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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA 530/2022, CM APPL. 47191/2022 (stay)

SMT. MEETA SEHGAL

.....Appellant

Through: Mr. Vikram Dua, Mr. Vinod kumar,
Mr. Deepak Kumar Singh, Advocates.

versus

SH. SWADESH KUMAR BHAGI

.....Respondent

Through: Mr. Madan Lal Sharma, Mr. Vidhi
Kumar, Mr. Abhay Singh, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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06.05.2026

CM APPL. 63377/2025 (for increase @15% of the last paid amount)

1. Application under Section 151 of the Code of Civil Procedure, 1908 (*hereinafter referred to as 'CPC'*) has been filed on behalf of the Respondent for grant of increase @15% on the last paid Mesne Profits @Rs.20,000/- per month as fixed by the Court in the Order dated 24.04.2023 for the first year and thereafter, to grant 15% enhancement for the subsequent years.
2. Learned counsel for the Appellant has filed a Reply wherein it is submitted that in fact, the Property had been purchased by the Defendant/Appellant, through Agreement to Sell etc. and in fact, he is not liable to pay any user occupation charges. Furthermore, the Respondent himself had volunteered to pay Rs.20,000/- per month as the user occupation charges and it was not determined after the due enquiry.
3. Learned counsel for the Respondent has countered the submissions



and stated that at present, the Suit Property can fetch more than Rs.70,000/- per month but the Respondent is restricting its claim for enhancement by 15%.

Submissions heard and the record perused.

4. Considering that the Mesne Profits @Rs.20,000/- had been granted w.e.f. 24.04.2023 and also considering the equity and the totality of circumstances, the Appellant is directed to pay Rs.25,000/- per month w.e.f. today, till the disposal of the Appeal, without prejudice to the merits of the Appeal.

5. The Application is disposed of accordingly.

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6. Written Submissions have been filed on behalf of the Appellant.

7. Let the same be filed within eight weeks, failing which, the same shall be accepted subject to cost of Rs.25,000/- with the Delhi High Court Advocates' Welfare Trust.

8. Be listed for arguments on 03.08.2026 *at the top of the Board*.

NEENA BANSAL KRISHNA, J

MAY 6, 2026/RS