



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

\*\*\*

**CR-2126-2025**

Date of decision : 16.05.2025

Hari Krishan Sharma

... 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 04.04.2025, this Court was pleased to pass the following order:-

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

*\*\*\*\**

*Inter alia contends that in the earlier round of litigation, against the eviction order dated 09.04.2018, the petitioner had filed an appeal and in the said appeal, vide order dated 30.03.2019, mesne profits to the extent of Rs.4,000/- per month was ordered to be paid to the respondent-landlord. It is submitted that the petitioner had been paying the said amount of Rs.4000/- per month till the decision of the said appeal which was decided on 28.11.2023 (Annexure P-7). It is submitted that the appeal was partly allowed and the order of eviction was set aside and thus, the petitioner was entitled to return or adjustment of the said mesne profits which had been paid by the petitioner to the respondent-landlord. It is submitted that subsequent eviction order had been passed on 29.02.2024 and mesne profits were assessed to be Rs.7500/- per month vide order dated 05.12.2024. It is submitted that the amount of Rs.4,000/- paid by the petitioner to the respondent-landlord in the earlier round of litigation is required to be adjusted and in case the said amount is adjusted then the petitioner would not be liable to pay any further amount as on date.*

*Notice of motion for 25.04.2025.*

*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 taken up in the urgent list.*

*04.04.2025”*

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