

By Special Messenger

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF URBAN DEVELOPMENT & MUNICIPAL AFFAIRS
LAND ALLOTMENT CELL (NON-RESIDENTIAL),
"NAGARAYAN", 03RD FLOOR, DF - 8, SECTOR - I,
SALT LAKE, KOLKATA - 700 064

Email: jsskd.udma@gmail.com

No. 4160-UD/O/M/SL(WR)/9L-60/82

Date:- 28.11.2018

Order

Subject : Determination of lease hold rights, title and interest of Plot No.DN-24 in Sector-V, Salt lake measuring 15 Cottah granted in favour of Sri Subir Poddar

WHEREAS the Plot No DN-24, Sector-V, Salt Lake measuring 15.01570 cottah was leased out to Sri Subir Poddar for a period of 999 years by executing a lease deed on 20.07.1985 for the purpose of setting up of automobile industry;

AND WHEREAS Possession of the plot was delivered on 13.09.1985;

AND WHEREAS the said lessee executed a power of attorney in favour of one Ramesh Kumar Nangalia;

AND WHEREAS by appointment of a Power of attorney the Lessee illegally assigned the lease hold right of the demised land in violation of Clause 2(8) of the lease deed;

AND WHEREAS the said Sri Ramesh Kumar Nangalia on 17.04.2008 submitted three applications on behalf of the lessee for transfer of super built up area on different floors of the G+10 storied building constructed on the demised land;

AND WHEREAS Sri Poddar was called for a hearing on 07.07.2008 in view of Sri Nangalia's application dated 17.04.2008 for transfer of super built up space in favour of one Sanjay Kumar Sett but he failed to attend the hearing another date was fixed on 29.08.2008;

AND WHEREAS he failed to attend the hearing even after fixing of alternative dates;

AND WHEREAS Sri Sanjay Kumar Sett submitted a copy of registered deed of assignment in respect of 2556 sq.ft super built up area on the 2nd floor of the premises and applied for mutation in his name;

AND WHEREAS a notice was served on the lessee vide Memo No 655-UD dated 26.02.2010 for violation of Clause 2(8) of the lease deed;

AND WHEREAS instead of the lessee replying to the said notice, Sri Nangalia, the power of attorney holder vide his letter dated 21.05.2010 wrote to this Department to regularise this transfer by imposition of necessary permission fee as per existing notification ;

P.T.O.

AND WHEREAS from the status report of the EE, Design dated 09.03.2012 it was found that instead of setting up automobile industry Sri Poddar had constructed a G+10 storied commercial building;

AND WHEREAS in his letter dated 05.02.2014 Sri Poddar informed that he had constructed a G+ 10 storied building and sold constructed area to different unit holders on commercial purpose;

AND WHEREAS Sri Poddar was again requested attend a hearing on 26.02.2014 to clarify his position.(cp-220) As he failed to attend the said hearing, another date was fixed on 12.03.2014 and thereafter he was afforded another opportunity of hearing on 09.04.2014;

AND WHEREAS on all of the aforesaid dates he failed and neglected to come to this Department;

AND WHEREAS by the said unlawful and illegal actions the lessee has violated Clause 2(8) and 2(9) of the lease deed and also failed to remedy the breach in reply to this Dept's notice dated 26.02.2010 within the stipulated period of six months;

NOW, THEREFORE, after careful consideration of the matter, the undersigned is directed by order of the Governor to determine the leasehold rights of the demised land i.e., Plot No DN-24, Sector-V, Salt Lake Kolkata-700091 measuring 15 cottah granted in favour of Sri Subir Poddar for violation of Clause 2(8) and 2(9) of the lease deed and to re-enter into the formal possession of the said plot of land.

By order of the Governor,

Sd/

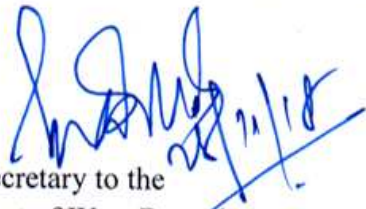
Joint Secretary to the
Government of West Bengal

No. 4160/1(6) -UD/O/M/SL(WR)/9L-60/82

Date:-28.11. 2018

Copy forwarded for information and necessary action:-

1. Sri Subir Poddar, (a) 36,Chowringhee Road, Kolkata-700071.
(b) "ANAND NIKET",2,Ashoka Road, Alipore,Kolkata—700 027.
2. The Special Engineer, S.L.R. & D.C., Nirman Bhawan, Salt Lake, Kolkata-700 091.
3. The Executive Engineer (Design), S.L.R. & D.C., Nirman Bhawan, Salt Lake. He is requested to re-entering into possession of the plot immediately & send an action taken report to this Department, immediately.
4. The Executive Officer, NDITA, Unnayan Bhawan, 1st Floor, Salt Lake, Kolkata-91.
- ✓ 5. Computer Cell of this Department with a request to upload the order in the Departmental Website.


Joint Secretary to the
Government of West Bengal