

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 568/2007

Ram Pyari

----Appellant

Versus

Dhakad Singh And Ors.

----Respondent

For Appellant(s) : Mr. Dron Kaushik

For Respondent(s) : Mr. Baltej Singh Sandhu

HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

17/07/2025

I.A. No.01/2025

The matter comes up on an application filed by the respondents seeking enhancement of *mesne* profit to be paid during the pendency of this appeal to Rs.15,000/-.

2. By order dated 29.01.2008, the appellant was directed to pay *mesne* profit @ Rs. 2,500/- per bigha per year to the extent of land in question in the possession of the appellant and further conditions were imposed regarding restitution. Further vide order dated 10.10.2014, the amount to be paid as *mesne* profit was enhanced from Rs.2,500/- to Rs.4,500/-.

3. It is submitted that the rates of *Theka* in the area have been increased since 2014 and, therefore, the amount of *mesne* profit be also enhanced.

4. Learned counsel for the appellant has filed a reply to the application seeking enhancement of *mesne* profit and opposed the prayer made by the respondent in the application.

5. Heard learned counsel for the parties and looking to the facts and circumstances of the case, the application is partly allowed and the appellant is directed to pay mesne profit @ Rs.9,000/- per bigha per year to the extent of land in question in the possession of the appellant from the year 2025-2026. The rest of the conditions as indicated in order dated 29.01.2008 shall remain in force regarding restitution and vacation of the order in case of default.

(CHANDRA SHEKHAR SHARMA),J

25-nidhi/-