



**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.1200/R OF 2011
ORDER NO. 09 DATED: 24.02.2020

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

To
Md. Taqi Md. Naqi,
39, Colootola Street,
Kolkata-700007 AND ALSO
2, Waterloo Street,
Kolkata-700069.

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

AND WHEREAS, by written notice dated 06.02.2018 you are called upon to show cause on/or before 22.02.2018 why an order requiring you to pay a sum of Rs 12,53,000.44 (Rupees Twelve Lakhs Fifty Three Thousand and paise Forty Four only) being the rent payable together with compound interest in respect of the said premises should not be made;

AND WHEREAS you have not made any objections or produced any evidence on/or before the said date and failed to represent the instant proceedings inspite of repeated chances being given to you.

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 12,53,000.44 (Rupees Twelve Lakhs Fifty Three Thousand and paise Forty Four only) for the period 01.07.1983 to 07.02.2006 (both days inclusive) to Kolkata Port Trust by 04.03.2020.

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 at the rate of 15% per annum upto 18.09.1996 and thereafter @18% per annum upto 06.04.2011 and thereafter at the rate of 14.25% per annum on the above sum from the date of incurrance of liability till its final payment in accordance with Kolkata Port Trust's Notification published in Official Gazette/s.

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.

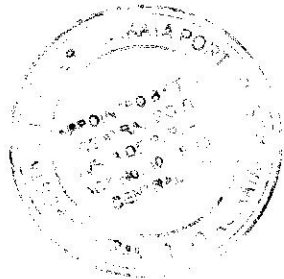
SCHEDULE

(Under Plate No.H-28)

The godown consisting of 215.071 Sq.m. or thereabout is situated at Block-B1, Hide Road, Thana-South Port Police Station, District-24 Parganas, Registration District- Alipore. It is bounded on the North by the Trustees' godown space in the same block leased to the Health & Co (Calcutta) Ltd., on the East by the Lessor's railway platform, on the South by the Trustees' godown space in the same block leased to Mauriee George & Sons Ltd, On the West by the verandha space in the same block.

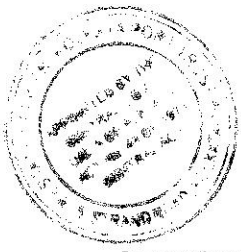
Trustees' means the Board to Trustees' for the Port of Kolkata.

Dated: 26.02.2020



Signature and seal of the
Estate Officer

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

Proceedings No. 1200/R Of 2011 Order Sheet No. 8

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

VS
Md. Taqi Md. Naqi

FINAL ORDER

09
24.02.2020

The instant proceedings No. 1200/R of 2011 arisen out of the application bearing No. Lnd. 184/21/Duplicate/06/1201 dated 06.04.2011 filed by the Kolkata Port Trust (KoPT), the applicant herein, praying for an order of recovery of rent and other charges etc, along with accrued interest in respect of the public premises as defined in the Schedule of said application, against Md.Taqi Md.Naqi, the O.P herein, under relevant provisions of Public Premises (Eviction of Unauthorized Occupants) Act, 1971.

The fact of the case in a nutshell is that the O.P. came into occupation of the port property measuring 215.071 sq.m. or thereabout at block-BI, Hide Road, Thana -South Port Police Station (under Plate No.H-28) as a short term monthly Lessee which is morefully described in the 'Schedule of Property' of the KoPT's application. The allegations levelled by KoPT against the O.P is that while in possession of Port property as Lessee, the O.P has defaulted in making payment of rent and taxes and also accrued interest thereon the details of which has given in 'Schedule -B' of the KoPT's application.

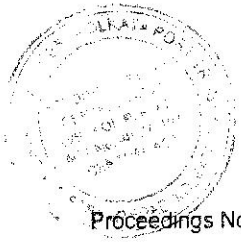
It is the case of KoPT that the O.P. was asked to pay rents upto 07.02.2006 as because the subject premises was enjoyed by O.P. till it's possession was taken over by KoPT on 7.02.2006 as per the quit Notice dated 30.01.2006.

Considering the submission and documents as submitted by KoPT, Notice to Show Cause dated 06.02.2018(vide Order no 04 dated 30.01.2018) was issued by this Forum to O.P.

By Order of:
THE ESTATE OFFICER
KOLKATA PORT TRUST

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

[Signature]
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST



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. 1200/R Of 2011 Order Sheet No. 9

BOARD OF TRUSTEES OF THE PORT OF KOLKATA

Md. Taqi. Md. Naqi ^{VS}

09
24.02.2020

U/s 7 of the Public Premises (Eviction of Unauthorized Occupation) Act, 1971 to Show Cause as to why an order requiring to pay arrear rent together with interest should not be made against the O.P. The O.P. was also called upon to appear before this Forum in person or through authorized representative capable of answering all material questions connected with the matter along with the evidence which the opposite party intends to produce in support of this case.

After issuance of the aforesaid notice, on 22.02.2018 O.P. was not appeared before the Forum for giving reply to the Show Cause. However, the record depicts that such Notice had been sent to O.P both by hand and Registered Post as per addresses available on record and the communications sent through post were not returned back. However, the report of the Process Server dated 16.02.2018 depicted that efforts were made by the Process Server for personal service of the Notices on the O.P. but O.P was not found in such addresses.

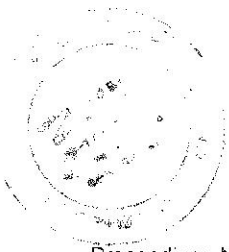
As none appeared on behalf of O.P or any other person interested in the property, a publication was made in the classified column of Times of India, Kolkata on 05.05.2018 fixing the ultimate date of O.P's appearance on 24.05.2018. Finally as the O.P failed to appear on 24.05.2018 the final Order was reserved in the matter. Now this Forum has decided to adjudicate the matter ex-parte.

As no one from O.P's side appeared and no reply to the Show Cause Notice u/s 7 of the Act has been filed as yet, I have no bar to accept the claim of KoPT on account of rental dues etc. In fact, I have nothing to disbelief in

By Order of:
THE ESTATE OFFICER
KOLKATA PORT TRUST

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

[Signature]
Head Assistant
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST



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
Md. Taqi Md. Naqi

09
24.02.2020

respect of KoPT's claim against O.P. as per statement of accounts maintained regularly in KoPT's office in regular course of business. It is my considered view that a sum of Rs.12,53,000.44 for the period 01.07.1983 to 07.02.2006 is due and recoverable from O.P. by the Port authority on account of rental dues and O.P. must have to pay such dues to KoPT on or before 04.03.2020. Such dues attracts interest at the rate of 15% per annum upto 18.09.1996 and thereafter at the rate of 18% per annum upto 06.04.2011 and thereafter at the rate of 14.25% per annum till its liquidation of the same from the date of incurrance of liability in accordance with the notification 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.

Department is directed to draw up formal order as per Rule u/s 7 of the Act. I make it clear that in the event of failure on the part of O.P. to pay the dues/charges as aforesaid, KoPT is at liberty to recover the rental dues etc. in accordance with law.

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL

(A.K Sarkar)

ESTATE OFFICER.

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

By Order of:
THE ESTATE OFFICER
KOLKATA PORT TRUST
CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
KOLKATA PORT TRUST
Head Assis. Officer
OFFICE OF THE ESTATE OFFICER
KOLKATA PORT TRUST

