

Government OF West Bengal
Department of Urban Development & Municipal Affairs
"NAGARAYAN", DF-8, Sector -I,
Land cell (Non –Residential), 3rd floor
Salt Lake, Kolkata - 700 064.
Email – jsskd.udma@gmail.com

NO. 3864 -UD/O/M/SL(AL/NR)/8L-22/2006

Dated: 10.12 .2019

ORDER

Subject : Cancellation of lease hold right of Plot No. EN-33, Sec-V, Salt Lake measuring 10.00113 cottah leased out to M/s. Shiva Data Services Pvt. Ltd.

WHEREAS a plot of land being Plot No. EN-33, Sector-V, Salt Lake, Kolkata-700 091 measuring 10.00113 cottah was leased out to M/S Synthodor Company for the purpose of setting up a manufacturing unit of synthetic essential oil and perfumery compounds by executing a lease deed on 05.05.1986.

AND WHEREAS possession of the Plot was delivered on 03.11.1987;

AND WHEREAS vide this Dept's Memo No 3910-UD/O/M/SL(AL/NR)/8L-22/2006 dated 23.11.2009 M/S Synthodor Company was accorded post facto permission for transfer of leasehold right of the demised land in favour of Shiva Data Services Pvt. Ltd. for the residual period of lease in conformity with the terms and conditions of the original Lease Deed ;

AND WHEREAS by a leased deed executed on 16.03.2010 the leasehold right of the demised land along with a two storied building constructed therein was transferred to Shiva Data Pvt. Ltd.(hereinafter referred to as the assignee);

AND WHEREAS it transpires from the Departmental enquiries that India Institute of Hotel Management is running Institute in the said premises without prior permission of this Department;

AND WHEREAS in terms of Clause 2(8) of the principal lease deed the said assignee should not transfer the demised land without previous permission of the Government in writing;

AND WHEREAS in terms of Clause 2(9) of the principal Lease Deed the said assignee should not use or allow to be used the land and/or the structure thereon or any part thereof for any purpose other than original purpose without the prior permission of this Department ;

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(2)

AND WHEREAS vide this Department memo No. 1698 - UD/O/M/SL(AL/NR)/8L-22/2006 dated 8th June , 2018 a show cause notice was served to M/s Shiva Data Services Pvt. Ltd. in the address at EN-33, Sector-V, Salt Lake, Kolkata-700091, but the show cause notice was received without receiving stamp;

AND WHEREAS vide this Department memo No. 486-UD/O/M/SL(AL/NR)/8L-22/2006 dated 13th February , a hearing notice was issued by this Department directing the lessee to attend the hearing on 25.02.2019 but the Lessee could not attend the said hearing;

AND WHEREAS the another copy of show cause notice was again sent via speed post to their working office at Room No. 66, 1st floor, Temple Chambers, 06 Old Post Office Street, on 08.03.2019 to M/s Shiva Data Services Pvt. Ltd but return undelivered by the local Post Office ;

AND WHEREAS as more than 6(six) months has been elapsed since service of the notice but no reply was received by this Department from M/s Shiva Data Services Pvt. Ltd;

NOW, THEREFORE, after careful consideration of this matter and in terms of Clause 4 of the Lease Deed, the undersigned is directed by order of the Governor of the State of West Bengal to determine the lease of Plot No. EN-33, Sector-V, Salt Lake, Kolkata for violation of clause 2(8) and 2(9) of the lease deed and to re-enter into possession of the plot of land, immediately.

sd/

Joint Secretary to the
Government of West Bengal

No.3864/I(6)-UD/O/M/SL(AL/NR)/8L-22/2006

Dated: 10.12. 2019

Copy forwarded for information and necessary action to the:-

- 1) Executive Engineer, Design, Salt Lake Reclamation & Development Circle, Nirman Bhawan, Salt Lake, Kolkata-700 091.
- 2) The Executive Engineer (Design), Salt Lake Reclamation & Development Circle, Nirman Bhawan, Kolkata – 700091.
- 3) The Executive Officer, Nabadiganta Industrial Township Authority, Unnayan Bhawan, Sector – I, Salt Lake.
- 4) M/s Shiva Datta Services Pvt. Ltd. EN-33, Sector-V, Salt Lake City , Kolkata-700091.
- 5) M/s Shiva Data Services Pvt. Ltd. Room No. 66, 1st Floor, Temple Chambers, 06, Old Post Office , Kolkata-700001.
- ✓ 6) J.S.(IT & e-Governance Cell) UD & MA Department with the request to upload this order in the official website.

[Signature]
Joint Secretary to the
Government of West Bengal