



**CR No. 5505 of 2025 (O&M) & CR No. 6483 of 2025 (O&M) -1-
114+120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CR No. 5505 of 2025 (O&M)
DATE OF DECISION: 16.09.2025**

PREM KUMAR

.....PETITIONER

Vs.

PARVEEN KUMAR

.....RESPONDENT

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CR No. 6483 of 2025 (O&M)

PARVEEN KUMAR

....PETITIONER

Vs.

PREM KUMAR

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr.Alok Mittal, Advocate,
for the petitioner (in CR No. 5505 of 2025) and
for the respondent (in CR No. 6483 of 2025).

Mr. Rajan Bansal, Advocate,
for the petitioner (in CR No. 6483 of 2025) and
for the respondent (in CR No. 5505 of 2025).

AMARINDER SINGH GREWAL, J.

1. This order shall dispose of two petitions bearing Nos. CR-5505 of 2025 and CR-6483 of 2025, as both petitions pertain to the same impugned order dated 17.07.2025, passed by the learned Additional District Judge, Bathinda, whereby Prem Kumar-tenant, who is the petitioner in CR-5505 of 2025 and the respondent in CR-6483 of 2025, was directed to pay *mesne profits* @ ₹20,000/- per month. Accordingly, both

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petitions are proposed to be disposed of by this common order, being passed in CR-5505 of 2025, taking the facts therefrom for the sake of convenience.

2. Brief facts of the case are that the respondent–landlord Parveen Kumar, son of Prem Kumar, filed an application under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (for short, '*the Act of 1949*'), against the petitioner–Prem Kumar, son of Kaur Chand, seeking eviction of Prem Kumar from the shop (ground floor) forming part of building No. 4448 (MCB-Z-09998), as detailed in the head-note of the application.

2.1 The petitioner appeared and filed his written statement. After considering the evidence, the learned Rent Controller, vide order dated 28.03.2025 (Annexure P-1), allowed the eviction application and directed the petitioner Prem Kumar to hand over vacant possession of the demised shop, as detailed in the head-note of the eviction application, within a period of two months from the date of passing of the order.

2.2 Aggrieved against the said order, the petitioner Prem Kumar filed an appeal (Annexure P-2) before the learned Appellate Authority (District Judge), Bathinda, against the respondent Parveen Kumar. Along with the appeal, an application under Section 15(2) of the Act of 1949 read with Order XLI Rule 5 of the Code of Civil Procedure, 1908 (for short, '*the CPC*'), for staying the operation of the ejectment order, was also filed. At the same time, an application was filed by the respondent–landlord Parveen Kumar for directing the petitioner–appellant to pay mesne profits



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during the pendency of the appeal.

2.3 The learned Additional District Judge, Bathinda, after considering the evidence and hearing the parties, allowed the application for *mesne profits* and directed the present petitioner–appellant to pay *mesne profits @ ₹20,000/-* per month, vide order dated 17.07.2025, which is now under challenge.

2.4 Aggrieved against the order dated 17.07.2025, the present civil revision petitions have been filed.

3. Mr. Alok Mittal, learned counsel for the petitioner–tenant Prem Kumar, submits that the learned Court below has erroneously fixed *mesne profits @ ₹20,000/-* per month. It is argued that the shop in dispute measures only 8' x 8', and *mesne profits* should have been fixed at a maximum of ₹5,000/- per month. It is further submitted that in the said locality, the maximum rent of similar shops does not exceed ₹5,000/- per month.

3.1 Thus, it is submitted that the order dated 17.07.2025 fixing *mesne profits @ ₹20,000/-* per month is erroneous and deserves to be set aside.

4. Notice of motion.

5. Mr. Rajan Bansal, Advocate, accepts notice on behalf of the respondent in CR-5505 of 2025, and Mr. Alok Mittal, Advocate, accepts notice on behalf of the respondent in CR-6483 of 2025.

6. On the contrary, Mr. Rajan Bansal, learned counsel for the respondent–landlord Parveen Kumar, submits that the learned Court below



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has wrongly and illegally assessed a meager *amount* of ₹20,000/- per month, whereas in that locality the minimum rent of similar shops is ₹75,000/- per month. It is, therefore, prayed that the *mesne profits* be enhanced from ₹20,000/- per month to ₹75,000/- per month.

7. I have heard learned counsel for the parties and perused the record.

8. Keeping in view the facts and circumstances of the case, and as noticed above, admittedly the shop in question is part of building No. 4448 (MCB-Z-09998), situated at 'Arya Samaj Chowk', Bathinda, where several other shops are located. A perusal of the record reveals that the respondent-landlord Parveen Kumar had filed ejectment applications against other tenants in the same building. In those cases, the Appellate Court awarded *mesne profits* ranging between ₹15,000/- and ₹18,000/- per month.

9. In the impugned order dated 17.07.2025, the learned Additional District Judge, Bathinda, in paragraph 16, categorically recorded that the shop is situated in the commercial hub of Bathinda at 'Arya Samaj Chowk', surrounded by other markets. Taking into account the location of the premises, the documents produced by both parties, and the relevant legal precedents, the Court assessed *mesne profits* @ ₹20,000/- per month.

10. Further, since *mesne profits* of ₹15,000/- to ₹18,000/- per month had already been awarded in respect of other similarly situated shops in the same building, and those orders were never challenged before

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any higher Court, this Court finds no reason to hold that ₹20,000/- per month is excessive. Likewise, the contention of the respondent-landlord Parveen Kumar, who is the petitioner in CR-6483 of 2025, seeking enhancement to ₹75,000/- per month, is also without merit.

11. Thus, this Court finds no ground to interfere with the order dated 17.07.2025 passed by the learned Additional District Judge, Bathinda.

12. Finding no illegality in the order, the present revision petitions, being devoid of merit, are hereby dismissed.

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

SEPTEMBER 16, 2025
nitin

(AMARINDER SINGH GREWAL)
JUDGE

Whether Speaking	Yes
Whether Reportable	No