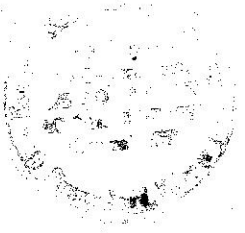


51C



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
1st Floor, 6, Fairlie Place Warehouse,
Kolkata-700001

Court Room At the 1st Floor
6, Fairlie Place Warehouse

Form "E"

PROCEEDINGS NO.1472/R OF 2015
ORDER NO. 07 DATED: 19.09.2019

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

To
M/s. Kamal Iron & Steel Co.,
20, Maharshi Debendra Road,
Kolkata-700007.

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

AND WHEREAS, by written notice dated 23.10.2017 you were
called upon to show cause on/or before 13.11.2017 why an order
requiring you to pay a sum of Rs. 7,29,343.00/- (Rupees Seven
Lakhs Twenty Nine Thousand Three Hundred and Forty Three
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. 7,29,343.00/- (Rupees Seven Lakhs Twenty Nine
Thousand Three Hundred and Forty Three only.) for the period
01.11.1996 to 14.03.2012 (both days inclusive) to Kolkata Port
Trust by 30.09.2019

PLEASE SEE ON REVERSE

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 @ 7 % 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 incurrance 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. 460 sqm or thereabouts situated at Riverside Road, Shibpur, Howrah, PO.S. Shibpur, Dist. & Registration District- Howrah under Plate No. HL-348/3 and SF-105/15. It is bounded on the North by the Trustees' Land occupied by Dalchand Omprakash, partly Trustees Land occupied by Ashoka Steel Industries and partly occupied by M/s. Atul Enterprise, on the South by the Trustees' Land partly occupied by M/s. Ganesh Iron Trading Co. and partly occupied by Riverside Road, on the East partly by the Trustees' Land occupied by M/s. Ashoka Steel Industries and partly Trustees' land occupied by M/s. Atul Enterprise , on the West by the Trustees' land allotted to M/s. Ganesh Iron Trading Co.

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

Dated: 19.09.2019


Signature and seal of the

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. 1472/R Of 2015 Order Sheet No. 08

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Kamal Iron & Steel Co

VS

(Plate no. - HL 348/3 & SF 105/15)

FINAL ORDER

The instant proceedings arises out of the application dated 12.03.2014 filed by Kolkata Port Trust (KoPT), Applicant herein, praying for recovery of rental dues, interest etc against M/s. Kamal Iron & Steel Co., 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 460 sqm at Riverside Road, Shibpur, Howrah, P.S. Shibpur, Dist. and Registration Dist.- Howrah under Plate No. HL-348/3 and Sf-150/12 was allotted to the O.P. by the Port Authority on license basis. It has been claimed that O.P. failed to pay monthly license fees and taxes as also interest as applicable as per KoPT rules and have unauthorisedly parted with possession to rank outsiders. As per KoPT, O.P. was required to liquidate the outstanding dues/charges and to remove the unauthorized sub-letting in terms of the Final Notice dated 13.07.2011 served upon O.P. Thereafter, the representative of KoPT took over possession of the subject premises on 14.03.2012.

The instant Proceeding No. 1472/R of 2017 is for adjudication of application being No. Lnd.3949/3/14/3472 dated 12.03.2014 submitted by Kolkata Port Trust (KoPT), the Applicant herein, praying for order for recovery of arrear rent, taxes, along with interest from M/s. Kamal Iron & Steel Co., O.P. herein.

This Forum of Law issued show cause notice under Section 7 of the PP Act to O.P. dated 23.11.2017 for the purpose of initiation of adjudication process as envisaged under the Act. It reveals from record that the Notice under Section 7 has been returned from the postal Department with the acknowledgement 'Not Known' which was sent 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 Times Of India" on 03.01.2018. As no one appeared on behalf of O.P. or any person interested in this proceedings inspite of publication of

07 07
19.09.2019

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. 1472/R Of 2015 Order Sheet No. 07

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s. Kamal Iron VS Steel Co.

06
12.01.2018


20.2.18

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

No one appears on behalf of O.P. inspite of publishing the Notice under Section 7 in the Local Daily newspaper (Times of India) on 03.01.2018. The same was also published in the website of Kolkata Port Trust but none appeared before this Forum to represent the instant proceeding.

Representative of KoPT submits that the O.P. defaulted in liquidating the rental dues/charges payable to KoPT. KoPT prays before this Forum for recovery of the rental dues/charges from O.P. which is to the tune of Rs. 7,29,343/-.

Heard the submissions and considered the matter. In the above facts and circumstances, let final order be reserved. All concerned are directed to act accordingly.


(S. Sinha)
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.

472/R

Of 2015

Order Sheet No.

— 99 —

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

VS

(Plate no. #2348/3 B SF 105/15)

M/s Kamal Iron & Steel Co.

07

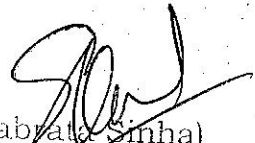
19.09.2019

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. 7,29,343.00/- for the period 01.11.1996 to 14.03.2012 (both days inclusive), directing O.P. to pay the amount on or before 30.09.2019 and it is hereby ordered that O.P. shall make payment of the aforesaid sum to KoPT by 30.09.2019. In terms of Section 7 (2-A) of the PP Act, 1971, such dues attract simple interest @ 7 % 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***

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. _____ Of _____ Order Sheet No. _____

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

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