

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction

Present:

The Hon'ble Chief Justice Thottathil B. Radhakrishnan

And

The Hon'ble Justice Sanjib Banerjee

And

The Hon'ble Justice I.P. Mukerji

And

The Hon'ble Justice Harish Tandon

And

The Hon'ble Justice Joymalya Bagchi

Dated 7th August, 2020

W.P. 5323(W) of 2020

Court in its own motion:

In Re: Matters pending with interim orders in the High Court at Calcutta and Courts subordinate to it including the Tribunals within the State of West Bengal and Union Territory of Andaman & Nicobar Islands during the prevailing COVID-19 situation related non-availability of access to Courts.

The Court: The order issued on 24th March, 2020 and corrected by the later order of even date and extended till 30th June, 2020 by order dated 23rd April, 2020 will stand extended till 30th November, 2020 or earlier orders of Court, unless specifically dealt with by any judicial order to the contrary. All parties affected by the continuation of the interim orders will be at liberty to apply for vacating or variation of such orders. This will also apply to all orders passed, whether by this Court or any Subordinate Court or Tribunals, after 15th March, 2020.

Conditional orders of Courts allowing occupation of any premises subject to payment of rent or occupational charges will continue, notwithstanding the

non-deposit of the rent or occupation charges during the period 15th March, 2020 till 30th November, 2020. Similarly, rent or occupation charges not deposited in terms of the rent control legislations will not immediately make the tenant or occupant liable for eviction till 30th November, 2020 or earlier orders of Court.

All other conditional orders of Court will continue to remain in operation until further orders, notwithstanding the non-fulfillment of the conditions imposed. This will apply to non-fulfillment of the conditions for the period beginning 15th March, 2020 till 30th November, 2020 or earlier order of Court.

This order will also apply to orders pertaining to the Original Side of this Court.

This order be published in the official website of this Court. This order be also communicated to the Courts subordinate to this Court and all Tribunals; Learned Advocate General; Learned Additional Solicitor General; and Presidents and Secretaries of the three wings of the Bar with a request to circulate amongst lawyers, litigants and others interested.

(Thottathil B. Radhakrishnan, Chief Justice)

(Sanjib Banerjee, J.)

(I.P. Mukerji, J.)

(Harish Tandon, J.)

(Joymalya Bagchi, J.)