesaid statement has been made by learned counsel for the petitioner before the learned Rent Appellate Authority, present Revision Petition stands **dismissed**.
7. Pending application(s) if any also stand(s) disposed of.

12.02.2026

Divyanshi

**(NIDHI GUPTA)
JUDGE**

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