

ITEM NO.4

COURT NO.7

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 15975/2017

(Arising out of impugned final judgment and order dated 18-01-2017 in CR No. 3171/2014 passed by the High Court of Punjab & Haryana at Chandigarh)

NIRMAL KUMAR & ANR.

Petitioner(s)

VERSUS

ASHOK KUMAR & ANR.

Respondent(s)

Date : 02-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Roopak Bansal, Adv.
Mr. Vikram Gupta, Adv.
Mr. Ravi Kumar Tomar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The petitioners are the landlords who have filed this petition challenging the order of the High Court whereby the High Court has granted mesne profits at the rate of Rs.1,35,000/- as an interim arrangement during the pendency of the civil revision which is filed by the respondents-tenants against the eviction order. It is submitted by the petitioners that the mesne profits fixed at Rs.1,35,000/- per month are on a lower side inasmuch as even in the year 2010, the premises in that area were let out at

Rs.2,75,000/-, which is noted by the High Court also in the impugned order.

Since the order is only an interim arrangement and at the time of final hearing of the civil revision, the petitioner can always argue that the mesne profits be fixed at a higher rate, we are not inclined to interfere with the impugned order at this stage. However, at the same time, having regard to the nature of the dispute, it would be appropriate that civil revision itself is decided at an early date. We, thus, permit the petitioner to move an application for early hearing before the High Court. We are confident that the High Court shall consider the request for early hearing favourably and decide the matter expeditiously.

With these observations, the special leave petition is disposed of.

(NIDHI AHUJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER