

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

(1<sup>st</sup> Floor of 'Fairlie Warehouse', 6 Fairlie Place)

KOLKATA-700 001

Proceedings No.714/D, 715/D of 2005  
Order No. 30 Dated 17.03.2020

To  
M/S T.E Thomson & Company Ltd  
5, Dalhousie Square(East),  
Stephen House, Room No.20  
Kolkata-700001.

AND Any person/s interested in the property  
As mentioned herein

Whereas proceedings against M/S T.E Thomson & Company 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 order of damages in respect of KoPT's plots being land measuring about 3174.59 sq.m.(1<sup>st</sup> belt 1886.77 Sq.m and 2<sup>nd</sup> belt 1287.82 Sq.m [Plate No. D-62 & SF-1] and 142.607 Sq.m [Plate No.DB-31/1] situated at Satya Doctor Road.

AND WHEREAS, no one interested in the property appeared before the undersigned on 10.03.2020 and 17.03.2020.

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 notice to all concerned interested in the property under schedule to file reply to the Show Cause Notice on or before 31.03.2020 and to appear before me on 31.03.2020 at 4 P.M. 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.

PLEASE SEE ON REVERSE

(2)

SCHEDULE

Under Plate No.D-62 & SF-1

The said land msg.3174.59 Sq.m(1<sup>st</sup> belt 1886.77 Sq.m and 2<sup>nd</sup> belt 1287.82 Sq.m) or thereabouts is situated at Satya Doctor Road, Thana-South Port Police Station, District-24 Parganas(South) and Registration District Alipore. It is bounded on the North by the private property on the South by Trustees' land previously leased to Robert Hudson(I) Ltd and building leased to Khidderpore Oria High School, on the east by the foot path and then Satya Doctor Road and on the west by the Trustees' Dock Boundary wall. Trustee means the Board of Trustees of the Port of Kolkata.

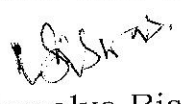
Under Plate No.DB-31/1

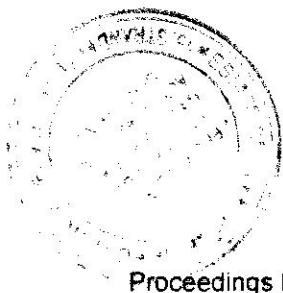
The said land msg.142.607 sq.m or thereabouts is situated at Satya Doctor Road, Thana-South Port Police Station, District-24 Parganas(South) and Registration District Alipore. It is bounded on the North by the private property on the South by Trustees' land previously leased to Robert Hudson(I) Ltd and building leased to Khidderpore Oria High School, on the east by the foot path and then Satya Doctor Road and on the west by the Trustees' Dock Boundary wall. Trustee means the Board of Trustees of the Port of Kolkata.

Date: 17/3/2010



GIVEN UNDER MY HAND AND SEAL

  
(Nirmalya Biswas)  
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. 714/D, 715/D Of 2005 Order Sheet No. 24

## BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/S. T.E. Thomson & Company Ltd. <sup>VS</sup>

29

10-03-2020



The matter <sup>was</sup> ~~is~~ fixed for hearing on 10.03.2020. Due to other official engagement of the Estate Officer, the matter could not taken up for hearing on that day.

Let that matter be re-fixed for the same on 17.03.2020 at 4 P.M

All concerned arte directed to act accordingly.

*Nirmalya Biswas*  
11-03-20

(Nirmalya Biswas)  
ESTATE OFFICER

30

17.03.2020



Present : G.Ghoshal, Resolution Officer(Legal) for Kolkata Port Trust(KoPT).

The matter is fixed for appearance and filing of reply to the Show Cause by O.P. No one appears on behalf of O.P. to file such reply to the Show Cause. However, it appears from the record that effort was made by this Forum to serve such Notice of damages U/s 7(2) of P.P Act upon O.P both by hand and Speed Post. But communication sent through Post was returned back with an endorsement 'door locked' and the report of the Process Server dated 28.02.2020 also depicted that such notice was not served upon O.P because "the registered office of O.P was under lock and key".

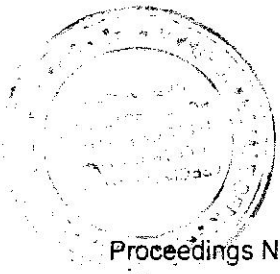
In view of this present circumstances, as both the report are unsatisfactory about service of the Show Cause Notice upon O.P, this Forum directs the Department to publish the said Notice in a daily News Paper circulated in the locality as well as in the Website of Kolkata Port Trust from the date of this Order.

Let that matter be fixed for consideration on 31.03.2020 at 4 P.M.

All concerned are directed to act accordingly.

*Nirmalya Biswas*

(Nirmalya Biswas)  
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. 714/D, 715/D Of 2005 Order Sheet No. 23

## BOARD OF TRUSTEES OF THE PORT OF KOLKATA

M/S T. E. Thomson & Company Ltd. <sup>VS</sup>

28  
21.02.2020

It transpire from the application of KoPT bearing Nos. Lnd.3769/III/05/865 and Lnd.3769/III/(Dup)/05/868 dated 29.06.2005 that O.P. came into occupation of the Port Property in question as a short term monthly lessee in respect of a land and building measuring about 3174.59 sq.m and 142.607 sq.m respectively situated at Satya Doctor Road (under Plate No.D-62,SF-1 and DB-31/1). That it was on 24.04.2008, the possession of such godown space had been taken over by KoPT from O.P and assessment of rent had already been done by this Forum vide Order dated 11.11.2005. It is submitted that O.P. has defaulted in payment of compensation/damages/Mesne profits and draws my attention to KoPT's application dated 28.01.2020, 03.01.2020, 19.11.2019 and 08.03.2019, filed in connection with the instant matter.

In my consideration KoPT has made out an arguable claim for such assessment of damages for the period i.e from 15.02.2005 to till the date of taking over possession i.e till 24.04.2008. As such issuing notice of Show Cause to O.P. in terms of section 7(2) of the Act and Rules made thereunder, fixing 10.03.2020 at 4 P.M for production of documents, evidence, hearing etc O.P. to file reply to show cause notice by 10.03.2020

The notice must have to be served upon O.P. through Registered Post with A/D, affixation on property etc. O.P. to file reply to show cause notice by 10.03.2020

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL

  
(Nirmalya Biswas)  
ESTATE OFFICER