



REGISTERED POST WITH A/D.
HAND DELIVERY
AFFIXATION ON PROPERTY

**ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT, KOLKATA
(ERSTWHILE KOLKATA PORT TRUST)**

(Appointed by the Central Govt. Under Section 3 of Act 40 of 1971-Central Act)
Public Premises (Eviction of Unauthorized Occupant) Act 1971
OFFICE OF THE ESTATE OFFICER
6, Fairley Place (1st Floor)
KOLKATA - 700 001

Court Room At the 1st Floor
of Kolkata Port Trust's
Fairlie Warehouse
6, Fairley Place, Kolkata- 700 001.

REASONED ORDER NO.23 DT 10.08.23
PROCEEDINGS NO. 766 OF 2006

**SYAMA PRASAD MOOKERJEE PORT, KOLKATA
(ERSTWHILE BOARD OF TRUSTEES OF THE PORT OF KOLKATA)**
-Vs-

Smt. Jyostna Rani Paul (since deceased) and Arati Rani Kundu(O.P)

F O R M - "B"

**ORDER UNDER SUB-SECTION (1) OF SECTION 5 OF THE PUBLIC
PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971**

WHEREAS I, the undersigned, am satisfied, for the reasons recorded below that **Smt. Jyostna Rani Paul(since deceased) and Arati Rani Kundu, 60, Rastraguru Avenue, Dumdum, Kolkata -700028** is in unauthorized occupation of the Public Premises specified in the Schedule below:

REASONS

1. That O.P. has failed to liquidate the rental dues of the Port Authority, for a considerable period, in violation of the contract between the parties
2. That SMPK's contentions regarding unauthorized construction and unauthorized parting with possession have not been denied by the O.P.
3. That no reply to the Show Cause Notice/s was filed by O.P.
4. That O.P. or any other person/s asserting any right through O.P. has failed to bear any witness or adduce any evidence in support of its occupation as "authorised occupation", inspite of sufficient chances being provided.
5. That SMPK's Notice to Quit dated 25.04.2005 demanding possession of Port property from the O.P. is very much valid, lawful and enforceable.
6. That no case has been made out on behalf of O.P. as to how their occupation in the Public Premises could be termed as "authorised occupation".
7. That right from 01.06.2005 the O.P. had no authority to occupy the Public Premises and O.P's occupation is "unauthorized" in view of Sec.2(g) of the P.P. Act, 1971 and O.P. is liable to pay compensation charges with interest for wrongful use and enjoyment of the Public Property upto the date of handing over of clear, vacant and unencumbered possession to the Port Authority.

PLEASE SEE ON REVERSE

By Order of
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
KOLKATA
CERTIFIED COPY
11/8/23
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

8



(2)

A copy of the reasoned order No. 23 dated 10-08-23 is attached hereto which also forms a part of the reasons.

NOW, THEREFORE, in exercise of the powers conferred on me under Sub-Section (1) of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, I hereby order the said **Smt. Jyostna Rani Paul (since deceased) and Arati Rani Kundu, 60, Rastraguru Avenue, Dumdum, Kolkata -700028** and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises within 15 days of the date of publication of this order. In the event of refusal or failure to comply with this order within the period specified above the said **Smt. Jyostna Rani Paul (since deceased) and Arati Rani Kundu, 60, Rastraguru Avenue, Dumdum, Kolkata -700028** and all other persons concerned are liable to be evicted from the said premises, if need be, by the use of such force as may be necessary.

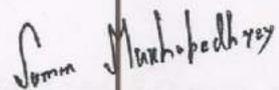
SCHEDULE

Plate No.SB-230/A

The said piece or parcel of land measuring 18.581 sq.m or thereabouts is situated at Nimtolla on the north side of Jorabagan Cross Road in the presidency town of Kolkata. It is bounded on the north by the Trustees' land occupied by Pran Ballav Mondal, on the east by the Trustees' land partly leased Mohindra Chandra Shah and partly to Jagadish Prasad Pannalal & Company Ltd., on the south partly by the Trustees' land leased to Mohindra Chandra Shah & partly by Jorabagan Cross Road & on the west by the Trustees' land leased to Jagadish Prasad Pannalal & Company Ltd.

Trustees' means the Board of Syama Prasad Mookerjee Port, Kolkata Authority (Erstwhile Board of Trustees' for the Port of Kolkata).

Date- **11 AUG 2023**


Signature & Seal of the
Estate Officer.

COPY FORWARDED TO THE ESTATE MANAGER, SYAMA PRASAD MOOKERJEE PORT, KOLKATA FOR INFORMATION

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF ORDER
PASSED BY THE OFFICER
SYAMA PRASAD MOOKERJEE PORT

10/08/23

OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT



**REGISTERED POST WITH A/D.
HAND DELIVERY
AFFIXATION ON PROPERTY**

**ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT, KOLKATA
(ERSTWHILE KOLKATA PORT TRUST)**

(Appointed by the Central Govt. Under Section 3 of Act 40 of 1971-Central Act)
Public Premises (Eviction of Unauthorized Occupant) Act 1971

OFFICE OF THE ESTATE OFFICER

6, Fairley Place (1st Floor)

KOLKATA - 700 001

Court Room At the 1st Floor
6, Fairlie Place Warehouse

Form " E "

PROCEEDINGS NO.766/R OF 2006

ORDER NO.23 DATED: 10.08.23

Form of order under Sub-section (1) and (2A) of Section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To
**Smt. Jyostna Rani Paul (since deceased)
and Arati Rani Kundu,
60, Rastraguru Avenue,
Dumdum, Kolkata -700028.**

By Order of :
**THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT**

CERTIFIED COPY
PASSED BY THE
SYAMA PRASAD MOOKERJEE PORT
11/08/23
Head Assn
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

WHEREAS you are in occupation of the public premises described in the Schedule below. (Please see on reverse).

AND WHEREAS, by written notice dated 31.07.2017 you were called upon to show cause on/or before 25.08.2017 why an order requiring you to pay a sum of Rs.71,073.46 (Rupees Seventy one thousand seventy three and paisa Forty Six only) being the rent payable together with compound interest in respect of the said premises should not be made;

AND WHEREAS you have not made any objections or produced any evidence before the said date;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971, I hereby require you to pay the sum of Rs.71,073.46 (Rupees Seventy one thousand seventy three and paisa Forty Six only) for the period 1st day of August'1983 to 31st day of May, 2005 (both days inclusive) to SMPK by 25.08.2023

PLEASE SEE ON REVERSE

8



: 2 :

In exercise of the powers conferred by Sub-section (2A) of Section 7 of the said Act, I also hereby require you to pay compound interest @ 7.50 % per annum on the above sum till its final payment being the current rate of interest as per the Interest Act, 1978.

In case the said sum is not paid within the said period or in the said manner, it will be recovered as arrears of land revenue through the Collector.

SCHEDULE

Plate No.SB-230/A

The said piece or parcel of land measuring 18.581 sq.m or thereabouts is situated at Nimtolla on the north side of Jorabagan Cross Road in the presidency town of Kolkata. It is bounded on the north by the Trustees' land occupied by Pran Ballav Mondal, on the east by the Trustees' land partly leased Mohindra Chandra Shah and partly to Jagadish Prasad Pannalal & Company Ltd., on the south partly by the Trustees' land leased to Mohindra Chandra Shah & partly by Jorabagan Cross Road & on the west by the Trustees' land leased to Jagadish Prasad Pannalal & Company Ltd.

Trustees' means the Board of Syama Prasad Mookerjee Port, Kolkata Authority (Erstwhile Board of Trustees' for the Port of Kolkata).

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
11/08/23
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

Dated: 11 AUG 2023

Syama Mookerjee
Signature and seal of the
Estate Officer

COPY FORWARDED TO THE ESTATE MANAGER, SYAMA PRASAD MOOKERJEE PORT,
KOLKATA FOR INFORMATION



REGISTERED POST WITH A/D.
HAND DELIVERY
AFFIXATION ON PROPERTY

ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT, KOLKATA
(ERSTWHILE KOLKATA PORT TRUST)

(Appointed by the Central Govt. Under Section 3 of Act 40 of 1971-Central Act)
Public Premises (Eviction of Unauthorized Occupant) Act 1971

OFFICE OF THE ESTATE OFFICER

6, Fairlie Place (1st Floor)
KOLKATA - 700 001

Court Room At the 1st Floor
of Kolkata Port Trust's
Fairlie Warehouse
6, Fairlie Place, Kolkata- 700 001.

PROCEEDINGS NO.766/D OF 2006
ORDER NO. 23 DATED: 10.08.23

Form- G

Form of order under Sub-section (2) and (2A) of Section 7 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971

To
Smt. Jyostna Rani Paul (since deceased)
and Arati Rani Kundu,
60, Rastraguru Avenue,
Dumdum, Kolkata -700028.

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assis
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

WHEREAS I, the undersigned, am satisfied that you are in unauthorised occupation of the public premises mentioned in the Schedule below:

AND WHEREAS, by written notice dated 31.07.2017 you are called upon to show cause on/or before 25.08.2017 why an order requiring you to pay damages of Rs.2,89,851.83 (Rupees Two Lakh eighty nine thousand eight hundred fifty one and paisa eighty three only) for unauthorised use and occupation of the said premises, should not be made.

AND WHEREAS you have not made any objections or produced any evidence before the said date;

NOW, THEREFORE, in exercise of the powers conferred on me by Sub-section (2) of Section 7 of the Public Premises (Eviction of Unauthorized Occupants) Act 1971, I hereby order you to pay the sum of Rs.2,89,851.83 (Rupees Two Lakh eighty nine thousand eight hundred fifty one and paisa eighty three only) assessed by me as damages on account of your unauthorised occupation of the premises for the period from 01.06.2005 to 31.05.2017 (both days inclusive) to SMPK by 25.08.2023

[Handwritten signature]

PLEASE SEE ON REVERSE



: 2 :

In exercise of the powers conferred by Sub-section (2A) of Section 7 of the said Act, I also hereby require you to pay compound interest @ 7.50 % per annum on the above sum till its final payment being the current rate of interest as per the Interest Act, 1978.

In the event of your refusal or failure to pay the damages within the said period or in the manner aforesaid, the amount will be recovered as an arrear of land revenue.

SCHEDULE

Plate No.SB-230/A

The said piece or parcel of land measuring 18.581 sq.m or thereabouts is situated at Nimtolla on the north side of Jorabagan Cross Road in the presidency town of Kolkata. It is bounded on the north by the Trustees' land occupied by Pran Ballav Mondal, on the east by the Trustees' land partly leased Mohindra Chandra Shah and partly to Jagadish Prosad Pannalal & Company Ltd., on the south partly by the Trustees' land leased to Mohindra Chandra Shah & partly by Jorabagan Cross Road & on the west by the Trustees' land leased to Jagadish Prosad Pannalal & Company Ltd.

Trustees' means the Board of Syama Prasad Mookerjee Port, Kolkata Authority (Erstwhile Board of Trustees' for the Port of Kolkata).

Date
11 AUG 2023

Syama Prasad Mookerjee
Signature & Seal of the
Estate Officer.

COPY FORWARDED TO THE ESTATE MANAGER, SYAMA PRASAD MOOKERJEE PORT, KOLKATA FOR INFORMATION

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
[Signature]
11/08/23
Head Ass't of
OFFICE OF THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

Appointed by the Central Govt. Under Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971.

Proceedings No. 766, 766/K-D of 2006 Order Sheet No. 25

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS

JYOSTNA RANI PAUL & ARATI RANI KUNDU

23
10-08-2023

FINAL ORDER

The matter is taken up today for final disposal. Factual matrix involved in this matter is required to be put forward in a nutshell in order to link up the chain of events leading to this Proceedings. It is the case of Syama Prasad Mookerjee Port, Kolkata (Erstwhile Kolkata Port Trust/KoPT), hereinafter referred to as SMPK, the applicant herein, that Port property being land measuring about 18.581 sq.m at Nimtolla, on the north side of Jorabagan Cross Road, Kolkata, comprised under occupation No. SB-230/A, was allotted to Smt. Jyostna Rani Paul (since deceased) and Arati Rani Kundu, O.P. herein, on monthly lease basis with certain terms and conditions and O.P. violated the fundamental condition of grant of such tenancy by way of not making payment of rental dues, taxes and interest for a prolonged period. It is also submitted by SMPK that O.P. made unauthorized constructions in the public premises in question and also parted with possession of said property without any approval of the SMPK. It is argued on behalf of SMPK that the O.P. has no authority under law to occupy the public premises after expiry of the period as mentioned in the notice to quit dated 25.04.2005 and the O.P. is liable to pay damages for wrongful use and occupation of the Port property upto the date of handing over of vacant possession of the same.

This Forum issued Show Cause notices under Section 4 & 7 of the Act (for adjudication of the prayer for issuance of Order of Eviction, recovery of rental dues, Damages etc.) all dated 31.07.2017 (vide Order No.8 dated 07.06.2017).

It is seen from record that the letter sent through registered post containing the Notice/s as aforesaid was returned by the Postal Department undelivered, with the endorsement "deceased". Even the Process Server could not serve the Notice/s upon the O.P. as O.P. was not found in the premises. However, due affixation was made as per the mandate of P.P Act.

As none appeared on behalf of O.P or any other person interested in the property inspite of repeated chances, a publication was made in the classified column of 'Telegraph' on 21.06.2017 fixing the ultimate date of O.P's appearance on 12.07.2017. Thereafter due to superannuation of Erstwhile Estate Officer, the matter was placed before the undersigned on 15.09.2022. Record revealed that as per the direction of the Forum order dated 29.09.2022 was served upon the O.P both by Speed Post and hand delivery and one Joy Gopal Kundu, claiming himself to be the son of Arti Rani Kundu, appeared before the Forum and filed his letter of authorization to contest the instant matter. It is seen that although the

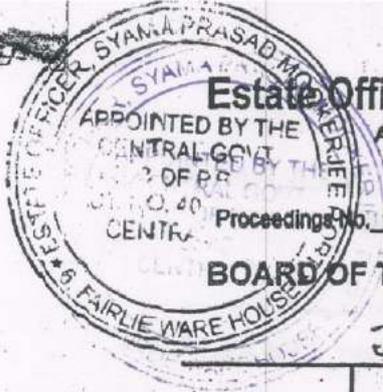
By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

8



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

Appointed by the Central Govt. Under Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971.

Proceedings No. 766.766/R-D of 2006 Order Sheet No. 26

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

JYOSTNA RANI PAUL & ARATI RANI KUNDU VS

23
10-08-2023

representative of O.P has appeared before the Forum and filed several applications through their Ld. Advocate on various dates but no reply to the Show Cause Notice/s was filed by O.P. It is also seen that as per the direction of the Forum opportunity was given to O.P. to liquidate the dues(as per eagerness expressed by O.P from time to time) and O.P through his Ld. Advocate made some sporadic payments from time to time albeit irregularly and inconsistently. Finally the matter was heard on 20.04.2023 when Advocate of O.P filed an application inter-alia praying for the withdrawal of the instant Proceedings without complying the order of payment passed by this Forum, this Forum, finding no reason to keep the matter alive, proceeded to reserve the final order.

I have carefully considered the rival submissions of the parties and materials on record. Admittedly, O.P. was a monthly lessee under the SMPK. Regarding unauthorised construction, it is seen that the O.P. vide its applications as filed on several dates has never submitted that the allegation of unauthorised construction is false. Similarly, O.P. has not denied the allegation of unauthorised parting with possession of the Port Property as well. Moreover, in their communications dated 02.02.2023 and 02.03.2023, praying reduction of rent and other charges on the ground of financial distress, O.P has in fact, admitted their dues. Further, the Statement of Accounts produced by a statutory authority like SMPK has definite evidentiary value which cannot be ignored by this Forum. Under such circumstances, I find no reason to grant any relief to the O.P., within the four corner of the P.P. Act,1971. In my view, the occupation of the O.P. squarely attracts the provision of Sec. 2 (g) of the Act and the same is very much an "unauthorised" occupation in all sense of law. As such, I conclude that the breaches as complained of by SMPK, are very much admitted/established in the facts and circumstances of the case and I hold that the Notice to Quit dated 25.04.2005 as served by SMPK on O.P. is valid, lawful and enforceable in law.

NOW THEREFORE, I consider it is a fit case for allowing SMPK's prayer for eviction against O.P. u/s 5 of the Act for the following grounds/reasons:

1. That O.P. has failed to liquidate the rental dues of the Port Authority, for a considerable period, in violation of the contract between the parties.
2. That SMPK's contentions regarding unauthorised construction and unauthorised parting with possession have not been denied by the O.P.

8

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

Appointed by the Central Govt. Under Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971

Proceedings No. 766, 766/R-D of 2006 Order Sheet No. 27

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
JYOSTNA RANI PAUL & ARATI RANI KUNDO

23
10-08-2008

3. That no reply to the Show Cause Notice/s was filed by O.P.
4. That O.P. or any other person/s asserting any right through O.P. has failed to bear any witness or adduce any evidence in support of its occupation as "authorised occupation", inspite of sufficient chances being provided.
5. That SMPK's Notice to Quit dated 25.04.2005 demanding possession of Port property from the O.P. is very much valid, lawful and enforceable.
6. That no case has been made out on behalf of O.P. as to how their occupation in the Public Premises could be termed as "authorised occupation".
7. That right from 01.06.2005 the O.P. had no authority to occupy the Public Premises and O.P's occupation is "unauthorized" in view of Sec.2(g) of the P.P. Act, 1971 and O.P. is liable to pay compensation charges with interest for wrongful use and enjoyment of the Public Property upto the date of handing over of clear, vacant and unencumbered possession to the Port Authority.

ACCORDINGLY, formal order of eviction u/s 5 of the Act as per Rule made there under, is drawn giving 15 days time to the O.P. and any person/s whoever may be in occupation to vacate the premises. I make it clear that all person/s whoever may be in occupation are liable to be evicted by this order and the Port Authority is entitled to claim damages for unauthorized use and enjoyment of the property against O.P. in accordance with Law up to the date of recovery of possession of the same. SMPK is directed to submit a comprehensive status report of the Public Premises in question on inspection of the property after expiry of the 15 days as aforesaid so that necessary action could be taken for execution of the order of eviction u/s 5 of the Act as per Rule made under the Act.

It is my considered view that a sum of Rs. 71,073.46/- (Rupees Seventy One thousand seventy three and paise forty six only) for the period 01.08.1983 to 31st day of May, 2005 (both days inclusive) is due and recoverable from O.P. by the Port authority on account of rental dues and O.P. must have to pay the rental dues to SMPK on or before 25.08.2008. Such dues attract compound interest @ 7.50 % per annum, which is the current rate of interest as per the Interest Act, 1978 (as gathered by me from the official website of the State Bank of India) from the date of incurrence of liability, till the liquidation of the same, as per the adjustment of payments, if any made so far by O.P., in terms of SMPK's books of accounts.

[Handwritten signature]

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER,
SYAMA PRASAD MOOKERJEE PORT.

Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER,
SYAMA PRASAD MOOKERJEE PORT.

[Handwritten signature]
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

Appointed by the Central Govt. Under Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971

Proceedings No. 766-766/R-D of 2006 Order Sheet No. 28

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
SYOSTNARANI PAUL & ARATI RANI KUNDO

23
10.08.2023

Likewise, I find that SMPK has made out an arguable claim against O.P., founded with sound reasoning, regarding the damages/compensation to be paid for unauthorised occupation. As such, I must say that Rs. 2,89,851.83(Rupees Two Lakh eighty nine thousand eight hundred fifty one and paise eighty three only) as claimed by the Port Authority as damages in relation to the Plate in question, is correctly payable by O.P. for the period 01.06.2005 to 31.05.2017 (both days inclusive) and it is hereby ordered that O.P. shall also make payment of the aforesaid sum to SMPK by 25.08.2023. The said damages attract compound interest @ 7.50 % per annum, which is the current rate of interest as per the Interest Act, 1978 (as gathered by me from the official website of the State Bank of India) from the date of incurrance of liability, till the liquidation of the same, as per the adjustment of payments, if any made so far by O.P., in terms of SMPK's books of accounts. I sign the formal orders u/s 7 of the Act.

I make it clear that SMPK is entitled to claim damages against O.P. for unauthorized use and occupation of the public premises right upto the date of recovery of clear, vacant and unencumbered possession of the same in accordance with Law, and as such the liability of O.P. to pay damages extends beyond 31.05.2017 as well, till such time the possession of the premises continues to be under the unauthorised occupation with the O.P.. SMPK is directed to submit a statement comprising details of its calculation of damages after 31.05.2017, indicating there-in, the details of the rate of such charges, and the period of the damages (i.e. till the date of taking over of possession) together with the basis on which such charges are claimed against O.P., for my consideration for the purpose of assessment of such damages as per Rule made under the Act.

I make it clear that in the event of failure on the part of O.P. to comply with this Order, Port Authority is entitled to proceed further for execution of this order in accordance with law. All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL

S. Mukhopadhyay
(S. Mukhopadhyay)
ESTATE OFFICER

*** ALL EXHIBITS AND DOCUMENTS ARE REQUIRED TO BE TAKEN BACK WITHIN ONE MONTH FROM THE DATE OF PASSING OF THIS ORDER ***

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

APPROVED BY THE
ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Signature]
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT