



Mesne Profits - Are to be considered on the basis of evidence led before the Court

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[Tenancy and Rent Act](#)

[mesne profits](#) - Are to be considered on the basis of [evidence](#) led before the Court - Respondent-plaintiffs in their plaint had stated that the market rent of the suit premises was approximately Rs 40,000 per month - They deposed to the same effect in their testimony in court - The appellant did not cross-examine or produce any evidence to counter the statement made by the respondents - Since the appellant failed to produce any evidence or even to cross-examine the plaintiff-respondents regarding the market rent existing on the date of terminating the tenancy, we have no other option but to uphold the order passed by the first appellate court fixing the mesne profits at Rs 35,000 per month, which has been duly affirmed by the High Court.

[2005 PLRonline 0004](#)

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