



CR-4055-2025

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

CR-4055-2025 (O&M)**Date of decision : 19.05.2026**

Harinder Singh

...Petitioner

Versus

Hardev Mohan Sharma

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Kainth, Advocate,
for the petitioner (through V.C.).

Mr. Ravi Kant Sharma, Advocate,
for the respondent.

HARPREET KAUR JEEWAN, J.

1. The order dated 22.04.2025 (Annexure P-6), passed by the Appellate Authority, Chandigarh, has been challenged, whereby *mesne* profits have been assessed by the Appellate Authority pending appeal against an eviction order passed by the Rent Controller.

2. The respondent-landlord filed an ejectment petition against the petitioner-tenant on various grounds. The relationship of landlord and tenant was denied by the petitioner. The Rent Controller held that the relationship of landlord and tenant exists between the parties. The landlord is entitled for ejectment of the demised premises for his personal necessity, i.e. to expand the business of production and repair of solar panels being run by his son. The tenant filed an appeal against the ejectment order. An application was also filed for stay of operation of the ejectment order. The landlord filed application for assessing the *mesne* profits. Reply to the said application was filed by



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the petitioner. The tenant was directed to pay *mesne* profits at the rate of Rs.12,000/- per month from the date of passing of the ejectment order by the Rent Controller. The *mesne* profits were held payable before the next date of hearing before the Appellate Authority.

3. While issuing notice of motion, this Court had stayed the impugned order subject to the petitioner paying arrears of mesne profits at the rate of Rs.8,000/- per month within a period of 15 days from passing of the said order, i.e. 21.07.2025.

4. Learned counsel for the petitioner submits that *mesne* profits assessed by the Appellate Authority are on a higher side.

5. *Per contra*, learned counsel for the respondent-applicant has filed an application under Section 151 CPC (CM-10159-CII-2026) and submitted that despite the order passed by the Appellate Authority to pay *mesne* profits at the rate of Rs.12,000/- per month and also the order passed by this Court to pay *mesne* profits at the rate of Rs.8,000/- per month, the petitioner has only paid the arrears amounting to Rs.96,000/- up till 31.08.2025 and thereafter, no amount has been paid. The petitioner under the garb of the order dated 21.07.2025, passed by this Court is taking advantage and neither paying the *mesne* profits, nor addressing arguments before the Appellate Authority.

6. On 21.07.2025, the following order was passed:-

“Notice of motion for 17.09.2025.

Dasti as well.

In the meantime, the impugned order dated 22.04.2025 (Annexure P-6) passed by the Appellate Authority, Chandigarh shall remain stayed subject to petitioner paying arrears of mesne profits at



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*the rate of Rs.8,000/- per month (rent already paid to be adjusted)
within a period of 15 days from today.*

To be shown in the urgent list.”

7. There is a categorical averment by learned counsel for the respondent that the aforesaid order has not been complied with by the petitioner-tenant. The petitioner could not dispute the aforesaid averments and could not show that the aforesaid order has been complied with.

8. Keeping in view the non-compliance of the interim order passed by this Court, the petitioner is not entitled to the discretionary relief under Article 227 of the Constitution.

9. Consequently, present petition stands dismissed and interim order dated 21.07.2025 is hereby vacated.

10. Pending miscellaneous applications, if any, shall stand disposed of.

19.05.2026*atulsethi*

Whether speaking / reasoned :
Whether Reportable :

[HARPREET KAUR JEEWAN]
JUDGE

Yes	No
Yes	No