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

1. CR-734-2025
Date of decision: 02.09.2025

Ramesh Kumar

...Petitioner

Versus

Kartar Kaur and others

...Respondents

2. CR-736-2025
Date of decision: 02.09.2025

Kartar Kaur and others

...Petitioners

Versus

Ramesh Kumar

...Respondent

3. CR-740-2025
Date of decision: 02.09.2025

Ramesh Kumar

...Petitioner

Versus

Kartar Kaur and others

...Respondents

4. CR-742-2025
Date of decision: 02.09.2025

Kartar Kaur and others

...Petitioners



Versus

Ramesh Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Aggarwal, Advocate and
Mr. M.S. Rai, Advocate for the petitioner
(In CR Nos.734 and 740 of 2025)
for the respondent (In CR Nos.736 and 742 of 2025)

Mr. Manuj Nagrath, Advocate for the petitioners
(In CR Nos.736 and 742 of 2025) and
for the respondents (In CR Nos.734 and 740 of 2025)

VIKAS BAHL, J. (ORAL)

1. This order would dispose of four revision petitions. CR-734-2025 and CR-740-2025 both titled as “Ramesh Kumar Vs. Kartar Kaur and others”, have been filed by the tenant challenging the orders vide which mesne profits have been assessed with respect to two shops. The mesne profits which have been assessed by the First Appellate Authority are Rs.14,400/- per month for Shop No.5A and Rs.14,000/- per month for Shop No.4A. CR-736-2025 and CR-742-2025 both titled as “Kartar Kaur and others Vs. Ramesh Kumar” have been filed by the landlords with respect to the same two shops for enhancement of the said mesne profits.

2. On 04.02.2025, the following order was passed in CR-734-2025:-

“Present: Mr.Vishal Aggarwal, Advocate for the petitioner.

Inter alia contends that the mesne profits at the rate of Rs.14,400/- has been assessed on the basis of unregistered



documents. In support of his arguments, he has relied upon the judgment passed by the Coordinate Bench of this Court in case titled as Surinder Kumar Vs. Rattan Lal, CM-8196-CII-2005 in CR-6463-2001, decided on 20.03.2006. It is submitted that keeping in view the facts and circumstances, at best the mesne profits could be assessed at the rate of Rs.10,000/- per month.

Learned counsel for the petitioner has further submitted that as per the impugned order, mesne profits at the rate of Rs.14,400/- per month was to be deposited upto 28.01.2025 along with the arrears of rent. It is prayed that the petitioner be granted 15 days more time to deposit the mesne profits at the rate of Rs.10,000/- per month and has further submitted that he has already deposited the arrears of rent.

Notice of motion for 15.07.2025.

To be taken up at 01:45 PM.

To be heard along with CR-508-2025.

The stay order granted in favour of the petitioner would continue in case the petitioner deposits the mesne profits at the rate of Rs.10,000/- per month from the date of eviction, within a period of 15 days from today and also deposits the arrears of rent, if any, within the aforesaid period.

It is made clear that in case the rent note is a registered document then it would be open to the respondents to move an application for vacation of the stay order.

It is made clear that in case the amount as stated above is not deposited within a period of 15 days from today, then interim order in favour of the petitioner would automatically stand vacated.

The amount would be released to the landlord and in case the petitioner-tenant succeeds in the appeal, then the said amount released to the landlord would be adjusted in the future rent.

February 04, 2025”



Similar order was passed in CR-740-2025.

3. Thereafter, vide order dated 20.08.2025, following order was passed by this Court:-

“Present:- Mr. Manuj Nagrath, Advocate for the petitioners/landlords in (CR-721-2025; CR-722-2025; CR-724-2025; CR-725-2025; CR-726-2025; CR-727-2025; CR-736-2025; CR-742-2025; CR-747-2025; CR-752-2025 and CR-1053-2025) and for the respondents/landlords in (CR-508-2025; CR-734-2025; CR-740-2025; CR-1032-2025; CR-1034-2025; CR-1055-2025; and CR-480-2025).

Mr. Sudhir Paruthi, Advocate for the petitioner/tenant in (CR-508-2025; CR-1032-2025; CR-1034-2025; CR-1055-2025; and CR-480-2025) and for the respondent/tenant in (CR-721-2025; CR-722-2025; CR-724-2025; CR-725-2025; CR-726-2025; CR-727-2025; CR-747-2025 and CR-752-2025).

Mr. Vishal Aggarwal, Advocate,

Mr. M.S. Rai, Advocate, and

Mr. G.S. Sarao, Advocate

for the petitioner/tenant in (CR-734-2025 and CR-740-2025) and for the respondent/tenant in (CR-736-2025 and CR-742-2025).

Mr. Amardeep Singh Gill, Advocate for the respondent/tenant in (CR-1053-2025).

With the consent of all the counsel, CR-721-2025 would be taken as the lead case.

Mr. Sudhir Paruthi, Advocate, appearing for the tenants prays for an adjournment to argue the matters.

Learned counsel appearing for the landlords has pointed out that although in one of the cases i.e. CR-734-2025, the amount deposited as mesne profit has been ordered to be released to the landlords with a condition that in case the tenant succeeds in the appeal, then, the said amount released to the landlords would be adjusted in the future rent. It is submitted that however in the other cases, no such order has been passed. It is prayed that in all the cases, the said order be passed so that the



amount of mesne profits which has already been deposited and is being deposited by the tenants every month is released to the landlords subject to the above-said condition.

Learned counsel appearing for the tenants have no objection to the said course of action but have submitted that it be clarified that in case the tenants succeeds in the appeal, then, the amount paid as mesne profit would be adjusted in future admitted rent.

Adjourned to 01.09.2025.

The amount of mesne profit deposited by the tenants in each of the cases would be released to the landlords. The tenants would henceforth pay the mesne profit to the landlords every month. In case the appeal filed by the tenants against the order of eviction is allowed and the eviction order is set aside, then, the mesne profit already paid or to be paid in future in compliance to the present order would be adjusted in the future rent. The landlords would furnish the bank account number within a period of one week from today to each of the tenants and the deposit by the tenants in the said account number would be considered to be due compliance of the present order.

It is made clear that no further adjournment shall be granted in the present cases.

To be taken up at 1:45 P.M.

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

August 20, 2025”

4. Thus, the interim mesne profits which the tenant was required to pay to the landlords was Rs.10,000/- per month. Subsequent order dated 20.08.2025 would show that the said amount was to be paid by the tenant to the landlords and the same was subject to the final decision in the revision petitions.

5. During the course of hearing, a consensus has been arrived at on behalf of the tenant as well as the landlords and in terms of the said consensus, the impugned orders are modified and the present revision petitions are disposed of with the following directions:-



i) The tenant/petitioner in CR Nos.734 and 740 of 2025 would continue to pay the amount of Rs.10,000/- per month to the landlords as mesne profits. In case, the appeals filed by the tenant against the orders of eviction are allowed and the eviction orders are set aside, then, the mesne profits already paid or to be paid in future in compliance to the present order would be adjusted in future rent.

ii) Since, Kartar Kaur, one of the landlord/landlady, is stated to be 91 years of age, the First Appellate Authority is requested to decide the appeal as expeditiously as possible. All the counsel concerned are also requested to fully assist the First Appellate Court in deciding the appeals as expeditiously as possible.

02.09.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No