

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

The Hon'ble Chief Justice Prakash Shrivastava

And

The Hon'ble Justice T.S. Sivagnanam

And

The Hon'ble Justice I.P. Mukerji

And

The Hon'ble Justice Harish Tandon

And

The Hon'ble Justice Tapabrata Chakraborty

Dated: 23rd February, 2022

W.P.A 5323 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: This is a writ petition taken up by the Court on its own motion in relation to 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 due to non-availability of access to Courts.

Taking into consideration the different orders passed by the Hon'ble Supreme Court of India including the order dated 10th January, 2022 in Suo Motu Writ Petition (Civil) NO. 3 of 2020, we see that all proceedings which fall under the cover of that order of the Hon'ble Supreme Court of India stand governed by it.

All that remains is the continuance of interlocutory orders which are in force in terms of the original order issued in the writ petition namely, W.P.A. 5323 of 2020 and extended from time to time, which as of now, stand extended till February 28, 2022.

We do not see any reason to extend the original order any further beyond February 28, 2022, except as regards the matters which we specifically order hereinbelow.

Conditional orders of Courts including those relating to 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 28th February, 2022 to 15th March, 2022. 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 15th March, 2022 or earlier contrary orders of Court.

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

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

No further orders are called for. Hence, this *suo motu* writ petition is disposed of.

(Prakash Shrivastava, C.J.)

(T.S. Sivagnanam, J.)

(I.P.Mukerji, J.)

(Harish Tandon, J.)

(Tapabrata Chakraborty, J.)