

ESTATE OFFICER

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 (1st FLOOR, OLD BUILDING)

KOLKATA-700 001

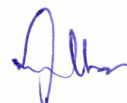
Proceedings No. 1289/R of 2012
Order no. 28 Dated 11.07.2017

To
Bharat Sanchar Nigam Ltd.,
Telecom Factory, Gopalpur,
71/7, B.B.T. Road
P.O. Sarkarpool,
Kolkata- 700 143

AND Any person/s interested in the property
Described under the Schedule below

WHEREAS, Proceedings against Bharat Sanchar Nigam Ltd., the O.P. herein, have been initiated u/s 7 of the P.P. Act for adjudication of the prayer of Kolkata Port Trust (KoPT) for recovery of arrear rent and taxes in respect of Kolkata Port Trust's land measuring 3262.568 sq.m. (Plate No. D-273/2) or thereabouts is situated at Transport Depot Road Thana- Taratala Police Station, Kolkata, Dist 24 Parganas (South) Registration District- Alipore, morefully describe in the schedule below.

AND WHEREAS, it is evident from record that although the Show Cause Notice issued u/s 7 of the PP Act, 1971 has been duly served upon O.P. at the recorded address but the BSNL Authority denied to have occupied the said plot of land at any material time and submitted that the land was occupied by the Chief Controller of Telegraph Stores, Post and Telegraph Department and that



Telecom/ Telegraph Stores and Telecom Factory are separate entity.

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 10.08.2017 and to appear before me on 10.08.2017 at **12 noon** 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 3262.568 sq.m. (Plate No. D-273/2) or thereabouts is situated at Transport Depot Road Thana- Taratala Police Station, Kolkata, Dist 24 Parganas (South) Registration District- Alipore. It is bounded on the North partly by Trustees' vacant Land previously occupied by Indian Post and Telegraph Department, on the South by the Trustees' land occupied by "The Chief Controller of Telegraph Stores, Post and Telegraph Department" and on the East partly by Trustees' vacant land and partly by Trustees' land occupied by "The Chief Controller of Telegraph Stores, Post and Telegraph Department" on the West by the Trustees' vacant land occupied previously occupied by India Post & Telegraph Department Trustees mean The Board of Trustees of the Port of Calcutta.

GIVEN UNDER MY HAND AND SEAL


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Proceedings No. 1289/R Of 2012 Order Sheet No. -23-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Bharat Sanchar Nigam Limited ^{VS}

27
30-05-17

Present: R. Biswas, Resolution Officer (Legal)
&
S. Chattopadhyay, Law Officer
For Kolkata Port Trust (KoPT)

A.K. Barman, Accounts Officer,
(Legal & Budget)

Mr. A.K. Barman, Accounts Officer (Legal & Budget) of Chief General Manager, Telecom Stores, at 3A Chowringhee Place, Kolkata-700013 appears and submits that the subject land does not fall under their office and hence they could not throw any light regarding the outstanding rental dues payable to KoPT.

Representative of KoPT vide its application being Lnd.4423/III/(Loose)/17/1398 dated 30.05.2017 confirms that the present address of O.P. is at M/s. Bharat Sanchar Nigam Limited, Telecom Factory, Gopalpur, 71/7 B.B.T Road P.O. Sarkarpool, Kolkata-143. KoPT further submits that they have personally visited the office of O.P. at 3A, Chowringhee Place, 5th Floor, Kolkata-700013 and met Mr. Biswanath Mondol, AGM(ADMIN) when he said that he has no proper information whether the instant proceeding is related with his section as well as his concerned Department.

Heard the submissions and considered the matter. Department is directed to place the file before me for passing necessary order. All concerned are directed to act accordingly.

BY ORDER OF
THE ESTATE OFFICER
KOLKATA PORT TRUST

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
KOLKATA PORT TRUST

HEAD ASSISTANT
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST


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. 1289/R Of 2012 Order Sheet No. -24-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Bharat Sanchar Nigam Limited ^{VS}

28

13-07-2017

11-07-2017

File is requisitioned from the department. It reveals from the record that on 11.04.2017 an application was filed by O.P. in which they have disowned the notice under Section 7 of the PP Act, stating that the land mentioned in the schedule was never occupied by telecom Factory, Gopalpur. It was further stated in the said application that the schedule of land relating to the instant proceeding was occupied by the Chief Controller of Telegraph Stores, Post and Telegraph Department and that Telecom/Telegraph Stores and Telecom Factory are separate entity.

But, KoPT vide its application being Lnd.4423/III/(Loose)/17/1398 dated 30.05.2017 confirms that the present address of O.P. is M/s. Bharat Sanchar Nigam Limited, Telecom Factory, Gopalpur, 71/7 B.B.T Road P.O. Sarkarpool, Kolkata-143.

The Department of this Office also made several attempts to serve the Notice under Section 7 upon O.P. at the addresses mentioned by KoPT and the address mention by the representative of BSNL who appeared on different hearing dates but could not throw any light regarding the instant proceedings and gave different addresses to this Forum.

In the aforesaid premises, Department is directed to publish a notice in a local English Daily Newspaper in classified column at the earliest to intimate O.P. regarding the pendency of the present proceeding and directing O.P. to

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THE ESTATE OFFICER
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CERTIFIED COPY OF THE ORDER
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KOLKATA PORT TRUST

HEAD ASSISTANT
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST

[Signature]



Estate Officer, Kolkata Port Trust

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

1289/R

Of 2012 Order Sheet No. -25-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Bharat Sanchar ^{VS} *Nigam Limited*

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11.07.2017

appear before this Forum for showing cause/hearing etc, failing which the matter will be decided without any further reference. The matter will come up for hearing/consideration etc on 10.08.2017 at 12 noon. All concerned are directed to act accordingly.

(A. Chaudhuri)

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BY ORDER OF
THE ESTATE OFFICER
KOLKATA PORT TRUST

CERTIFIED COPY OF THE ORDER
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KOLKATA PORT TRUST

HEAD ASSISTANT
OFFICE OF THE LD. ESTATE OFFICER
KOLKATA PORT TRUST

21.07.2017