

THE ESTATE OFFICER, KOLKATA PORT TRUST

(Appointed by the Central Govt. Under Section 3 of Act 40 of 1971- Central Act.)

The Public Premises (Eviction of Unauthorised Occupants) Act 1971

OFFICE OF THE ESTATE OFFICER

15, STRAND ROAD (4TH FLOOR)

KOLKATA-700 001

Proceedings No. 1660 of 2018

Order No. 9 Dated 21.01.2019

To

M/s. Khemchand Rajkumar,

Belvedere Court,

11 & 13, Alipore Road,

Kolkata- 700027.

And Also At

'Everest House',

10th Floor,

46-C, Chowringhee Road,

Kolkata-700016.

AND Any person/s interested in the property

Described under the Schedule below

Proceeding against M/s. Khemchand Rajkumar, the O.P. herein, have been initiated u/s 4 of the P.P. Act for adjudication of the prayer of Kolkata Port Trust (KoPT) for eviction in respect of Kolkata Port Trust's land measuring 200.67 sq.m. or thereabouts is situated at Shibpur, Howrah, P.S. Shibpur Dist. And Registration District- Howrah comprised under Plate No. HL-248/4 and SF-127/2. It is bounded on the North and East by the Trustees' land occupied by M/s. K.R. Steel Union Pvt. Ltd., on the South by the Trustees' land occupied by Beni Madhab Sett & Satya Charan Sett and on the West by the Trustees' strip of open land beyond which is the Trustees' open drain alongside Foreshore Road. (Trustees' means the Board of Trustees' for the Port of Kolkata).

AND WHEREAS, it is evident from record that the O.P. was not found at the above address.

AND WHEREAS, the Postal acknowledgement had returned with the postal acknowledgement 'Left'.


AND WHEREAS, no reply to the show cause notice has been filed as yet.

NOW THEREFORE, in exercise of the power conferred upon me, I hereby give you notice to file reply to the Show Cause Notice on or before 14.02.2019 and to appear before me on 14.02.2019 at 11:30A.M. either in person or through authorised representative (along with a letter of authority) capable of answering all material questions in respect of the property described under the Schedule below, failing which the matter will be decided exparte without any further reference.

SCHEDULE

The said piece and parcel of land measuring 200.67 sq.m. or thereabouts is situated at Shibpur, Howrah, P.S. Shibpur Dist. And Registration District- Howrah comprised under Plate No. HL-248/4 and SF-127/2. It is bounded on the North and East by the Trustees' land occupied by M/s. K.R. Steel Union Pvt. Ltd., on the South by the Trustees' land occupied by Beni Madhab Sett & Satya Charan Sett and on the West by the Trustees' strip of open land beyond which is the Trustees' open drain alongside Foreshore Road. (Trustees' means the Board of Trustees' for the Port of Kolkata).

GIVEN UNDER MY HAND AND SEAL


(R. MUKHERJEE)
ESTATE OFFICER

Estate Officer, Kolkata Port Trust

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

Proceedings No. 1660 Of 2018 Order Sheet No. 07

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Khemchand VS Rajkumar

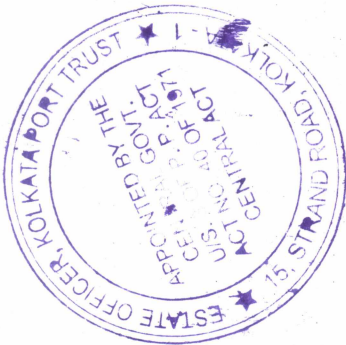
09
21.01.2019

It is seen that the instant matter has been assigned to me. On perusal of the records place before me, I find that my erstwhile Estate Officer had reserved the matter by Order No. 08 dated 03.10.2018 for passing Final Order. On further perusal I also find that the O.P. did not appear before this Forum to represent the instant case although the Notice under Section 4 of the PP Act was affixed at the subject premises. I also find that the process server failed to handover the Notice to any representative of O.P. since none was present at the premises as reported by the Process server and also the service of Notice under Section 4 by way of speed post had returned with the remark 'Left'. Be that as it may, in order to safeguard the procedural lapse Department is directed to publish the Notice under Section 4 of the PP Act in a Local English Daily Newspaper in classified column at the earliest to intimate O.P. and/or any person interested in the public premises regarding the pendency of the present proceeding and directing such person/s to appear before this Forum for showing cause/hearing etc, failing which the matter will be decided exparte without any further reference. The matter will come up for hearing/consideration etc on 14.02.2019 at 11:30AM. All concerned are directed to act accordingly.



(R. Mukherjee)

ESTATE OFFICER



OFFICE OF
ESTATE OFFICER
KOLKATA PORT TRUST

Verified copy of the Order
issued by the Estate Officer
Kolkata Port Trust

22/1/19
Head Assistant
Office of the Estate Officer
Kolkata Port Trust

Estate Officer, Kolkata Port Trust

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

Proceedings No. 1660 Of 2018 Order Sheet No. 06

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s. Khemchand Rajkumar ^{VS}

08
03.10.2018

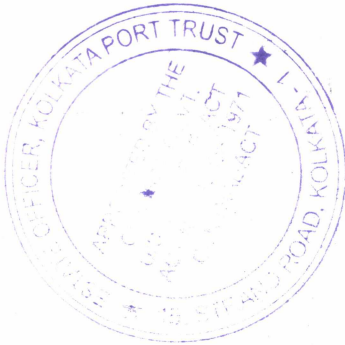
Present: S.K. Chowdhury, Asst. Estate Manager
A. Raut, Resolution Officer- Legal
For Kolkata Port Trust (KoPT)

No one appears on behalf of O.P, as well as any
other interested parties.

Matter is taken up for hearing and consideration. It is
observed from the record that even after service of Show
Cause Notice and subsequent Order nos.5, 6 & 7,
through affixation on the subject premises, no one had
appeared on behalf of O.P and also any other interested
parties on the last three occasions.

Representatives of KoPT prays for an immediate order of
eviction and recovery of outstanding dues.

Heard the submissions of KoPT. It is observed that giving
any further time to O.P or any other interested parties
would very much defeat the purpose of effective
adjudication, since even after service of show cause
notice dated 08.08.2018 and subsequent orders none
appeared for O.P or any other persons. As such let the
final order be reserved for the instant Proceedings.



THE ESTATE OFFICER
KOLKATA PORT TRUST

Verified copy of the Order
passed by the Estate Office
Kolkata Port Trust

19/10/2018
Head Assistant
Estate Officer
Kolkata Port Trust

(S. Sinha)

ESTATE OFFICER