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

CR-2179-2024 (O&M)
Date of decision: 25.08.2025

Ravinder Rai Sapra (deceased) through his LR

...Petitioner

Versus

Gurinder Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Divanshu Jain, Advocate for the petitioner.

Mr. Aayush Gupta, Advocate and
Ms. Shalini Singh, Advocate for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. Challenge in the present revision petition is to the order dated 01.03.2024 passed by the Appellate Authority Ludhiana, whereby an application moved by respondent No.1 had been disposed of and mesne profits have been assessed at the rate of Rs.15,000/- per month.
2. On 10.04.2024, a Coordinate Bench of this Court was pleased to pass the following order:-

“Present : Mr. Divanshu Jain, Advocate, for the petitioner.

The petitioner has challenged the order dated 01.03.2024 whereby the learned Appellate Authority has assessed mesne profit @ Rs.15,000/- per month and has directed the petitioner to pay the same from 24.05.2023 to



29.02.2024 within two months and shall further continue to pay the same in future as well.

Apart from it, it is stated by learned counsel for the petitioner that Smt. Sushma Sapra, the legal representative of the petitioner, is a widow lady, having one daughter, who is suffering from cancer, has also been asked to pay Rs.1,42,000/- as arrears of rent. It is further stated that the learned Appellate Court while fixing the mesne profit has not taken into consideration the actual rate of rent prevailing in the area, the size of the demised premises, its location and any other evidence to determine the mesne profit.

Notice of motion, returnable for 16.05.2024, subject to petitioner deposits 75% of the calculated amount of mesne profit before the learned Appellate Authority, as directed by the learned Appellate Authority. The remaining 25% of the mesne profit is stayed.

However, it is clear that there is no stay qua payment of arrears of rent.

To be shown in the urgent list.

10.04.2024”

3. During the course of arguments, learned counsel for the petitioner as well as learned counsel for respondent No.1 have fairly submitted that the order dated 10.04.2024 be made absolute.
4. Learned counsel for respondent No.1 has however submitted that since the appeal is of the year 2023, thus, the Appellate Authority be directed to decide the case in a time bound manner. It is further submitted that service is complete and the case is now pending for final arguments and same has been listed today before the Appellate Authority.
5. Keeping in view the abovesaid facts and circumstances and fair



stand taken on behalf of the petitioner as well as respondent No.1, the impugned order is modified and order dated 10.04.2024 is made absolute. The petitioner would continue to pay the amount in accordance with the order dated 10.04.2024 during the pendency of the first appeal before the Appellate Authority. Since, the appeal is of the year 2023 and it is stated that same is now listed for arguments, the Appellate Authority is requested to decide the appeal as expeditiously as possible preferably within a period of four months from the date of receipt of certified copy of the present order.

6. Learned counsel appearing on behalf of the parties before the Appellate Authority are also requested to fully assist the Court in expeditious disposal of the case.

7. In view of what has been observed above, the present revision petition is disposed of.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

25.08.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No