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

CR-3223-2025

Date of decision: 26.05.2025

Kamlesh Singh

...Petitioner

Versus

Puran Singh Sandhu (deceased) through his LRs

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. B.B.S. Sobti, Advocate (Through Video Conferencing) &
Ms. Savpreet Gujral, Advocate for the petitioner.

Mr. Amit Jhanji, Sr. Advocate with
Ms. Priyanka Kansal, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 09.04.2025 (Annexure P-1) passed by the Appellate Authority, Ludhiana.

2. During the course of arguments, a consensus has been arrived at between learned counsel for the petitioner and learned senior counsel for the respondent and in view of the same, the present revision petition is disposed of and order dated 09.04.2025 (Annexure P-1) is modified with the following observations/directions:-

i) The petitioner would deposit the arrears of rent total amounting to Rs.15,42,682/- on or before 09.07.2025 and on deposit, the said



amount would be released to the legal representatives of the respondent. The release of the said amount to the legal representatives of the respondent would be sufficient to discharge the liability of the petitioner to the said extent and in case there is inter se dispute between the legal representatives of the respondent at subsequent stage, then the same would be the responsibility of the legal representatives of the respondent who have received the money.

- ii) The petitioner would pay the arrears of mesne profits at the rate of Rs.27,000/- per month from 13.04.2023 till today i.e., 26.05.2025, on or before 09.07.2025 and the said amount would also be released to the legal representatives of the respondent. In case the petitioner wins the appeal, then, the said amount would be adjusted with future rent to which the petitioner would be liable to pay. The release of the said amount to the legal representatives of the respondent would be sufficient to discharge the liability of the petitioner regarding the said aspect and in case there is inter se dispute between the legal representatives of the respondent at subsequent stage, then the same would be the responsibility of the legal representatives of the respondent who have received the money
- iii) The petitioner would deposit the mesne profits at the rate of Rs.30,000/- per month from June, 2025 on or before 15th of every month and the said amount would also be released to the legal representatives of the respondent and would be subject to the decision in the main case. In case the petitioner wins the appeal, then, the said amount would be adjusted with future rent to which the petitioner



would be liable to pay. The release of the said amount to the legal representatives of the respondent would be sufficient to discharge the liability of the petitioner regarding the said aspect and in case there is inter se dispute between the legal representatives of the respondent at subsequent stage, then the same would be the responsibility of the legal representatives of the respondent who have received the money.

iv) In case the petitioner wins the appeal and he wishes to surrender the possession at some stage and the mesne profits paid by the petitioner to the legal representatives of the respondents is not fully adjusted against the future rent, then, the legal representatives of the respondent would be liable to return the balance amount to the petitioner.

3. It is made clear that in case the abovesaid amount is not paid to the legal representatives of the respondent in accordance with the abovesaid directions then the stay order granted in favour of the petitioner would be liable to be vacated.

26.05.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No