



Landlord and Tenant (Requisitioned Land) Act 1942

1942 CHAPTER 13

4 Provision where land is requisitioned by stages

(1) Where—

- (a) possession of part of the land comprised in a lease has been taken and is retained on behalf of His Majesty in the exercise of emergency powers and the lease has not been disclaimed ;
- (b) possession of the remainder or part of the remainder of the land is on a subsequent occasion so taken and retained; and
- (c) the tenant cannot, on the subsequent occasion, serve a notice of disclaimer or obtain a direction enabling him to serve such a notice because possession of part of the land has already been taken as aforesaid, and in consequence the necessary conditions cannot be fulfilled ;

the court may, on the application of the tenant made within three months from the date which is the material date in relation, to the subsequent occasion, if in all the circumstances of the case it considers it equitable to do so, direct that the tenant shall be at liberty to serve, within such period as may be specified, a notice of disclaimer in respect of the lease, which, in the case of a multiple lease, may either be in respect of the lease as a whole or in respect of one or more of the separate tenements comprised therein.

- (2) Subsection (3) of section one of this Act shall not apply to any notice of disclaimer served in pursuance of a direction given under the last foregoing subsection, but the court shall not give such a direction unless the landlord is a party to the proceedings.