



Judicature (Northern Ireland) Act 1978

1978 CHAPTER 23

PART VIII

RULES OF LAW IN JUDICIAL MATTERS GENERALLY

94 Relief from ejectment

- (1) Where the defendant, or any other person having a specific interest in the lease or tenancy agreement, after a judgment or decree of any court for possession in favour of the landlord in any action of ejectment for non-payment of rent (including an action for forfeiture for non-payment of rent)—
 - (a) pays the rent and arrears thereof, with full costs, or lodges the same in court; and
 - (b) makes an application at the earliest opportunity at which he can reasonably do so after the enforcement of the order for delivery of possession of land (of which application the landlord shall receive due notice) to be restored to possession ;

the court may on such application award or refuse an order for restoration of possession of the land and give such equitable relief as it thinks fit.

- (2) Unless and until application is made under subsection (1) the landlord shall hold the demised premises freed and discharged from the lease or tenancy agreement, subject, however, to any appeal from the original decree or judgment for possession in his favour.
- (3) This section applies to a grant at a fee farm rent or securing a rent by condition and, for the purposes of such application, references to the lease, to the landlord and to the demised premises shall be construed, respectively, as references to the grant, to the grantor and to the premises granted.
- (4) For the purposes of this section—
 - (a) references to a lease or grant include references to a sub-lease or sub-grant respectively, and

Status: This is the original version (as it was originally enacted).

- (b) references to the landlord or grantor include references to any person to whom the estate or interest of the landlord or grantor has passed.
- (5) This section shall not operate to restrict any other power of the court to grant equitable relief.