

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

THE ESTATE OFFICER, 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  
1<sup>st</sup> Floor, 6, Fairlie Place Warehouse,  
Kolkata-700001  
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Court Room At the 1<sup>st</sup> Floor  
6, Fairlie Place Warehouse

**Form "E"**

PROCEEDINGS NO.1610/R OF 2017  
ORDER NO. 12 DATED: 06.09.2019

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

To  
Bakshiram Jaiprakash,  
13, Noormal Lohia Lane,  
Kolkata-700007

BY ORDER OF  
THE ESTATE OFFICER  
KOLKATA PORT TRUST

Handwritten signature and date: *A.S. De*  
*09.09.2019*

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

AND WHEREAS, by written notice dated 01.06.2018 you were  
called upon to show cause on/or before 22.06.2018 why an order  
requiring you to pay a sum of Rs. 7,68,387.12/- (Rupees Seven  
Lakhs Sixty Eight Thousand Three Hundred and Eighty Seven and  
Twelve Paise only.) being the rent payable together with compound  
interest in respect of the said premises should not be made;

And whereas you have failed to represent the instant  
proceedings inspite of repeated chances being given to you. Even  
Paper Publication of the Notice yield no fruitful result and therefore  
no evidence have been produced by you in support of your case.

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. 7,68,387.12/- (Rupees Seven Lakhs Sixty Eight  
Thousand Three Hundred and Eighty Seven and Twelve Paise only.)  
for the period 01.08.1994 to 31.12.2011 (both days inclusive) to  
Kolkata Port Trust by 22.09.2019

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 simple interest @ 6.75 % 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) payable from the date of incurrence of liability, 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**

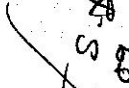
The said piece or parcel of land Msg. 677.262 sqm or thereabouts situated at Ramkristopur, Thana, Dist. & Registration District- Howrah under Plate No. HL-64/A. It is bounded on the North and South by the Trustees' Land leased to Burn Standard Company Limited, on the East by the Trustees' strip of open land reserved as margin of safety alongside Port Trust Railway Lines and west by Private Land.

Trustees' means the Board of Trustees of the Port of Kolkata.

Dated: 09.09.2019

  
Signature and seal of the

Estate Officer

  
S. De  
09.09.2019  
ORDER  
OFFICER  
TRUST

ASSISTANT  
ESTATE OFFICER  
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. 1610, 1610/R of 2017 Order Sheet No. 08

**BOARD OF TRUSTEES OF THE PORT OF KOLKATA,**  
(Plate no. HL 64/A)

**VS**  
**Bakshiram Jaiprakash**

## FINAL ORDER

12

06.09.2019

The instant proceedings arises out of the application dated 05.01.2016 filed by Kolkata Port Trust (KoPT), Applicant herein, praying for recovery of rental dues, interest etc against Sri Bakshiram Jaiprakash, O.P. herein, under relevant provision of the Public Premises (Eviction of Unauthorised Occupants) Act 1971. The facts of the case is summarised here under.

It is the case of KoPT that land measuring about 677.262 sqm at Ramkristopur, Thana and Registration Dist.- Howrah under Plate No. HL-64/A was allotted to the O.P. by the Port Authority on month to month lease basis. It has been claimed that O.P. failed to pay monthly rent and taxes as also interest as applicable as per KoPT rules. As per KoPT, O.P. was required to vacate the premises in terms of the Notice to Quit dated 16.05.2011, served as per statute. It is the specific submission that O.P. has no authority under law to occupy the public premises on the expiry of period as mentioned in the notice to quit dated 16.05.2011 as served upon O.P. by the Port Authority. In view of the Quit Notice representative of KoPT took over possession of the subject premises on 22.12.2011.

The instant Proceeding No. 1610/R of 2017 is for adjudication of application being No. Lnd.3222/II/16/3023 dated 05.01.2016 submitted by Kolkata Port Trust (KoPT), the Applicant herein, praying for order for recovery of arrear rent, taxes, along with interest from Sri Bakshiram Jaiprakash, O.P. herein.

This Forum of Law issued show cause notice under Section 7 of the PP Act to O.P. dated 01.06.2018 for the purpose initiation of adjudication process as envisaged under the Act. It reveals from record that the Notice under Section 7 has been return from the postal Department with the acknowledgement 'Unclaimed' which was send at the recorded address of O.P. As a result thereof, the Notice under Section 7 was published in Kolkata Port Trust's website and in English Daily "The Telegraph" on 25.07.2018 which

BY ORDER OF  
THE ESTATE OFFICER,  
KOLKATA PORT TRUST.

CERTIFIED COPY  
PASSED BY  
09.09.2019

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# 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. 1610, 1610/R of 2017 Order Sheet No. - 08 -

## BOARD OF TRUSTEES OF THE PORT OF KOLKATA

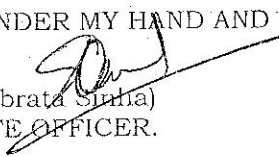
**VS**  
Bakshiram Jaiprakash

12  
06.09.2019

yielded no results. As no one appeared on behalf of O.P. or any person interested in this proceedings inspite of publication of notice in Daily Newspaper having wide circulation, I have no bar to allow the prayer of KoPT for recovery of rental dues from O.P. Department is directed to draw formal order for rent u/s.7 of the Act for Rs. 7,68,387.12/- for the period 01.08.1994 to 31.12.2011(both days inclusive), directing O.P. to pay the amount on or before 22.09.2019 and it is hereby ordered that O.P. shall make payment of the aforesaid sum to KoPT by 22.09.2019. In terms of Section 7 (2-A) of the PP Act, 1971, such dues attract simple interest @ 6.75 % 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 KoPT's books of accounts. I sign the formal order u/s 7 (1) & (2-A) of the Act. I make it clear that in the event of failure on the part of O.P. to pay the amount to KoPT as aforesaid, Port Authority is entitled to proceed further for recovery of its claim in accordance with law.

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL

  
(Satyabrata Sinha)  
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  
KOLKATA PORT TRUST

RECEIVED  
ORDER  
12  
09.09.2019

ESTATE OFFICER  
KOLKATA PORT TRUST