

1. Leave granted.

2. This appeal has been filed against an interim order dated 14.2.2008 passed by the High Court of Punjab & Haryana in R.S.A.

No. 1473 of 2005. By the impugned order, the defendants-appellants were directed to pay the mesne profits to the plaintiffs-respondents @ Rs. 10,00/- per acre in respect of the suit property at the beginning of each agricultural year i.e. from 15th June of each year commencing from 15.6.2008. The said interim

order was passed by the High Court as a condition of stay of the judgment and decree dated 25.1.2005 passed by the learned Additional District Judge in Civil Appeal No. 126 of 2004.

3. We have heard learned counsel appearing for the parties.

4. In the facts and circumstances of this case, we feel that an amount of Rs. 10,000/- per acre is on the higher side and should be substituted by Rs. 5,000/- per acre. Ordered accordingly.

5. At the time of issuing notice, we had directed the defendants-appellants to deposit the mesne profits @ Rs. 1,500/-

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per acre per year. The balance amount shall also be deposited in the High Court within two months from today along with the amount ordered herein.

6. This appeal stands disposed of accordingly.

.....J.
[V.S. SIRPURKAR]

.....J.
[CYRIAC JOSEPH]

NEW DELHI
AUGUST 27, 2010.