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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. 1707 & 1707/D Of 2019 Order Sheet No. -13-

## BOARD OF TRUSTEES OF THE PORT OF KOLKATA

*M/s. Motiram Agarwal & Co (P) Ltd.* **VS** *{CG-70}*  
*{CG-70/1}*



12  
01-10-2019

*J B 03-10-19*

It is seen from the process server report dated 25.07.2019 that the notices u/s 4 and 7 of The Public Premises (Eviction of Unauthorised Occupants) Act, 1971 could not be served personally in hand to the O.P. due to O.P. not found at the specified address, though the above said notices were affixed on the conspicuous part of the public premises but no one appeared on behalf of the O.P. on the stipulated date. It is also revealed from the records that the notices u/s 4 and 7 of The Public Premises (Eviction of Unauthorised Occupants) Act, 1971, sent by post returned with the remarks 'Left' and 'Insufficient Address' and those were received respectively on 23.07.2019 and 24.07.2019 by the department.

Considering the above, Department is directed to publish the notice in a local daily news paper and also in the website of the Kolkata Port Trust for wide circulation to all concerned. Let the matter be fixed for reporting etc. on

21.10.2019 at 3.30 P.M. at 6, Fairly Place (1<sup>st</sup> floor), Kolkata-700001. All concerned are directed to act accordingly.

*S. Mitra*  
(S.Mitra)  
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. 1707/1707/D of 2019 Order Sheet No. -12-

## BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/S. Motiram Agarwal & Co. (P) Ltd. <sup>VS</sup> { CG-70 }  
{ CG-70/1 }

11  
18.07.2019.

evidence, hearing etc. O.P. to file reply to show  
cause notice by 19.08.2019.

It is however made clear that such  
assessment of damages is only for a particular  
period as claimed by KoPT at this stage only.

All the points are left open for discussion  
on merits of the case on the basis of the Show  
Cause notice under Sec.4 of the Act.

The notice/s must have to be served  
upon O.P. through Registered Post with A/D,  
affixation on property etc. O.P. and/or any  
party interested in the subject property to file  
reply to show cause notice/s by 19.08.2019.

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL



(ESTATE OFFICER)

8  
DoB-10-19

o/c

**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

(1<sup>st</sup> Floor of '6, Fairlie Warehouse')

KOLKATA-700 001

Proceedings No.1707 & 1707/D of 2019

Order No. 12 dated 01.10.2019

To

M/s. Motiram Agarwal & Co.(P)Ltd.,

Compt. No.4/A

67/28, Strand Road,

Kolkata- 700007.

And also of

137, Biplabi Rash Behari Basu Road,

Kolkata - 700001.

AND Any person/s interested in the property  
As mentioned herein

Whereas, Proceedings against M/s. Motiram Agarwal & Co.(P)Ltd., the O.P. herein, have been initiated u/s 4 & 7 of the P.P. Act for adjudication of the prayer of Kolkata Port Trust (KoPT) for order of eviction in respect of Kolkata Port Trust's plot being land measuring 423.08 sq.m. (Compartment No.4/A ) situated at the Pathuriaghat Warehouse, in the Presidency town of Kolkata and a space measuring 7.43 sq.m. of Northern Veranda at the Pathuriaghat Warehouse, in the Presidency town of Kolkata, more fully described under the schedule.

AND WHEREAS, Service to M/s. Motiram Agarwal & Co.(P)Ltd., the O.P. herein was effected through affixation upon the subject premises on 25.07.2019.

AND WHEREAS, O.P. failed to appear before this Forum on 19.08.19.

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 notice to all concerned interested in the property under schedule to file reply to the Show Cause Notice on or before 21.10.2019 and to appear before me on 21.10.2019 at 3.30 P.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**

Compartment No. 4/A, Msg.423.08 Sq.m at Pathuriaghat Warehouse (under Plate No.CG-70), in the Presidency town of Kolkata. It is bounded on the North partly by the passage used as road and partly by the Trustees' verandah of

Continue to Page No.....2



(2)

Compartment No.4/A licensed to M/s. Motiram Agarwal & Co. Pvt. Ltd., on the South by the Trustees' verandah space alongside Trustees' land used as passage, on the East partly by the Trustees' Compartment of Pathuriaghat Warehouse occupied by M/s. Continental Transport Agency and partly by the Trustees' Compartment occupied by M/s. Moongipa Roadways and on the West by the Trustees' Compartment No. 4 occupied by M/s. Gillanders Arbuthnot Co. Ltd.

A space Msg. 7.43 Sq.m of Northern Veranda at Pathuriaghat Warehouse (under Plate No. CG-70/1), in the Presidency town of Kolkata. It is bounded on the North by the Trustees' land used as passage, On the South by the Trustees' Compartment No. 4A, leased to M/s. Motiram Agarwal & Co. Pvt. Ltd. and On the East & West by the Trustees' land used as verandah.

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

GIVEN UNDER MY HAND AND SEAL

Date:01.10.2019



(S.Mitra)  
ESTATE OFFICER

