



CR No. 3086 of 2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-3086-2025 (O&M)
Decided on: 21.05.2025

Rehman Mian

.....Petitioner

Versus

Kammy Jindal & Ors.

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gurbir Singh Sidhu, Advocate, for the petitioner.

DEEPAK GUPTA, J.

By way of this petition filed under Article 227 of the Constitution of India, the petitioner assails order dated 29.04.2025 (*Annexure P-7*) passed by the Appellate Authority in RA No.1 of 2024, whereby he has been directed to pay the *mesne* profits @ ₹15,000/- per month w.e.f. 07.12.2023 onwards.

2. In a petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 filed by the landlord Kammy Jindal, ejection of the tenant Rehman Mian (*petitioner herein*) was ordered by the Rent Controller on 07.12.2023 from the demised shop. The appeal filed by the tenant is pending before the Appellate Authority, where an application was moved by the landlord to direct the appellant-tenant to pay an amount of ₹20,000/- per month as *mesne* profits for use and occupation of the demised shop from the date of passing of ejection order i.e. 07.12.2023. The Appellate Authority partly allowed the application by directing the tenant to pay ₹15,000/- per month.

3. Assailing the aforesaid order, it is contended by learned counsel that no cogent material was placed on record by the landlord to show the prevailing market rent. Besides, as per the agreement between

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the parties, rate of rent was ₹2500/- per month w.e.f. 21.03.1995 and as such, the petitioner-tenant is not liable to pay the *mesne* profit as fixed by the Appellate Authority.

4. This Court does not find any merit in the contention as raised by learned counsel for the petitioner.

5. As rightly observed by the Appellate Authority, once the ejectment order has been passed, the *mesne* profits are required to be paid from the date of ejectment at the prevailing market rent.

6. The landlord produced on record registered rent notes and rent receipts to show the prevailing rate of rent for the same/ similar building in the same locality indicating the prevailing rent to be between ₹12,000/- to ₹20,000/- per month. The Appellate Authority observed that demised shop was located in Pharwahi Bazar at Barnala city. No contrary document was produced by the tenant to controvert the assertion of the landlord i.e. respondent before the Appellate Authority. While considering all these facts and circumstances the tenant-petitioner herein was directed to pay the *mesne* profits @ ₹15,000/- per month from the date of passing of ejectment order i.e. 07.12.2023.

7. This Court does not find any illegality or perversity in the impugned order. Holding the same to be devoid of any merits, the instant revision petition is hereby dismissed.

(DEEPAK GUPTA)
JUDGE

21.05.2025

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