

Government of West Bengal
Department of Urban Development & Municipal Affairs
Land Cell, Non Residential
'NAGARAYAN' 3rd Floor
DF-8, Sector-I, Salt Lake, Kolkata-700 064

No. 3137-UD/SL(AL)/2L-25/84(Pt)

Dated, the 26th October, 2018

ORDER

Sub: Determination of lease of the Plot No IB-171, Sector-III, Salt Lake leased out to Sri Amal Kumar Saha and Sri Bhabani Prasad Nath for setting up an automobile workshop

WHEREAS a plot of land being Plot No IB-171, Sector-III, Salt Lake measuring 5.1675 cottah was leased out to Sri Amal Kumar Saha and Sri Bhabani Prasad Nath having registered office at DD-29, Sector-V, Salt Lake by executing a lease deed on 21.02.2007 for setting up an automobile workshop;

AND WHEREAS the said lease deed after registration was submitted to this Department on 23.04.2007;

AND WHEREAS possession of the plot was handed over to the co-lessees vide Possession Certificate No 467 dated 23.07.2007;

AND WHEREAS the co-lessees vide their letter dated 05.01.2012 approached this Dept for extension of time to start construction work;

AND WHEREAS this Department vide Memo No 1862-UD/SL(AL)/2L-25/84(Pt) dated 11.05.2012 requested them to submit a definite time frame for starting and completion of construction work;

AND WHEREAS after a long gap, without replying to the aforesaid letter, Sri Bhabani Prasad Nath alone vide letter dated 30.12.2016 informed that owing to mother's illness he could not proceed further for obtaining sanctioned building plan from Bidhannagar Municipality and requested to remove this Department's notice board installed on the demised land as he had submitted another building plan to Bidhannagar Municipal Corporation on 14.12.2016;

AND WHEREAS this Department vide Memo No 3009-UD/SL(AL)/2L-25/84(Pt) dated 04.09.2017 requested him to submit any such proposal signed by both the co-lessees;

AND WHEREAS the co-lessees were required to construct the building of the proposed automobile workshop in conformity with such building rules as may from time to time be framed by the Government and other authority prescribed in that behalf and according to plans, specifications, elevations, designs and sections sanctioned by the Government, or that authority within three years from the date of possession of the demised land or such extended time as may be allowed by the Government in writing;

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AND WHEREAS on departmental enquiry it is revealed that even after more than 10 years from the date of taking over possession the plot is still lying vacant surrounded by boundary wall but used only as a car parking space;

AND WHEREAS, in terms of clause 4 of the lease deed, vide this Department's Memo No 3770-UD/SL(AL)2L-25/84(Pt) dated 23rd/27th, November, 2017 a notice was served on the co-lessees requiring them to remedy the breach caused by violation of Clause 2(6)(a) ibid within 6 (six) months from the date of issue of the notice;

AND WHEREAS in response to the said notice and this Department's earlier letter dated 04.09.2017, the reply of the co-lessees dated 22.02.2018 was not at all satisfactory and acceptable to this Department;

NOW, THEREFORE, after careful consideration of the matter and in terms of Clause 4 of the lease deed, the undersigned is directed by order of the Governor to determine the lease of the demised land granted in favour of the co-lessees for violation of Clause 2(6)(a) of the lease deed and re-enter into possession of the said plot of land.

By order of the Governor

Sd/—

Joint Secretary to the
Government of West Bengal

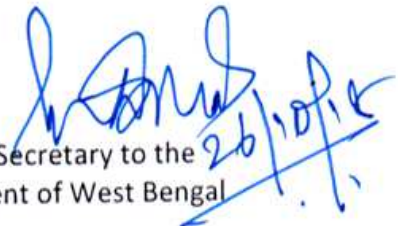
No 3137/1(4)-UD/ SL(AL)/2L-25/84(Pt)

Dated, the 26th October, 2018

Copy forwarded for information & necessary action to:-

1. Sri Amal Kumar Saha and Sri Bhabni Prasad Nath, DD-29, Sector-I, Salt Lake, Kolkata-700 064.
2. The Commissioner, Bidhannagar Municipal Corporation, FD-415A, Sector-III, Salt Lake, Kolkata -700 106. She is requested not to sanction any building plan in respect of Plot No IB-171, Sector-III, Salt Lake.
3. The Executive Engineer, Design, Salt Lake Reclamation & Development Circle, Nirman Bhavan, Salt Lake, Kolkata-700 091. He is requested to re-enter into possession of the plot immediately under intimation to this Department.
- ✓ 4. Computer Cell of this Department with the request to upload the order in the Departmental website.

Joint Secretary to the
Government of West Bengal


26/10/18