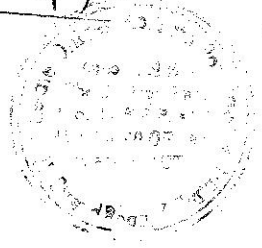


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HAND DELIVERY
AFFIXATION ON PROPERTY

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
Kolkata- 700 001.

REASONED ORDER NO. 10 DT 09.12.2019
PROCEEDINGS NO.1760 OF 2019

BOARD OF TRUSTEES OF THE PORT OF KOLKATA
-Vs-
M/s. Biecco Lawrie Ltd And
M/s. Balmer Lawrie & Co. Ltd. (Added Party)

Handwritten notes and stamps: S.D. 09.12.2019, HE-D-8885/19, OFFICE OF THE ESTATE OFFICER, KOLKATA PORT TRUST

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 M/s. Biecco Lawrie Ltd, OF 6, Mayurbhanj Road, Kolkata-700023 is in unauthorized occupation of the Public Premises specified in the Schedule below:

REASONS

1. That this Forum of Law is well within its jurisdiction to adjudicate upon the matters relating to eviction and recovery of arrears of rental dues/damages etc. as prayed for on behalf of KoPT and the Notice/s issued by this Forum are in conformity with the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act 1971.
2. That O.P. is unauthorized occupant from the very inception viz., 01.10.2005 and O.P is liable to pay damages for their unauthorized use of the subject land msg. 30249.17 sq. mt. or thereabouts under Plate No. D-301 (excluding the area 17766.53 sq. mt.) is situated at Hide Road Extension at the crossing of Hide Road and Hoboken Road under the jurisdiction of Taratala Police Station.
3. That in view of the Notice dated 22.10.2018 where the Ministry of Petroleum and Natural Gas, Government of India had intimated vide its letter dated 16.10.2018, the decision of the Cabinet Committee on Economic Affairs(CCEA) in its meeting held on 10.10.2018 for closure of Biecco Lawrie Limited(O.P., herein) in a time bound manner.

PLEASE SEE ON REVERSE

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4. That O.P. vide its application being Ref :BLL:MDO:KoPT: 2019-20 DATED 19.09.2019 expressed its deliberation and intent to hand over the subject land to KoPT.

5. That O.P's occupation has become unauthorised in view of Sec. 2(g) of the P.P. Act and O.P. is liable to pay damages for unauthorised use and enjoyment of the Port Property in question upto the date of handing over of clear, vacant and unencumbered possession to the Port Authority.

A copy of the reasoned Order No. 10 dated 09.12.2019 is attached hereto which also forms a part of the reasons.

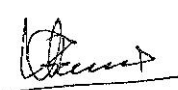
NOW, THEREFORE, in exercise of the powers conferred on me under Sub-Section (1) of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, I hereby order the said **M/s. Biecco Lawrie Ltd, OF 6, Mayurbhanj Road, Kolkata-700023** and all persons who may be in occupation of the 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 **M/s. Biecco Lawrie Ltd, OF 6, Mayurbhanj Road, Kolkata-700023** 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

The said piece or parcel of land Msg. about 30249.17 Sq.mt under Plate No. D-301 (excluding the area 17766.53 sq. mt.) or thereabouts is situated at Hide Road Extension at the crossing of Hide Road and Hoboken Road under the jurisdiction of Taratala Police Station, District : 24 Parganas (South). It is bounded on the North by the Trustees' land occupied by West Bengal State Warehousing Corporation, On the South Trustees' land occupied by ONGC & Trustees' vacant land, On the East Trustees' land occupied by Balmer Lawrie & Co. Ltd. and On the West Trustees' Road (Hide Road Extn.) Trustees' means the Board of Trustees of the Port of Kolkata.

Dated: 09.12.2019

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09.12.2019



Signature & Seal of the
Estate Officer.

OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST

COPY FORWARDED TO THE ESTATE MANAGER/CHIEF LAW OFFICER, KOLKATA PORT TRUST FOR INFORMATION.

REGISTERED POST WITH A/D.
HAND DELIVERY
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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

Form G

Court Room At the 1st Floor
6, Fairlie Place Warehouse
Kolkata- 700 001.

PROCEEDINGS NO.1760/D OF 2019
ORDER NO. 10 DATED: 09.12.2019

BOARD OF TRUSTEES OF THE PORT OF KOLKATA
-Vs-

**M/s. Biecco Lawrie Ltd And
M/s. Balmer Lawrie & Co. Ltd. (Added Party)**

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

To
M/s. Biecco Lawrie Ltd,
6, Mayurbhanj Road,
Kolkata-700023.

AND

M/s. Balmer Lawrie & Co. Ltd.
21, Netaji Subhash Road,
Kolkata-700001.

09.12.2019
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST

Whereas I, the undersigned, am satisfied that M/s. Biecco Lawrie Ltd, is in unauthorised occupation of the public premises mentioned in the Schedule below:

And whereas by written notice dated 25.09.2019 you were called upon to show cause on/or before 01.10.2019 why an order requiring you to pay damages of Rs.18,10,51,176.65/- (Rupees Eighteen Crores Ten Lakhs Fifty One Thousand One Hundred Seventy Six and paise Sixty Five only.) together with compound interest for unauthorised use and occupation of the said premises, should not be made.

And whereas I have considered your objection and/or the evidence produced by you.

Now, therefore, in exercise of the powers conferred on me by Sub-section (2) of Section 7 of the Public Premises(Eviction of Unauthorised Occupants) Act 1971, I hereby order you to pay the sum of Rs.18,10,51,176.65/- (Rupees Eighteen Crores Ten Lakhs Fifty One Thousand One Hundred Seventy Six and paise Sixty Five only.) for the period 01.10.2005 to 31.08.2019 assessed by me as damages on account of your unauthorised occupation of the premises to Kolkata Port Trust by 21.12.2019.

PLEASE SEE ON REVERSE

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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 @18% per annum upto 06.04.2011 and thereafter @ 14.25% per annum on the above sum till its final payment in accordance with Kolkata Port Trust Notification Published in Calcutta Gazettee/s as per Kolkata Port Trust's Rule.

In the event of your refusal or failure to pay the damages within the said period or in the manner aforesaid, the amount will be recovered as an arrear of land revenue.

SCHEDULE

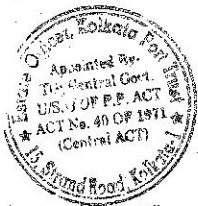
The said piece or parcel of land Msg. about 30249.17 Sq.mt or thereabouts under Plate No. D-301 (excluding the area 17766.53 sq. mt.) is situated at Hide Road Extension at the crossing of Hide Road and Hoboken Road under the jurisdiction of Taratala Police Station, District : 24 Parganas (South). It is bounded on the North by the Trustees' land occupied by West Bengal State Warehousing Corporation, On the South Trustees' land occupied by ONGC & Trustees' vacant land, On the East Trustees' land occupied by Balmer Lawrie & Co. Ltd. and On the West Trustees' Road (Hide Road Extn.) Trustees' means the Board of Trustees of the Port of Kolkata.

Dated: 09.12.2019



Signature and seal of the
Estate Officer.

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OFFICE OF THE
ESTATE OFFICER
KOLKATA PORT TRUST
09.12.2019



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. 1760, 1760/D of 2019 Order Sheet No. -11-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

(Plate no. D-301)

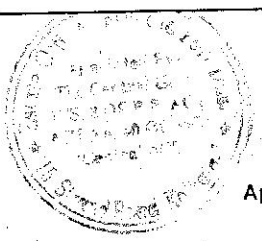
M/s Biecco Lawrie Ltd & M/s Balmer Lawrie & Co Ltd.

FINAL ORDER

The matter is taken up today for passing final order. The brief summary of the instant case is required to be discussed in a nut shell to understand the chain of events. It is the case of Kolkata Port Trust (KoPT), the applicant herein, that land measuring about 48015.70 sqm or there-about situated at the crossing of Hide Road & Hoboken Road, comprised under Plate no. D-301 was allotted to M/s Balmer Lawrie & Co. Ltd, the A.P. herein, on certain terms and conditions as long term (30 years) lessee in respect of the property in question and the said long term lease expired on 31.07.1991. After the expiry of the said lease M/s Balmer Lawrie & Co. Ltd.(A.P.) requested for further renewal of lease vide their letter dated 15.10.1992. The said request was not considered by KoPT as M/s. Balmer Lawrie & Co. (A.P.) admitted to have committed unauthorized construction and parted with possession to M/s. Biecco Lawrie Ltd. (O.P. herein) of land Msg. 30249.17 Sq.m out of the total leased area of 48015.70 Sq.m. earlier allotted to M/s Balmer Lawrie & Co. Ltd. Thereafter the matter was referred to the Cabinet Committee on Disputes (hereinafter referred as COD) and in accordance with direction of the COD on 28.08.1997, a Secretarial level meeting was held by the Secretary, Ministry of Petroleum and Natural Gas and Ministry of Surface Transport. The said meeting was held on 28.06.1999, when decisions were taken for resolving the issues related to M/s. Balmer Lawrie & Co. (A.P.) and M/s. Biecco Lawrie Ltd. (O.P.). In the said meeting the two Ministries came to a decision and an offer was made to both the parties vide letter dated 29.07.1999. In line with the said decision, KoPT made a fresh offer with Financial Terms and Conditions to M/s. Balmer Lawrie Ltd. The offer was never accepted by M/s. Balmer Lawrie Ltd.

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09.12.2019

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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. 1760, 1760/D Of 2019 Order Sheet No. -12-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd & M/s Balmer Lawrie & Co Ltd. ^{VS}

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09.12.2019

Thereafter, another offer letter was issued to M/s. Balmer Lawrie Ltd. with a copy to M/s. Biecco Lawrie Ltd. (O.P.) vide office letter No. Lnd.4150/A/VII/14/3379 dated 26.02.2014. In Clause 'H' of the said offer it has been clearly spelt out the rate of rent applicable w.e.f. 01.10.2005 i.e. from the date of surrender of the proportionate area of the occupation by M/s. Biecco Lawrie Ltd. and thereafter to be paid by M/s. Biecco Lawrie Ltd. It was also informed by KoPT vide such offer letter that the payments to be made by M/s. Biecco Lawrie Ltd. will be as per applicable SOR in line with COD's decision for applicability of current Terms and Conditions for transfer of lease.

It is stated by KoPT that M/s. Biecco Lawrie Ltd. (O.P. herein) did not accept the said offer and disputed the date of rent vide their letter dated 30.05.2014. Subsequently, when M/s. Biecco Lawrie registered itself u/s 15(1) of Sick Industrial Company (Special Provisions) Act, 1985, KoPT contested the matter and claimed its dues of Rs. 4,96,13,427.00 payable by O.P. herein. Thereafter, another fresh offer for renewal of lease was given to M/s. Balmer Lawrie Ltd. (A.P. herein) wherein an option was allowed to exercise by M/s. Balmer Lawrie Ltd. to transfer an area of land msg. 30249.17 Sq.m (out of the total area msg. 48015.70 Sq.m under Plate No. D-301) to M/s. Biecco Lawrie Ltd. (O.P. herein w.e.f. 01.10.2005. In the said KoPT's offer an area Msg. 17766.53 Sq.m was allowed to retain by M/s. Balmer Lawrie Ltd. w.e.f. 01.10.2005.

M/s. Balmer Lawrie Ltd. accepted the offer of such renewal of lease from 01.08.1991 till 30.09.2005 for the entire occupation of the land Msg. 48015.70 Sq.m till the date of surrender of land Msg.30249.17 Sq.m to M/s. Biecco Lawrie w.e.f 30.09.2005. Therefore, M/s. Balmer Lawrie Ltd. accepted the retention of land Msg. 17766.53

[Signature]

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. 1760, 1760/D of 2019 Order Sheet No. 13

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd. ^{VS} & M/s Balmer Lawrie & Co. Ltd.

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09.12.2019

Sq.m w.e.f. 01.10.2005 and to pay the proportionate rent for the said area of land.

It is the case of KoPT that M/s. Biecco Lawrie Ltd. (O.P. herein) failed to surrender the area of land Msg. 30249.17 Sq.m under Plate No. D-301 (excluding the area 17766.53 sq. mt.), which they are occupying unauthorisedly.

An application dated 01.08.2019 was filed by KoPT before this Forum of Law with the prayer to issue order of eviction against Biecco Lawrie Ltd., O.P. herein and for realization of dues and damages etc. In the said application, KoPT has stated that the O.P. is not willing to clear the outstanding dues of KoPT w.e.f. 01.10.2005 and also failed to surrender the area under their unauthorized occupation msg. 30249.17 sq. mt. and therefore the applicant herein (KoPT) is entitled to have the O.P. evicted from the said Trustees Land situated at the junction of Hide Road Extension and Hoboken Road under Plate No. D-301 (excluding the area 17766.53 sq. mt.) and also entitled to arrear dues/charges for wrongful use and occupation of the Public Premises.

This Forum of Law formed its opinion to proceed against O.P. under the relevant provisions of the P.P. Act and issued two Show Cause notice/s under Sec. 4 & 7 of the Act for adjudication of the prayers, dated 16.08.2019 and 20.09.2019 respectively, as per Rules made under the Act.

M/s. Biecco Lawrie Ltd., O.P. herein contested the instant proceeding by filing reply to show Cause vide its application being Ref.: BLL:MDO:2019-20 dated 28.08.2019. It is stated in the said reply that due to perennial sickness of the Company and inspite of all efforts by the Ministry, the Company could not be revived. As a result the Government of India in the meeting of the Cabinet

OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST
CERTIFIED TRUE COPY
DATE: 09.12.2019

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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. 1760, 1760/D of 2019 Order Sheet No. -14-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd & M/s Balmer Lawrie & Co Ltd.
VS
(Plate no D-301)

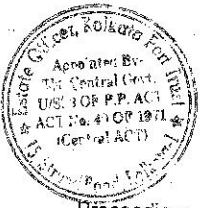
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09.12.2019

Commission of Economic Affairs (CCEA) held on 10.10.2018 decided closure of M/s. Biecco Lawrie Ltd.(O.P. herein) .

It is the case of O.P. that they are occupying the subject land as part of Balmer Lawrie & Co. Ltd., Group Company for which M/s. Balmer Lawrie Ltd. had paid the rental dues till 30.09.2005. It is stated that M/s. Biecco Lawrie Ltd. had been providing the lease rental based on the letter of Lnd.4150/A/7/14/2841 dated 19.12.2014 addressed to the Ministry of Finance. It is also stated that in view of the shortage of fund due to the Financial constrained and also in view of the closure of the company, they have already approached KoPT vide their letter 01.07.2019 and 08.08.2019 for waiver of the rental dues. Since, the Company is about to be closed in view of the decision taken by the Government of India the company is in the process of surrendering the subject land to KoPT. It is also prayed before this Forum in the aforesaid reply, for waiver of the lease amount so as to enable smooth and timely closure of unit in line with the CCEA approval. O.P. vide its letters dated 01.07.2019, 16.08.2019 etc and also on repeated occasions prayed before the competent Authority of KoPT for waiver of the dues which is to the tune of Rs. 727.79 lakhs charged by KoPT as their occupational dues/charges. It is also submitted by M/s. Biecco Lawrie Ltd.(O.P.) vide its application being Ref : BLL:MDO:KoPT: 2019-20 DATED 19.09.2019, in clear and unambiguous terms that the**“Company has been engaged with KoPT for the settlement of issues and handing over the land to KoPT”**. Thereafter, on 25.09.2019, O.P. filed another application before this Forum, being Ref : BLL:MDO:KoPT: 2019-20 stating that O.P. is making necessary arrangement to hand over the subject land in free condition within 12 months. They also stated that the proposal of KoPT for

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KOLKATA PORT TRUST
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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. 1760, 1760/D Of 2019 Order Sheet No. -15-



BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd & M/s Balmer Lawrie & Co. Ltd. ^(Plateno. D-301) **VS**

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09.12.2019

outright and immediate hand over of the subject land along with all other assets therein to KoPT for auction is placed before the competent authority for its approval.

Thereafter, M/s. Biecco Lawrie Ltd.(O.P. herein) filed another reply on 30.09.2019 vide application being Ref: BLL:MDO: 2019-20, against the Notice under Section 7 of the PP Act issued by this Forum on 20.09.2019 for recovery of the alleged dues/damages payable by O.P. Considering the matter in its entirety, I have taken up the matter for final disposal.

I have carefully considered the documents on record and the submissions of the respective parties. It is seen that O.P. and A.P. have both referred to certain decisions of different Ministries and/or the Cabinet at different points of time, with the specific intent to hand over the subject land to KoPT seeking 12 months time. I have not gone deep through the instant proceedings initiated under section 4 of the PP Act, as in my view the proceedings can be disposed of without discussing the defense taken by the parties. It is seen that KoPT's cause of action for initiation of the instant proceedings arose on 01.10.2005 when O.P. failed to communicate their acceptance of KoPT's offer letter dated 05.07.2013 when, O.P. was clearly informed the rate of rent applicable for their occupied land w.e.f. 01.10.2005 which O.P. failed to accept but continued their occupation at the subject land. Now, the crux of the matter revolves around the intent of O.P. to hand over the subject land to the representative of KoPT which transpires from the various communications made with KoPT and also the applications referred above filed before this Forum.

It is seen from KoPT's applications dated 01.08.2019 that KoPT has made a fresh offer to O.P. in respect of the area of 30249.17 sqm under

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Signature: [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

Proceedings No. 1760, 1760/D Of 2019 Order Sheet No. 16-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Bienco Laxmi Ltd & M/s ^{VS} Balmer Laxmi & Co Ltd.

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09.12.2019

occupation of O.P. vide its letter dated 24.03.2015 and O.P. failed to accept the terms and conditions of the offer as laid down in the offer letter dated 24.03.2015.

There is no question of continuance of proceedings against A.P., inasmuch as KoPT instituted the proceedings only against O.P. and not A.P. and A.P. was added as a party to the proceedings by this Forum for the sake of natural justice.

In the above facts and circumstances, this Forum finds that O.P. is making every endeavor to surrender the subject land comprising of 30249.17 Sq.m under Plate No. D-301 (excluding the area 17766.53 sq. mt.), which they are occupying unauthorisedly therefore, there is no room for any doubt before this Forum that the subject land was occupied by O.P. unauthorisedly from 01.10.2005. I do not find any reason whatsoever, to allow O.P. a period of 12 months time to vacate the subject Land when decision to hand over the subject land due to closure of the Company have been taken at the highest level.

NOWHEREFORE, I think it is a fit case for allowing KoPT's prayer for eviction against O.P. u/s 5 of the Act for the following grounds/reasons:

1. That this Forum of Law is well within its jurisdiction to adjudicate upon the matters relating to eviction and recovery of arrears of rental dues/damages etc. as prayed for on behalf of KoPT and the Notice/s issued by this Forum are in conformity with the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act 1971.

2. That O.P. is unauthorized occupant from the very inception viz., 01.10.2005 and O.P is liable to pay damages for their unauthorized use of the subject land msg. 30249.17 sq. mt. or thereabouts

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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. 1760, 1760/D of 2019 Order Sheet No. -17-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd. VS M/s Balmer Lawrie & Co Ltd.
(Plate no D-301)

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09.12.2019

under Plate No. D-301 (excluding the area 17766.53 sq. mt.) is situated at Hide Road Extension at the crossing of Hide Road and Hoboken Road under the jurisdiction of Taratala Police Station.

3. That in view of the Notice dated 22.10.2018 where the Ministry of Petroleum and Natural Gas, Government of India had intimated vide its letter dated 16.10.2018, the decision of the Cabinet Committee on Economic Affairs(CCEA) in its meeting held on 10.10.2018 for closure of Biecco Lawrie Limited(O.P., herein) in a time bound manner.

4. That O.P. vide its ~~vide~~ application being Ref :BLL:MDO:KoPT: 2019-20 DATED 19.09.2019 expressed its deliberation and intent to hand over the subject land to KoPT.

5. That O.P's occupation has become unauthorised in view of Sec. 2(g) of the P.P. Act and O.P. is liable to pay damages for unauthorised use and enjoyment of the Port Property in question 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 the Port Authority is entitled to claim damages for unauthorized use and enjoyment of the property against O.P. in accordance with Law up to the date of recovery of possession of the same. KoPT is directed to submit a comprehensive status report of the Public Premises in question on inspection of the property after expiry of the 15 days as aforesaid so that necessary action could

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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. 1760, 1760/D Of 2019 Order Sheet No. 18

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/s Biecco Lawrie Ltd & M/s Balmer Lawrie & Co Ltd. ^{VS}

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09.12.2019

be taken for execution of the order of eviction u/s 5 of the Act as per Rule made under the Act.

In my opinion KoPT's claim for damages from 01.10.2005 to 31.08.2019 for Rs. 18,10,51,176.50/- for the Land msg. (excluding interest for delayed payment) for wrongful occupation may be payable by O.P. as it is gathered in course of hearing that the charges so claimed by KoPT is on the basis of the Schedule of Rent Charges published under the Authority of Law as per provisions of the Major Port Trusts Act 1963. In course of hearing, I find that KoPT has made out an arguable claim against O.P., founded with sound reasoning. I make it clear that Kolkata Port Trust is entitled to claim damages against O.P. for unauthorized use and occupation of the public premises upto the date of recovery of clear, vacant and unencumbered possession of the same in accordance with Law and KoPT is entitled to claim interest upon dues/charges right from the date of incurrance of liability by O.P. as per KoPT's Rule.

NOW THEREFORE, I hereby assess the damages payable by the O.P. for wrongful and unauthorised occupation of the public premises in question, for the period 01.10.2005 to 31.08.2019 for Rs. 18,10,51,176.50/- (principal amount). In terms of Section 7 (2-A) of the PP Act, 1971, such dues attracts interest @ 18% per annum upto 06.04.2011 and thereafter @ 14.25% per annum till its liquidation of the same from the date of incurrance of liability in accordance with the Notification/s of KoPT issued under authority of Law as per adjustment of payments made so far by O.P. as per 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

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09.12.2019



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. 1760, 1760/D Of 2019 Order Sheet No. -19-

BOARD OF TRUSTEES OF THE PORT OF KOLKATA


(Plate no D-301)

M/s Biecco Laurie Ltd & M/s Balmer Laurie & Co Ltd VS

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09.12.2019

Authority is entitled to proceed further for recovery of its claim in accordance with law. I make it clear that in the event of failure on the part of O.P. to pay the amounts to KoPT as aforesaid, Port Authority is entitled to proceed further in accordance with Law. All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL


(Kausik Kumar Manna)
ESTATE OFFICER

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

f.s. De
09.12.2019
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST

