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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 1<sup>st</sup> Floor  
of Kolkata Port Trust's  
Fairlie Warehouse  
6, Fairlie Place, Kolkata- 700 001.

REASONED ORDER NO. 12 DT 03.08.2021  
PROCEEDINGS NO. 1777/L OF 2020

BOARD OF TRUSTEES OF THE PORT OF KOLKATA  
-Vs-  
SHRI KHADERAN AHIR & HIS FAMILY MEMBERS

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 **Shri Khaderan Ahir & his family members of Quarters No H/15 & 16, Block No.H, New Howrah Bridge Mazdoor Line, P.S. Golabari, Howrah - 711101** is in unauthorized occupation of the Public Premises specified in the Schedule below:

REASONS

1. That proceedings against you is maintainable under law.
2. That your contention regarding your authority to occupy the Quarters/ Public Premises until the adjudication of W.P. No 20664 (W) 2018 pending before the Hon'ble High Court, Calcutta is not sustainable under law.
3. That no case has been made out by you to consider the occupation of yours as "authorized occupation".
4. You have failed to bear any witness or adduce any evidence in support of your "authorized occupation".
5. That your occupation has become unauthorised occupation in view of Sec.2(g) of the P.P. Act.
6. That you are liable to pay the damages for wrongful use and occupation of the Public Premises upto the date of handing over of clear, vacant and unencumbered possession to the Port Authority.

X

Please see on reverse

:2:

A copy of the reasoned order No. 12 dated 03.08.2021 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 **Shri Khaderan Ahir & his family members of Quarters No H/15 & 16, Block No:H, New Howrah Bridge Mazdoor Line, P.S. Golabari, Howrah - 711101** 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 **Shri Khaderan Ahir & his family members of Quarters No H/15 & 16, Block No. - H, New Howrah Bridge Mazdoor Line, P.S. Golabari, Howrah - 711101** 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

Quarter No H/15 & 16, at New Howrah Bridge Mazdoor Line, Block No H, P.S. Golabari, Howrah - 711101 is butted and bounded in the manner as follows:

On the North by : Boundary Wall.

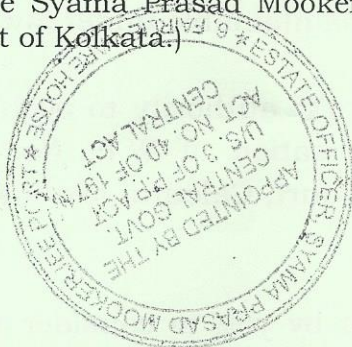
On the South by : Block No. A at New Howrah Bridge Mazdoor Line.

On the East by : : Block No. J at New Howrah Bridge Mazdoor Line.

On the West by : : Block No. G at New Howrah Bridge Mazdoor Line.

Trustee's means the Syama Prasad Mookerjee Port, Kolkata (erstwhile the Board of Trustees for the Port of Kolkata.)

Dated: 04/08/2021



*Syama Prasad Mookerjee*  
Signature & Seal of the  
Estate Officer.

SERVICE TO KOLKATA PORT TRUST THROUGH THE LABOUR ADVISOR & INDUSTRIAL RELATIONS OFFICER, SYAMA PRASAD MOOKERJEE PORT, KOLKATA FOR INFORMATION.



## Estate Officer, Kolkata Port Trust

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

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Order Sheet No. 11

### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Shri Khaderan<sup>VS</sup> Ahir & His Family Members

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03.08.2021

#### FINAL ORDER

The matter is taken up today for delivering the final order. The chain of events leading to the proceedings is required to be put forth in a nutshell for a clear understanding of the issues involved in this matter. It is the case of **Syama Prasad Mookerjee Port, Kolkata** [earstwhile Kolkata Port Trust/ KoPT (hereinafter referred to as 'SMPK'), applicant herein, that **Shri Khaderan Ahir**, hereinafter referred to as the 'opposite party'/ 'O.P.' has lost his authority to occupy the public premises after his dismissal from the Trustees' service and that O.P. is occupying the public premises wrongfully after such dismissal. It is pointed out by SMPK that SMPK's residential quarters No. H/15 & 16, situated at New Howrah Bridge Mazdoor Line, P.S. Golabari, Howrah - 711101 was allotted to Shri Khaderan Ahir, (O.P.) during his service as an employee under the Board of Trustees of the Port of Kolkata. The O.P. was dismissed from SMPK's service w.e.f. 25.05.2016 and as per Rule 5(ii)/ 5(iii) of the Rules governing the Commissions Residential Accommodation for Class- IV employees, the allotment of the quarter, being the public premises in question, stand cancelled. Thereafter O.P. prefers to continue in occupation wrongfully. This Forum of Law formed its opinion to proceed against O.P. and issued the Show Cause Notice under Section 4 of the Act, for adjudication of the prayer for order of eviction dated 02.03.2020 (vide Order no 01 dated 28.02.2020), under the relevant provisions of the Act and rules made thereunder. The O.P. submitted his reply in response to the Show Cause Notice by filing objections dated 01.02.2021. It is submitted by the O.P. that O.P. has preferred an appeal under Part V, Regulation 15 (ii) under Calcutta Port

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



## Estate Officer, Kolkata Port Trust

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

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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

**VS**  
Shri Khaderan Alvir & His Family Members

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03.08.2021

Trust Employees' (Classification Control and Appeal) Regulations, 1987 before the Learned Deputy Chairman, being the Appellate Authority under the Kolkata Dock System, Ministry of Surface Transport (Port Wing), Kolkata Port Trust and ultimately, the Learned Deputy Chairman vide Order dated 07.06.2018 rejected the appeal dated 16.08.2016 preferred by the O.P., as no ground for interference with the Order of the Disciplinary Authority dated 25.05.2016 was found. It is submitted by the O.P. that against the Order of the Appellate Authority dated 07.06.2018, O.P. filed a writ petition being W.P. No 20664 (W) of 2018 before the Hon'ble High Court, Calcutta and the same is pending for adjudication. It is the case of O.P. that the O.P. is not an unauthorised occupant of the quarters No. H/15 & 16 on the ground of filing of the said writ petition being W.P. No 20664 (W) of 2018, as the matter is sub-judice before the Hon'ble Court. It is contended by the O.P. that his service is not determined as he has challenged the Order of the Appellate Authority dated 07.06.2018 before the Hon'ble High Court, Calcutta and until such matter is decided, he has every authority to occupy the quarters, being the public premises in question and not liable to pay any Damages for such use and occupation thereof.

It appears that the main issue around which the entire case revolves is whether the matter of pendency of the said Writ Petition bearing no W.P. No 20664 (W) of 2018 before the Hon'ble High Court, Calcutta could come into play in favour of O.P., granting him the right to hold on to the quarters/ public premises as authorized occupant or not.

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TRUST, KOLKATA  
DATE: 03/08/2021

*[Handwritten signature]*



## Estate Officer, Kolkata Port Trust

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

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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Shri Khaderan <sup>VS</sup> Ahir & His Family Members.

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03.08.2021

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HEAD ASSISTANT  
OFFICE OF THE LD. ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT

After careful consideration of all relevant papers/documents as brought before me during the course of hearing and submissions/ arguments made on behalf of the parties through their respective applications, I find that following issues have come up for my consideration:

- 1) Whether proceedings against O.P. is maintainable under P.P. Act or not.
- 2) Whether pendency of dispute of the parties before the Hon'ble High Court or any other competent court of law could be considered as a bar to proceed under P.P. Act or not.
- 3) Whether the contention of O.P. that no effective determination from his service has taken place on the ground of his challenge itself, against the Order of dismissal passed by the Appellate Authority dated 07.06.2018, before the Hon'ble High Court at Calcutta has got any merit in the eye of Law or not.
- 4) Whether O.P. has authority to occupy the Quarters/ Public Premises till the adjudication in W.P. No 20664 (W) 2018 is over by the Hon'ble High Court, Calcutta or not.
- 5) Whether SMPK can claim rental dues/damages from O.P. for occupation of the public premises or not.

Issues No.1 & 2 are taken up together for convenient discussion as the issues are related to each other.

Properties owned and controlled by the Port Authority



## Estate Officer, Kolkata Port Trust

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

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Premises (Eviction of Unauthorised Occupants) Act, 1971 and Section-15 of the Act puts a complete bar on Court's jurisdiction to entertain any matter relating to eviction of unauthorized occupants from the public premises and recovery of rental dues and/or damages, etc. SMPK has come up with an application for declaration of O.P's status as unauthorized occupant in to the public premises with the prayer for order of eviction, recovery of rental dues and damages against O.P. on the grounds of revocation of licence or determination of lease or termination of authority to occupy the premises as earlier granted to O.P. in respect of the premises in question. So far as the property of the Port Authority is coming under the purview of "public premises" as defined under the Act, adjudication process by serving Show Cause Notice/s u/s 4 & 7 of the Act is very much maintainable and there cannot be any question about the maintainability of the proceedings before this Forum of Law. In fact, proceedings before this Forum of Law are not statutorily barred unless there is any specific order of stay of such proceedings by any competent court of law. To take this view, I am fortified by an unreported judgment of the Hon'ble High Court, Calcutta delivered by Hon'ble Mr. Justice Jyotirmay Bhattacharya on 11.03.2010 in Civil Revisional Jurisdiction (Appellate Side) being C.O. No. 3690 of 2009 ( M/s Reform Flour Mills Pvt. Ltd. - Vs- Board of Trustees' of the Port of Calcutta) wherein it has been observed specifically that the Estate Officer shall have jurisdiction to proceed with the matter on merit even if there is an interim order of status-quo of any nature in respect of possession of any public premises in favour of anybody by the Writ Court.

Relevant portion of the said order is reproduced below:

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THE ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT

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Head Assistant  
OFFICE OF THE ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT



## Estate Officer, Kolkata Port Trust

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

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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

**VS**  
Shri Khaderan Ahir & His Family Members.

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03-08-2021

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"In essence the jurisdiction of the Estate Officer in initiating the said proceedings and/or continuance thereof is under challenge. **In fact, the jurisdiction of the Estate Officer either to initiate such proceedings or to continue the same is not statutorily barred.** As such, the proceedings cannot be held to be vitiated due to inherent lack of jurisdiction of the Estate Officer.

The bar of jurisdiction, in fact, was questioned because of the interim order of injunction passed in the aforesaid proceedings".

Hon'ble Division Bench of Calcutta High Court had the occasion to decide the jurisdiction of the Estate Officer under P.P. Act in Civil Appellate Jurisdiction being MAT No.2847 of 2007 (The Board of Trustees of the Port of Kolkata and Anr -vs- Vijay Kumar Arya & Ors.) reported in Calcutta Weekly Note 2009 CWN (Vol.113)-P188 The relevant portion of the judgment (Para-24) reads as follows:-

"The legal issue that has arisen is as to the extent of Estate Officer's authority under the said Act of 1971. While it is an attractive argument that it is only upon an occupier at any public premises being found as an unauthorized occupant would he be subject to the Estate Officer's jurisdiction for the purpose of eviction, the intent and purport of the said Act and the weight of legal authority that already bears on the subject would require such argument to be repelled. Though the state in any capacity cannot be arbitrary and its decisions have always to be tested against Article 14 of the Constitution, it is generally subjected to substantive law



## Estate Officer, Kolkata Port Trust

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VS  
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similar circumstances. That is to say, just because the state is a Landlord or the state is a creditor, it is not burdened with any onerous covenants unless the Constitution or a particular statute so ordains".

I have applied my mind to the Judgment and order passed by the Division Bench of Calcutta High Court, particularly to the paragraphs 28 and 29 regarding the duty cast upon the Estate Officer under P.P. Act, dealing with the scope for adjudication process. The relevant portion of the judgment is reproduced below :-

Para -28 "After the Ashoka Marketing case the question that is posed here should scarcely have arisen. Any further doubt is now settled by the Nusli Neville Wadia judgment. Though an Estate Officer under the said Act is not required to be versed in law, he has sufficient powers to decide the question as to whether a noticee u/s 4 of the said Act is an unauthorised occupant and it is adjudication of such score against the noticee that will permit him to proceed to evict the occupant adjudged to be unauthorised. **Just as in the case of any Land Lord governed by the Transfer of Property Act such land lord would have to justify his decision to determine the lease or terminate the authority of the occupier to remain in possession in a Civil suit instituted either by the Land Lord for eviction or by the Lessee or occupier to challenge the notice, so is it with a statutory authority land lord under the said Act of 1971. The said Act merely removes the authority of the Civil Court to adjudicate such issue and places it before an Estate Officer under the said Act to decide the matter in summary proceedings.** The Estate Officer has to look into all materials before him and, in fit cases, receive oral evidence before he can

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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

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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

**VS**  
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Hse. Asstt.  
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arrive at a conclusion as to whether the noticee u/s 4 of the said Act is in unauthorised occupation of the Public Premises. If he holds that the noticee is, indeed, an unauthorised occupant he proceeds to remove the noticee and his belongings from the Public Premises; if he finds that the noticee is entitled to continue in possession, the matter is over. **It is only the entire scope of adjudication on such issues that it removed from a Civil Court and is placed before the estate officer; the substantive law under the Transfer of the Property Act may still be cited before the estate officer and taken into account by him for the purpose of his adjudication.** The usual process under the Civil Procedure Code is merely substituted by a summary procedure before the estate officer. The only difference is that the lessee or occupier of any Public Premises may not bring a matter before the estate officer of his own accord, such lessee or occupier only defend his position as respondent if the estate officer is moved by the statutory authority landlord”

Para-29 “ ..... As in a Civil suit that a landlord would be required to institute if the lessee or occupier did not pay heed to a notice to quit, **so would a statutory authority landlord be liable to justify, before the estate officer, its decision to determine the lease or revoke the occupier’s authority to remain in possession of the Public Premises.** It is not an Anamallai Club situation where a notice to quit is issued the previous moment and bulldozers immediately follow”.

In view of the authoritative decisions as cited above, I have no hesitation in my mind to decide the issue in



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Issues No. 3 & 4 are also taken up together as the issues are related to each other.

An interesting submission has been made on behalf of O.P. that his service has not been effectively determined as he has challenged the Dismissal Order of the Appellate Authority dated 07.06.2018, before the Hon'ble High Court, Calcutta and until such matter is decided by the Hon'ble Court, he has authority to occupy the quarters being the public premises in question. It was submitted that he is not at all liable to pay any Damages to SMPK for such unauthorised use and occupation thereof.

I have to consider the merit/legality of such submissions.

P.P. Act was enacted to provide speedy machinery for recovery of possession of public premises from the unauthorized occupation of wrongdoer and for recovery of arrear rental dues, damages for wrongful use and occupation and other matters connected with or incidental to the "public premises". The fundamental consideration for assumption of jurisdiction by this Forum of Law is whether the property in dispute comes under the purview of the public premises as defined under the Act or not. There is no dispute about the applicability of the Act to the Port property as Port properties have been declared "public premises" under the P.P. Act. The question of deciding any matter on dispute regarding dismissal of service is definitely not coming under the purview of the Act. There are different competent Courts of Law/ Adjudicating

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*[Signature]*  
04/08/2021

*[Signature]*



## Estate Officer, Kolkata Port Trust

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

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VS

Shri Khaderan Ahir & His Family Members.

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Authorities to adjudicate the claim/dispute under such Social Security Legislations.

It appears from the objection filed by O.P. dated 01.02.2021 that O.P. has challenged the Order dated 07.06.2018, passed by the Learned Appellate Authority, before the Hon'ble High Court, Calcutta through a Writ Petition being W.P. No 20664 (W) 2018. However, nothing transpires from O.Ps' objections/ written statements, which are on record/put up to me for my perusal, regarding O.P's entitlement of the Quarters/ Public Premises till the Hon'ble High Court, Calcutta is pleased to take a decision on the matter in said W.P. No 20664 (W) 2018. No case has been made out by O.P. as to how this Forum of Law is competent to discontinue the present proceedings as alleged. In such circumstances, this Forum is constrained to reject the O.P's contention of 'authorised occupation' on the ground of pendency of the writ petition being W.P. No 20664 (W) 2018 before the Hon'ble Calcutta High Court.

To take this view, I have borrowed my support from the judgment of the Division Bench of the Madhya Pradesh High Court reported in AIR 1980 M.P. 1996 (D.B.). In that case, a somewhat similar situation arose before the Division Bench of Madhya Pradesh High Court where service of an employee occupying Govt. Company quarters was terminated and the order for termination of service was challenged before the Labour Court. It was contended on behalf of the employee that proceedings under P.P. Act for order of eviction from the quarters allotted to him cannot continue during pendency of the matter before the Labour Court. Relevant paras of the said judgment are reproduced below which are very much relevant in deciding the



**Estate Officer, Kolkata Port Trust**

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**BOARD OF TRUSTEES OF THE PORT OF KOLKATA**

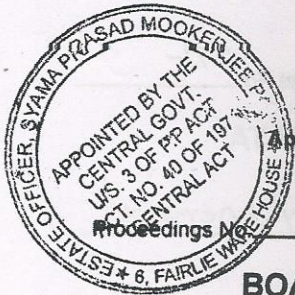
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“It was then contended by the Ld. Counsel that the definition of the expression “unauthorized occupation” as contained in the Public Premises Act must be so construed as not to cover a person, the validity of the order of termination of whose employment is pending adjudication in the Labour Court. We have already stated that the petitioner was allotted the quarters being an employee of the Company. The petitioner’s employment was terminated according to the Rules relating to allotment of the quarters, the petitioner ceases the right to occupy the quarters from the date of termination of his employment. **The order of termination passed against an employee has to be treated as valid until it is set aside by the Labour Court. The Estate Officer functioning under the Public Premises Act has no jurisdiction to decide upon the validity of termination of service of an employee. He has to proceed upon the footing that the termination of service is valid until set aside by the Labour Court. There is nothing in the definition of “unauthorized occupation” to which reference has already been made which may indicate that in such cases the Estate Officer will have no jurisdiction to evict a person from the quarters until the dispute relating to termination of service is finally decided by the Labour Court.**

.....  
.....  
..... The order of termination cannot, therefore, be ignored as void and inoperative. As earlier stated by us their termination is to be treated as valid and effective until it is set aside. The petitioner has, therefore, no authority to occupy the quarters till the order of termination is in force.”

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### Estate Officer, Kolkata Port Trust

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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Shri Khaderan VS  
Thir & His Family Members.

12  
03.08.2021

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The rationale of the aforesaid decision applies here also. **The Estate Officer functioning under the Public Premises Act has to proceed upon the foundation that the Dismissal of service is valid until set aside by any Competent Court of Law.**

Further, it appears from the **Clause 5(ii)** of the 'Rules governing the Commissioners' Residential Accommodation for Class IV Employees' that the Appropriate Authority of SMPK has the authority to cancel the allotment of quarter in case the employee is dismissed or removed from service. The relevant portion of the said Rule is reproduced below:

" 5. The allotment of quarters to any employee shall stand cancelled in any of the following cases, namely:-

.....  
.....(ii) If an employee retires, resigns or is dismissed or removed from service or is guilty of a criminal offence, or for any other reason whatsoever is considered by the appropriate authority to be an undesirable element.

(iii) If an employee dies....."

In view of the discussion above, I do not find any merit to the submissions made by O.P. in this connection as alleged. Hence, the issue is decided against O.P.

On issue No. 5, I am of the view that payment of requisite rent for occupation into a Public Premises is a normal rule of conduct and a land lord like SMPK/Port Authority is definitely entitled under law to recover the rental dues from the occupier /user of the premises. Admittedly, O.P. is in occupation and enjoyment of the Port Property being the Public Premises in question and



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Appointed by the Central Govt. Under Section 3 of the Public Premises  
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### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

VS  
Shri Khaderam Alur & His Family Members.

12

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

payment of requisite charges is opposed to Public Policy. To take this view I am fortified by a decision of the Division Bench of Hon'ble Calcutta High Court where a Railway servant occupying Railway Quarters has been transferred to another Railway Division and his occupation has been declared as unauthorised from the date of order of transfer and not from the issue of Show Cause Notice u/s 4 of the Act. (69 CAL.W.N. 1035 DB). Occupation of a residential quarters allotted to an employee during tenure of his service is nothing more than a conditional licence and the employee has no authority under law to occupy the quarter after dismissal from the service of the employer. In the facts and circumstance of the case, SMPK is well within its jurisdiction under law to demand for possession of the quarters after O.P.'s dismissal from the Trustees' service. There is no scope to question the validity or legality of the present application of SMPK, demanding possession from O.P. and O.P. is liable to pay damages for wrongful use and enjoyment of the Port Property in question. The issue is thus decided in favour of SMPK.

NOW THEREFORE, the logical conclusion which could be arrived at that SMPK's prayer for order of eviction u/s 5 of the Act is hereby allowed on the following grounds/reasons:-

1. That proceedings against O.P. is maintainable under law.
2. That O.P.'s contention regarding O.P.'s authority to occupy the Quarters/ Public Premises until the adjudication of W.P. No 20664 (W) 2018 pending before the Hon'ble High Court, Calcutta is not sustainable under law.
3. That no case has been made out by O.P. to consider the occupation of O.P. as "authorized occupation".



## Estate Officer, Kolkata Port Trust

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

1777/L

Of

2020

Order Sheet No.

23

### BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Shri Khaderan <sup>VS</sup> Alir & His Family Members

12

03.08.2021

By Order of:  
THE ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT  
CERTIFIED COPY OF THE ORDER  
ISSUED BY THE ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT  
Head of Section  
OFFICE OF THE ESTATE OFFICER  
SYAMA PRASAD MOOKERJEE PORT

4. The O.P. has failed to bear any witness or adduce any evidence in support of his "authorized occupation".
5. That O.P's occupation has become unauthorised occupation in view of Sec.2(g) of the P.P. Act.
6. That O.P. is liable to pay the damages for wrongful use and occupation of the Public Premises upto the date of handing over of clear, vacant and unencumbered possession to the Port Authority.

ACCORDINGLY, Department is directed to draw up formal order of eviction u/s. 5 of the Act as per Rule made thereunder, giving 15 days time to 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 SMP, Kolkata is entitled to claim damages for unauthorized use and occupation of the public premises upto the date of recovery of possession in accordance with law.

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL

*Paromita Ghosh Majumdar*  
(Paromita Ghosh Majumdar)  
ESTATE OFFICER.

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