



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

CR-2247-2025

Date of decision : 16.05.2025

Gurmail Singh

... Petitioner

Versus

Meenu Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Mandeep Singh Sachdev, Advocate
for the petitioner.

Mr.Umesh Kumar Kanwar, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 05.12.2024 (Annexure P-1) passed by the Appellate Authority, Jalandhar only to the extent whereby application filed by the respondent for adjudicating the mesne profit has been allowed and mesne profit of demised premises has been assessed @ Rs.7500/- per month from the date of ejectment order of 29.02.2024 (Annexure P-9) and has further ordered that if the petitioner fails to deposit the admitted rent and the mesne profit, then the stay granted in favour of the petitioner shall automatically stand vacated and the respondent-landlord shall be entitled to get the ejectment order passed in their favour.

2. On 09.04.2025, this Court was pleased to pass the following order:-



*“Present:- Mr. Mandeep Singh Sachdev, Advocate
for the petitioner (through V.C.).*

Inter alia contends that in CR-2126-2025, this court was pleased to issue notice of motion and has also ordered to take up the case in the urgent list.

Notice of motion for 25.04.2025.

Notice re: stay.

Liberty is granted to the petitioner to serve the respondent through her counsel before the Appellate Authority as well as through dasti process.

To be shown in the urgent list.

A photocopy of this order be placed on the file of the connected case.

April 09, 2025”

3. On 25.04.2025, this Court was pleased to pass the following order:-

*“Present: Mr. Mandeep Singh Sachdev, Advocate
for the petitioner(s).*

*Mr. Umesh Kumar Kanwar, Advocate
for the respondent.*

Learned counsel for the respondent prays for an adjournment to get instructions in the matter.

Adjourned to 16.05.2025.

Till the next date of hearing, status quo with respect to the possession be maintained.

The present order would however not come in the way of Appellate Authority to decide the appeal on merits.

To be taken up in the urgent list.

Photocopy of this order be placed on the files of other connected cases.

25.04.2025”

4. Learned counsel for the petitioner has submitted that in case the



issue with respect to the refund is taken into consideration, then the petitioner would not be required to pay any mesne profit for a period of one year approximately and has submitted that in fact the petitioner is entitled to refund.

5. Learned counsel for the respondent has submitted that the main appeal is listed for 27.05.2025 and if an order is passed directing the Ist Appellate Court to decide the same expeditiously in a time bound manner, then the respondent would not claim mesne profit for the period for which the case is pending before the Ist Appellate Court.

6. During the course of arguments, a consensus has been arrived between the learned counsel for the petitioner as well as learned counsel for the respondent and in view of the same, the present petition is disposed of with the following directions / observations:-

i) The Ist Appellate Court is directed to decide the main appeal which is stated to be listed for 27.05.2025 as expeditiously as possible, preferably within a period of four months from 27.05.2025. Both the counsel before this Court have undertaken that the counsel before the Ist Appellate Court would argue the case on the date given by the Ist Appellate Court.

ii) The respondent-landlord would not claim mesne profit passed in pursuance of the order dated 05.12.2024.

(VIKAS BAHL)
JUDGE

May 16, 2025.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No