

Smt. Renu Gupta & Ors. Versus M/s Pioneer Timber Products & Anr.

Present : Sh. S.D. Bansal, counsel for the petitioner
Sh. Pardeep Bedi, counsel for the respondent

An application moved by applicant-respondent with the prayer for refund of mesne profit deposited in the account of the Rent Controller, Chandigarh in compliance of order passed in Civil Revision No.1058 of 2018 on dated 28.02.2018 in case titled as “M/s Pioneer Timber Products & Anr. Vs. Smt. Renu Gupta & Ors.”.

It has been averred in the application that the respondent has deposited a sum of Rs.1,00,000/- per month as a mesne profit since 11.03.2015 in compliance of aforesaid order wherein following has been ordered :-

“ i. The petitioner shall deposit mesne profit @ 1,00,000/- per month w.e.f 11.03.2015 till date/disposal of the appeal within a period of one month with the Rent Controller, Chandigarh.

ii. The amount deposited by petitioner shall be converted into fixed deposit payable to the successful party.”

Now, the rent appeal No.141 of 2015 titled as “ M/s Pioneer Timber & Anr. vs. Smt. Renu Gupta & Ors.” was decided on 23.09.2022 by the order passed by the court of Ms. Anshu Shukla, Learned Appellate Authority, Chandigarh vide which the appeal of appellant is allowed and the impugned judgment is set aside with consequential proceedings. Rent Petition is dismissed. The applicant is successful in appeal and is entitled to get the mesne profits along with interest accrued as on date with the bank on the FDRs and recurring deposit account. It is therefore prayed and present application may kindly be accepted and direction be issued to State Bank of India, Sector-43, District Court Chandigarh to

release/transfer the total amount of the mesne profit along with interest from fixed deposit account No.37867871978 & recurring deposit account number 37698129039 to the account of M/s Pioneer Products & Anr. Account No.023605000002647 UCO Bank, Sector-17, Chandigarh in the interest of justice.

Report of Ahlmad sought and perused. As per which he has reported that FDR amounting to Rs.38,00,000/- dated 09.08.2018 with SBI, District Court, Sector-43 is fixed deposit account No.37867871978 and recurring deposit account No.37698129039 amounting to Rs.53,00000 lacs till September 2022 in court account.

On notice, learned counsel for the respondent appeared and has shown his no objection in releasing the aforesaid amount.

In view of no objection and in compliance of order passed by Hon'ble Punjab & Haryana High Court and Learned Appellate Authority, application in hand stands allowed. Fixed deposit and recurring deposit along with interest accrued as on date is ordered to be released to the applicant against proper receipt and identification as per rules.

Date of order: 15.10.2022
(Preeti, Stenographer Grade-II)

Parmod Kumar, HCS
Civil Judge (Jr. Division)
CHD, (UID-HR0478)