



o/c
REGISTERED POST WITH A/D
HAND DELIVERY
AFFIXATION ON PROPERTY

ESTATE OFFICER,
SYAMA PRASAD MOOKERJEE PORT, KOLKATA (SMP, KOLKATA)
(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
6, Fairlie, 1st Floor
Kolkata - 700 001

Court Room at the 1st Floor
Of Kolkata Port Trust's
Legal Division, Head Office,
15, Strand Road, Kolkata-700 001

PROCEEDINGS No.394/D OF 2000
REASONED ORDER No.100 DATED: 30/06/2022

FORM-"G"

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

To
M/s. Avery India Ltd.,
"AVERY HOUSE"
28/2, Waterloo Street,
Kolkata-700 069.

AND ALSO

51, Hide Road Extension,
Kolkata-700 088

WHEREAS I, the undersigned, am satisfied that you were in unauthorized occupation of the Public Premises described in the Schedule below in Page 02:

AND WHEREAS by written notice Vide Order No.99 dated 31.05.2022 you were called upon to show cause on/or before 17.06.2022 at 3:30 PM why an order requiring you to pay damages of Rs. 1, 15, 80,154.29 (Rupees One Crore Fifteen Lakh Eighty Thousand One Hundred Fifty-Four and Twenty-Nine paise only) (including compensation charges/damages and accrued interest as on 06.05.2022) against Plate No. D-297 is due and payable by O.P. for the period from 01.02.2015 to 14.11.2015, together with compound interest for unauthorised use and occupation of the said premises, should not be made.

AND WHEREAS as you have neither appeared on the scheduled date of hearing nor made any objections nor produced any evidence before the said date.

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of Section 7 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, I hereby order you to pay the sum of Rs. 1, 15, 80,154.29 (Rupees One Crore Fifteen Lakh Eighty Thousand One Hundred Fifty-Four and Twenty-Nine paise only) against Plate No. D-297, assessed by me as damages/compensation charges on account of your unauthorized occupation of the premises for the period from 01.02.2015 to 14.11.2015 (both days inclusive) to Syama Prasad Mookerjee Port, Kolkata (erstwhile known as Kolkata Port Trust) by 14.07.2022.

Please see on Reverse



// 2 //

In exercise of the powers conferred by Sub-section (2A) of Section 7 of the said Act, I also hereby require you to pay compound interest @ 6.30 % per annum, which is the current rate of interest as per the Interest Act, 1978 (as gathered from the official website of State Bank of India) from the date of incurrence of liability till its final payment in accordance with Kolkata Port Trust's Notification published in official Gazette/s.

A copy of the reasoned order No.100 dated 30.06.2022 is attached herewith.

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 through the Collector.

SCHEDULE-I

Land comprising 4220.40 sq.m. or thereabouts (1st belt lying within 50 metres. from the road) and 9157.63 sq.m. or thereabouts (2nd belt lying beyond 50 metres. from the road) altogether msg. 13,378.03 sq.m. or thereabouts is situated at Hide Road Extension, Thana-Taratata, District-24 Parganas (S), Registration District-Alipore. It is bounded on the North by the Trustees' land leased to M/s. Siemens India Ltd., on the East by the Trustees' strip of open land reserved as margin of safety alongwith the Trustees' Railway Siding, on the South by the Trustees' land leased to Glaxo Laboratories (I) Pvt. Ltd., and on the West by the Trustees' Hide Road.

Trustees' means the Syama Prasad Mookerjee Port, Kolkata (erstwhile the Board of Trustees for the Port of Kolkata).

Dated: 30.06.2022



[Handwritten Signature]
30/06/2022

Signature & Seal of the
Estate Officer.

**COPY FORWARDED TO THE ESTATE MANAGER (I/C)/CHIEF LAW OFFICER,
SYAMA PRASAD MOOKERJEE PORT, KOLKATA, (ERSTWHILE BOARD OF
TRUSTEES' FOR THE PORT OF KOLKATA) FOR INFORMATION.**

Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

APPOINTED BY THE
CENTRAL GOVT.
Under Section 3 of the
ACT. NO. 40 OF 1971

394/D Of 2000 Order Sheet No. 91

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS

M/s. AVERY INDIA LTD

100
30/06/2022

FINAL ORDER

The instant proceedings number 394/D of 2000 arises out of the application bearing no. Lnd.4119/viii/22 dated 31.05.2022 and another application bearing No.4119/viii/22 dated 12.05.2022 - both filed by Syama Prasad Mookerjee Port, hereinafter referred to as SMP, Kolkata, (erstwhile known as Kolkata Port Trust), the applicant herein, praying for an order of recovery of outstanding dues/compensation charges/damages as payable by O.P. for the respective periods, i.e. 01.02.2015 to 14.11.2015, (both days inclusive) till taking over the possession on 14.11.2015 alongwith accrued interest in respect of the public premises as defined in the schedule of the said application against M/s. AVERY INDIA Ltd., the O.P. herein, under relevant provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

The **factual** matrix of the case is required to be put forward in a nutshell to link up the chain of events leading to this proceeding no. 394/D of 2000, within the four corners of PP Act, 1971, as revealed under point-wise in a chronological order.

- 1) That in the course of hearing, it was submitted by SMP, Kolkata and also as per the information as gathered from two different applications bearing No. Lnd.4119/viii/22 dated 31.05.2022 and another application bearing No.4119/viii/22 dated 12.05.2022, as submitted and filed by Syama Prasad Mookerjee Port, hereinafter referred to as SMP, Kolkata, (erstwhile known as Kolkata Port Trust), the applicant herein, which elaborately stated that O.P. came into occupation of the Port Property (Public Premises) being land measuring about 13,378.03 sq. mtrs. against Plate No. D-297 situated at Hide Road Extension, Thana-Taratata, District-24. Parganas (S), Registration District-Alipore, the details of the property as mentioned in Schedule-I of Form-'G' attached with this Order Sheet, were leased on a long term basis for a period of 10 years w.e.f. 24.01.1969 with two options of renewal for 10 years each under a cover of a lease executed by both the parties and registered under Book No. I, Volume No.15, Being No. 259, Pages No.68 to 83 for the year 1971 in respect of

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

30/06/22
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Handwritten Signature]

Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

CENTRAL GOVT.
U/S. 3 OF P.P. ACT
Proceedings No. OF 1971
CENTRAL ACT

394/D Of 2000 Order Sheet No. 92

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
M/s. AVERY INDIA LTD

the said Trustees' property to M/s. AVERY INDIA Ltd., herein referred to as O.P. by the Kolkata Port Trust, herein referred to as the applicant on certain terms and conditions as embodied in the Registered Lease Deed. In accordance with the option Clause of the above Deed Lease, a long term lease of 10 years w.e.f 24.01.1989 was granted to O.P. by KoPT's letter dated 03.10.1988, and which was accepted by O.P. vide their letter dated 12.11.1988. As the lease without option of renewal had expired, O.P. was requested to hand over the vacant possession of the land on 01.06.1999.

- 2) That O.P. inspite of the determination of the said tenancy failed and neglected to quit, vacate and deliver up the vacant peaceful possession of the said premises and was occupying and holding the property in question wrongfully without any valid authority after expiry of the lease period w.e.f 01.06.1999 (without any option for renewal). Thereafter Ejectment Notice was issued as lease period had already expired w.e.f 01.06.1999. As O.P. failed and neglected to handover possession of the property, an application was filed praying for eviction and recovery of outstanding dues/damages/compensation charges, dated 20.12.1999.
- 3) That this Ld. Forum of Law formed its opinion to proceed against O.P. under the relevant provisions of the Act and Rules made thereunder and issued Show Cause Notice u/s-4 of the Act, vide Order dated 20.09.2000, directing O.P. to file their reply/comments/submission on or before 06.12.2000. As appears from the record that O.P. entered into appearance through their Advocate and contested the matter by filing written objection dated 25.06.2003. A bare reading of the reply of the Show Cause Notice dated 20.09.2000 made this Ld. Forum understand that O.P. mainly had raised disputes with regard to fixation of rent, which according to O.P. is highly abnormal and is not in accordance with the lease terms and conditions.
- 4) That after extensive hearing and based on the materials-on-record as submitted by both SMP, Kolkata and O.P., this Ld. Forum initiated Eviction

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

100
30/06/2022

[Handwritten signature]



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

Proceedings No. 394/D Of 2000 Order Sheet No. 93

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

M/S, AVERY VS INDIA LTD

100
30/06/2022

Proceedings against O.P, and brought out six mains issues for adjudication, which are as follows:

- (i) Whether O.P. was defaulted in making payments of rental dues/charges for occupation into Port Property at the relevant period when the notice for demand of possession was served to O.P. vide SMP, Kolkata's letter date 01.04.1999;
- (ii) Whether the rental dues as claimed by SMP, Kolkata, prior to service of notice dated 01.04.1999 was actually payable by O.P.;
- (iii) Whether there is any merit to the SMP, Kolkata's statement regarding "unauthorized parting with possession" against O.P. has got any merit;
- (iv) Whether there is any scope for any consideration of O.P.'s prayer for transfer of lease in favour of M/s.LMJ Constructions Pvt. Ltd.;
- (v) Whether O.P. can claim its occupation as "authorized occupation" without grant of valid lease or allotment from the Port Authority;
- (vi) Whether O.P.'s status into public premises after service of notice dated 01.04.1999 could be termed as "unauthorized".

5) That as mentioned above, regarding the points of adjudication, all the issues were decided in favour of SMP, Kolkata, were are pointed in the body of the Oder as follows:

- (i) Both the Issues (1 & 2) as raised during the course of hearing, were taken up together. This Ld. Forum was of the conclusion that there was a concluded contract on the basis of the valid Offer of SMP, Kolkata's letter dated 03.10.1988 by valid acceptance on the part of O.P. by letter dated 12.11.1988 and O.P. cannot deny its responsibility of making payment of rental dues on the terms and conditions as incorporated in the said Offer Letter from SMP, Kolkata's side. In fact O.P. also paid all the dues/charges as per SMP, Kolkata's claim, and hence rental dues/charges as claimed by Port Authority prior to service of notice, demanding possession dated 01.04.1999 is valid and O.P. is under obligation to pay the same to SMP, Kolkata.

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
30/06/22
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

Proceedings No. 394/D Of 2000 Order Sheet No. 94

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS

M/S, AVERY INDIA LTD

100

30/06/2022

- (ii) In regards to Issues 3 & 4, this Ld. Forum held that, O.P. never contradicted or raised any objection on SMP, Kolkata's allegation of "unauthorized parting with possession"; rather had a clear admission with regard to functioning of other organizations into the said public premises, and also submitted/prayed for transfer of lease in favour of one M/s. LMJ construction Pvt. Ltd., which according to the Port Authority is not at all permitted in the concerned public premises. Moreover, the matter of allotment of SMP, Kolkata's property was purely a subject of consideration of the Port Authority as per the existing rules and regulations.
- (iii) In regards to Issues 5 & 6, it had been stated that the properties of the Port Trust comes under the purview of "public premises" as defined under the Act, and a person becomes an "unauthorized occupant" when that occupation is without authority and includes continuance in occupation by any person after the authority under which he was allowed to occupy the premises. In this case, the Port Authority by service of notice dated 01.04.1999 had demanded possession from O.P., the validity of which had not been questioned by O.P., immediately after the issuance of the same. It was worthy to point out that O.P. was granted lease in respect of the public premises for a period of 10 years w.e.f. 24.01.1969, with two options for renewal of 10 years each and the period of lease in question has been expired even after taking into consideration of the period under Option Clause of the Mother Lease. As such there was no hesitation to say that after the expiry of the period as mentioned in the said notice dated 01.04.1999, O.P. had lost its authority to occupy the public premise, on the evaluation of factual aspects involved with this matter and O.P. is liable to pay damages for such unauthorized use and occupation of the Port Premises.

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

Arora



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

U/S 3 OF P.P. ACT
Proceedings No. 1971
CENTRAL ACT

394/D

Of

2000

Order Sheet No.

95

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS

M/S, AVERY INDIA LTD

100

30/06/2022

6) That such being the case, Order of eviction was issued against O.P. u/s-5 of the Act, Vide Order No.69 dated 07.03.2011, based on the following reasons/grounds:

- (i) That O.P. had defaulted in making payment of rental dues to the Port Authority prior to the service of notice, demanding possession dated 01.04.1999 by the Port Authority.
- (ii) That O.P. had unauthorizedly parted with possession of the public premises to other organizations without having any authority under law.
- (iii) That O.P. had failed to bear any witness or adduce any evidence in support of its "authorized occupation."
- (iv) That O.P. cannot claim as "authorized occupation" without obtaining valid grant or lease and/or allotment of the property from KoPT.
- (v) That O.P.'s authority to occupy the public premises had already expired, even after taking into consideration of the period under option clause of the mother lease in question.
- (vi) That O.P. cannot dictate the terms and conditions for allotment of KoPT's property after expiry of the lease period as a landlord of the same.
- (vii) That O.P. cannot claim its occupation into the public premises as 'authorized occupant' in view of Section 2(g) of the P.P. Act, 1971.
- (viii) That the notice, demanding possession of the Port property as per KoPT's letter dated 01.04.1999 is valid, lawful, and binding upon the parties and O.P. is liable to pay damages for unauthorized use and occupation of the Port Property in question upto the date of delivering vacant and unencumbered possession of KoPT.

By Order of:

**THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT**

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
30/06/22
Head Assistant

OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

7) That vide Order No.73 dated 26.08.2013 this Ld. Forum had appointed an Authorized Officer on the basis of an application file by SMP, Kolkata, dated 11.07.2013, for taking over the possession from O.P.



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

Proceedings No. 394/D of 2000 Order Sheet No. 96

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS

M/S, AVERY INDIA LTD

100
30/06/2022

by virtue of the Order of Eviction Vide Order No.69 dated 07.03.2011, as passed by this Ld. Forum. Thereafter it was submitted by SMP, Kolkata vide application bearing No.Lnd.4119/VIII/16/1371 dated 14.07.2016 and another application bearing No. Lnd.4119/viii/22 dated 31.05.2022 and still another application bearing No.4119/viii/22 dated 12.05.2022 that possession of the subject premises was taken over by the appointed Authorized Officer (AO) on 14.11.2015, and by the another application bearing No.Lnd.4119/viii/22 dated 12.05.2022, SMP, Kolkata stated that there are no rental dues payable by O.P. but O.P. is liable to pay damages for the period from 01.02.2015 to 14.11.2015, along with accrued interest as on 06.05.2022 on dues/damages/compensation etc. against Plate No. D-297 for the periods as mentioned above.

It has been further stated in the same application dated 12.05.2022, that there is no Restraint Order from any Court of Law regarding dues, but regarding further allotment of the premises, Hon'ble Justice Dipankar Dutta vide his Order dated 15.10.2015 in connection with W.P. No.22362(w) of 2015 with W.P. No.25193(w) of 2015 directed SMP, Kolkata as "Kolkata Port Trust shall be at liberty to issue advertisement inviting offer for allotment of the said premises in favour of suitable bidder but the final order of allotment shall not be issued without obtaining leave of Court."

Since there had been no Restraint Order from any Court of Law in regards to dues, as understood from the material-on-record and all the submissions, both verbal as well as written by SMP, Kolkata, this Ld. Forum had proceeded with the matter under the provisions of the P.P.Act, 1971 and its jurisdiction under which this Ld. Forum is governed.

- 8) That for clarity and transparency, it is to be put into record that on the basis of the materials-on-record, it is understood that Proceedings No.394 of 2000, which was initiated for Order of Eviction against O.P. as prayed for on behalf of SMP, Kolkata, and Proceedings No.205/R of 1994, which was initiated for realization of rental dues - were heard together as the property concerning the dispute was same and identical between the same conflicting parties. But as

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Signature] 30/06/22
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Signature]



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

UR Proceedings No. 394/D Of 2000 Order Sheet No. 97

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
M/S. AVERY INDIA LTD

100
30/06/2022

understood from the previous Orders as passed by this Ld. Forum, since O.P. had paid a substantial amount, hence proceedings for realization of rental dues had lost its force and the Proceedings No.394 of 2000, which was initiated for Order of Eviction against O.P. as prayed for on behalf of SMP, Kolkata, continued and adjudication for the same by delivery of Final Orders, i.e. Eviction of Unauthorized Occupants, u/s-5 of the PP. Act, 1971 and Orders for Payments of Rent and Damages in respect of Public Premises, u/s-7 of Payment the PP. Act, 1971, continued, until Orders for Eviction was passed by this Ld. Forum vide Order No.69 dated 07.03.2011.

9) Thereafter, considering the submission and materials-on-record as submitted by SMP, Kolkata, in terms of Order Nos.80, 88, 98 and 99 dated 01.12.2020, 22.07.2021, 16.05.2022 and 31.05.2022 respectively, this Ld. Forum ordered to issue formal order vide Order No.99 dated 31/05/2022, u/s-7 of the Public Premises (Eviction of Unauthorised Occupation) Act, 1971 Act to show cause as to why an order requiring to pay the outstanding dues/damages, together with accrued interest should not be made against the O.P. It is by virtue of the application bearing No.Lnd.4119/viii/22 dated 31.05.2022 as filed by SMP, Kolkata, that this Ld. Forum came to know that no dues on account of Rent is payable by O.P. and the dues on account of compensation charges/damages, along with accrued interest as on 06.05.2022 is only recoverable from O.P. It is the case of SMP, Kolkata that O.P. was asked to pay damages/compensation upto 14.11.2015, as because the subject premises was taken over by the appointed Authorized Officer of SMP, Kolkata on 14.11.2015. The O.P. was also called upon to appear before the 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. The said notice was served through Speed Post as well as hand delivery to the correct recorded addresses of O.P (as per records) at "M/s. Avery India Ltd., "AVERY HOUSE" 28/2, Waterloo Street, Kolkata-700 069 **AND ALSO** 51, Hide Road Extension, Kolkata-700 088." It appears from the record that the said notice sent to the recorded

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
[Signature] 30/06/22
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Handwritten signature]



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

Proceedings No. 394/D of 2000 Order Sheet No. 98

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
m/s, AVERY INDIA LTD

100
30/06/2022

addresses of O.P by speed post was returned on account of "Company Left" dated 10.06.2022.

10) That several dates and opportunities since 23.06.2021 were given by this Ld. Forum with a direction upon O.P. for appearance and also intimation to the interested parties for pendency of the proceedings. But inspite of giving several opportunities to O.P., neither did O.P. appear before this Ld. Forum nor any response was filed on behalf of O.P nor any positive gesture was shown by O.P. to appear before this Ld. Forum for their hearing, submission, etc. on any of the schedule dates of hearing. As such I have no bar to accept the claim of SMP on account of compensation charges, including accrued interest, etc. as per statement of accounts maintained regularly in SMP's office in regular course of business.

11) It is my considered view that a sum of Rs. 1, 15, 80,154.29 (Rupees One Crore Fifteen Lakh Eighty Thousand One Hundred Fifty-Four and Twenty-Nine paise only) is due and O.P. is liable to pay outstanding dues/damages for the period from 01.02.2015 to 14.11.2015, (both days inclusive) along with accrued interest as on 06.05.2022 on account of compensation charges/damages/dues against Plate No.D-297 for the periods as mentioned above, with no outstanding rental dues. Considering the after effects of Covid-19, I find it prudent to allow time till **14th July, 2022** for such payment. Such dues would attract compound interest @ of 6.30% 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 incurrence 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 SMP'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 SMP as aforesaid; Port Authority is entitled to proceed further for recovery of its claim in accordance with law.

Department is directed to draw up final order as per rule u/s-7 of the Act. I make it clear that in the event of failure

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT
30/06/22
Head Assistant
OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

[Handwritten signature]



Estate Officer, SYAMA PRASAD MOOKERJEE PORT, KOLKATA

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

Proceedings No. 394/D Of 2000 Order Sheet No. 99

BOARD OF TRUSTEES OF SYAMA PRASAD MOOKERJEE PORT, KOLKATA

VS
M/S. AVERY INDIA LTD

100
30/06/2022

on the part of O.P to pay the dues/damages/compensation as aforesaid; SMP, Kolkata is at liberty to recover the dues etc. in accordance with law.

All concerned are directed to act accordingly.

GIVEN UNDER MY HAND AND SEAL.

(Signature)
30/06/2022

(NARGIS YEASMEEN)
ESTATE OFFICER

By Order of:
THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

CERTIFIED COPY OF THE ORDER
PASSED BY THE ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

(Signature)
30/06/22
Head Assistant

OFFICE OF THE LD. ESTATE OFFICER
SYAMA PRASAD MOOKERJEE PORT

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