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**SAT 297 of 2019
With
CAN 2 of 2020**

**Sri Pran Krishna Basak
vs
Sri Tushar Kanti Mondal**

**Mr. Chittapriya Ghosh,
Mr. Samir Kumar Adhikari,
Ms. Priyanka Saha, ... For the Appellant.**

Mr. Amitabh Shukla, ... For the Respondent.

CAN 2 of 2020

This is an application at the behest of the appellant seeking extension of time to vacate the suit premises. By an order dated 9th December, 2019, we directed the appellant to file an undertaking that he would vacate the suit premises on and before 31.12.2020. The undertaking has been filed. The instant application seeking extension of time to vacate the premises is occasioned because of the pandemic struck in the meantime. It is stated that the alternative accommodation could not be found out because of the untimely intervention of the Covid 19 and, therefore, he may be permitted to stay for a further period of one year.

The learned advocate appearing for the respondent opposes the application.

Considering the fact and the reality, which has been faced globally, we do not find any justification in denying the relief claimed in the instant application.

The application is disposed of permitting the petitioner to be vacated the decretal premises on or

before 30th June, 2021. They will be deemed to have continued in such occupation on the basis of an undertaking already filed earlier and subject to the conditions mentioned in the order dated 9th December, 2019.

(Harish Tandon, J)

(Kausik Chanda , J)