

MUMBAI PORT AUTHORITY
OFFICE OF THE ESTATE OFFICER
UNDER PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971
The Estate Officer, 7th Floor, Vijay deep bldg., S. V. Marg, Ballard Estate, Mumbai – 400 001.
Case No. EO/E (212) of 2017

Case No. EO/E (212) of 2017

IN THE MATTER OF:

The Board of Mumbai Port Authority

A Statutory Corporation, Successor in title

Of the Board of Trustees of the port of Mumbai

Having its registered office at Vijay Deep, Shoorji Vallabhdas Marg, Fort,

Mumbai – 400 001.

.....Petitioner

V/s

1. **Shri Deependra Singh**
2. **Shri. Tapendra Singh**
3. **M/s. Indian Steel Corporation**

At

503, Pushpa Kunj, A. Road,
Churchgate, Mumbai- 400020

Also at,

Plot No. 1, Sewri Gaddi Adda,
Mazgaon Sewri Reclamation Estate,
Mumbai- 400 015

.....Respondents

Coram: Shri R.J. Sawant

(Estate Officer)

(Appointed under Section 3 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 vide Gazette Notification dated 31.01.2023.

Represented by: - Advocate for Petitioner: Adv. Mr. J.B. Ansari

Petitioner Representative: Shri. Vinod K. Karvande, Assistant Executive Engineer

Advocate for Respondent: Adv. H.I. Sirguroh

ORDER

1. The matter is taken up today for final disposal. The factual matrix forming the chain of events to these proceedings is as follows.
2. The Petitioner is a Statutory Corporation, constituted under Section 3 of the Major Port Authorities Act, 2021 being the successor in title to the Board of Trustees of the Port of Mumbai, constituted under the Major Port Trust Act, 1963 since repealed, having its office at the abovementioned address.
3. The Petitioner submitted petition dated 29.04.2017 wherein it was prayed that summary proceedings be initiated against the Respondents under Sections 5 to 7 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 ('the Act'). The Petitioner submitted that their predecessor in title, the Trustees of Port of Bombay had granted lease of Plot No. 1 admeasuring 1744.07 sq. mtrs, at Mazagaon Sewree Reclamation Estate, Sewree Mumbai for a period of 30 years from 03.10.1960 to M/s. Indian Steel Corporation under TR 421 of 1963 thereafter on request of partners Shri. Narendra Singh and Shri.



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Balvir Singh of M/s. Indian Steel Corporation the lease was granted in the names of Shri. Narendra Singh and Shri. Balvir Singh as joint tenants trading as M.s Indian Steel Corporation under TR 615 of 1964.

4. The Petitioner submitted that Shri. Balvir Singh expired in the year 1982 and the instant lease was continued in the name of surviving tenant Shri. Narendra Singh. Furthermore, the last surviving tenant Shri. Narendra Singh also expired on 14.02.1990, and thereafter Respondent Nos. 1 and 2 Deependra Singh and Tapendra Singh heirs and Legal Representatives of last surviving tenant i.e., Shri. Narendra Singh were brought on record.
5. It is submitted by the Petitioner that the lease deed was never executed or registered in respect of the petition premises. Through the terms and conditions of the letters dated 05.02.1963 and 24.04.1963 said lease was accepted by the deceased lessees acceptance letter dated 18.02.1963 and 04.05.1963. Further, after the determination of the said lease by efflux of time, it is submitted by the Petitioners that the Respondents have been holding over the petition premises.
6. The Petitioner submitted that the sanctioned use in respect of said premises is for factory, office, and godown incidental to the factory. It is important to understand the background of the factual matrix in the present case to determine the issue at hand. The relevant facts forming the fundamental aspects of the petition are produced herein below for the sake of brevity-

Sr. No.	Particulars	Relevant Documents
1.	Description of Petition Premises- All that piece and parcel of land bearing Plot No. 1 admeasuring 253.49 sq. meters. at Mazagaon Sewree Reclamation Estate, Sewree, Mumbai- 400 015	Copy of the Terms and Conditions letters dated 05.02.1963 and 24.04.1963 (Exhibit P-1 Colly) Acceptance Letter of deceased lessees dated 18.02.1963 and 04.05.1963 (Exhibit P-2 Colly)
2.	Breaches were committed by Respondents which are as follows- <ul style="list-style-type: none"> • Unauthorized construction of shed; • Unauthorized addition of 8 partners in Indian Steel Corporation, which amounts to unauthorized sub-letting. • Unauthorized installation of packing machinery admeasuring 10.66 sq. mtrs. • Unauthorized erection of 3G I Sheet small sheds. 	Inspector reports dated 17.06.1995 and 28.06.1973 (Exhibit P-3 Colly)



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3.	<p>Arrears- Petitioners submitted that Respondents are bound and liable to pay to the Petitioners arrears of rent/compensation before termination of tenancy and liable to pay to the Petitioners mesne profit/damages for wrongful use and occupation of the petition premises from 01.10.2013 up to the date of recovery of possession of premises at the rate of 3 times of Rs. 57.73 per sq. mtr. Per month (FSI-1) exclusive of service tax, with 4% increase every October are in arrears of rent/compensation, taxes, and other charges in respect of the said Premises. Petitioner submitted that the Respondents may be decreed and ordered to pay to the Petitioner Rs. 20, 98,512. 11 with interest thereon at the rate of 18% per annum from the date of petition till recovery or realization of the same.</p>	True Copy of TR No. 365 of 1991 (Exhibit P-7)
4.	<p>Damages/ Compensation- Petitioner submitted that Respondents may be ordered to pay to the Petitioners damages for wrongful use and occupation of the said premises in petition at three times of the rate Rs. 57.73 per sq. mtr. per month with an increase of 4% every October till the date of recovery of the possession of the premises in Petition and with interest on the said sum @ 18% per annum for the amount due from month to month or as per the Board's Policy, whichever is higher.</p>	True Copy of TR No. 21 of 2011 (Exhibit P-8)

7. In light of this, the Petitioners *inter alia* prayed that: -
- i. Summary proceedings may be initiated against the Respondents under Sections 5 to 7 of P.P.E Act, 1971;
 - ii. The Respondents may be decreed and ordered to handover to the Petitioners vacant and peaceful possession of petition premises viz., plot of land bearing Plot No. 1 admeasuring 744.07 sq. mtrs, at Mazgaon Sewri Reclamation Estate, Sewri, Mumbai after removing structures standing thereon.



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- iii. Respondents are bound and liable to pay to the Petitioners arrears of rent/compensation before termination of tenancy and liable to pay to the Petitioners mesne profit/ damages for wrongful use and occupation of the petition premises from 01.10.2013 up to the date of recovery of possession of premises at the rate of 3 times of Rs. 57.73 per sq. mtr. Per month (FSI-1) exclusive of service tax, with 4% increase every October are in arrears of rent/compensation, taxes, and other charges in respect of the said Premises. Petitioner submitted that the Respondents may be decreed and ordered to pay to the Petitioner Rs. 20,98,512. 11 with interest thereon at the rate of 18% per annum from the date of petition till recovery or realization of the same.
- iv. The Respondents may be ordered to pay to the Petitioners damages for wrongful use and occupation of the said premises in petition at three times of the rate Rs. 57.73 per sq. mtr. per month with an increase of 4% every October till the date of recovery of the possession of the premises in Petition and with interest on the said sum @ 18% per annum for the amount due from month to month or as per the Board's Policy, whichever is higher.

8. This forum of Law formed its opinion to proceed under the relevant provisions of the Act and issued Show Cause Notices under Sections 5 to 7 of the Act dated 05.10.2017 as per the Rules made under the Act. The issuance of show cause notice and affixation of the same was done as per the statutory mandate the particulars of which can be referred to as provided below-

Sr. No.	Particulars	Date
1.	Show Cause Notice u/s 4 (for adjudication of the prayer of the Petitioner for order of eviction).	05.10.2017
2.	Show Cause Notice u/s 5 (for adjudication of the prayer of the Petitioner for removal of unauthorized construction).	05.10.2017
3.	Show Cause Notice u/s 7 (for damages together with interest and recovery of arrears).	05.10.2017
4.	Notices were personally served along with original acknowledgments.	14.10.2017

9. The Petitioner submitted an acknowledgment stating that the Show Cause Notices under PPE were pasted in the presence of two witnesses on the petition premises on 14.10.2017.
10. On the first date of the hearing i.e. on 24.10.2017, the Advocate for the Respondent requested time to file Vakalatnama. It is pertinent to note that Miscellaneous Application dated 18.01.2018 was filed by Respondent No. 1 by their Advocate thereafter, the Petitioner filed their reply to the aforesaid application on 01.02.2018 thereafter rejoinder to Petitioner reply by Respondent was filed on 22.02.2018. On 08.03.2018 written arguments on behalf of Petitioner was filed. Order was passed by the Learned Authority on 17.05.2018 regarding jurisdiction of Estate Officer. Thereafter, the matter was adjourned for filing written statement by the Respondent despite providing sufficient opportunities to the Respondents no written statement was filed. Subsequently, on 24.01.2019 the stage for filing written statement was closed. On 07.02.2019 final issues were framed.

11. Affidavit of Evidence was filed by the Petitioner on 05.03.2020. List of Documents relied on by the Petitioner Witness Shri. Ganesh Lava Kumar Rele, Officer on Special Duty



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(Legal) and Petitioner Witness-2, Mr. Vinod K. Karvande on 24.07.2023 are mentioned below and same are exhibited.

Sr. No.	List of Documents	Exhibit No.
1.	Copy of the Terms and Conditions letters dated 05.02.1963 and 24.04.1963	Exhibit P-1 Colly
2.	Acceptance Letter of deceased lessees dated 18.02.1963 and 04.05.1963	Exhibit P-2 Colly
3.	Inspector reports dated 17.06.1995 and 28.06.1973	Exhibit P-3 Colly
4.	Letter dated 29.06.2017 issued by MMRDA	Exhibit P-4
5.	Advocate Notice dated 04.03.2013	Exhibit P-5
6.	Postal Acknowledgments, and record of personal service on Respondents	Exhibit P-6 Colly
7.	True Copy of TR No. 365 of 1991	Exhibit P-7
8.	True Copy of TR No. 21 of 2011	Exhibit P-8
9.	Photo Copies of Power of Attorneys of Mr. Rakesh Saxena and Mr. Mahesh S. Mohite	Exhibit P-9 Colly
10.	Authority letter of Shri. G.L. Rele along with TR No. 96 of 2018	Exhibit P-10 Colly
11.	True copies of TR No. 421 of 1963 and TR No. 615 of 1964	Exhibit P-11 Colly
12.	Original/ Certified true copy Possession Certificate dated 17.06.2019 issued by MMRDA.	Exhibit P-12 Colly
13.	Statement of Compensation and Arrears of Compensation etc.	Exhibit P-13 Colly
14.	Statement of Damages etc.	Exhibit P-14 Colly

12. In the present proceeding, it is observed that the Respondents were not present before this Authority since a long time i.e. since 13.12.2018, furthermore, despite providing sufficient opportunities the Respondents did not file Written Statement/ Reply to EO's Notice and have not adduced any evidence in support of their claim. Taking this into consideration, on 07.09.2021, this Authority proceeded the matter as ex-parte against the Respondents.

13. The said show cause notices dated 05.10.2017 were duly served on Respondents on 14.10.2017 by personal service and acknowledgment reports are taken on record. The Respondents have shown no evidence to support their occupation into the Petition Premises or support their possession as "authorized."

14. Based on the evidence adduced by the Petitioner in support of their claim as per the Inspector reports dated 17.06.1995 and 28.06.1973 (**Exhibit P-3 Colly**) of the Petitioners showing unauthorized construction of sheet sheds on the plot, change of user it can be stated that the Respondents have committed breaches in terms of change of user, unauthorized constructions and hence, the Petitioners through their Advocate Notice dated 04.03.2013 terminated holding over of the said premises of the Respondents in respect of the petition premises. At this juncture, it is important to take into consideration the judgment



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pronounced by the Hon'ble Supreme Court in the matter of *Kanji Manji v. Board of Trustees of Port of Bombay 1963 AIR 468* wherein it was held that notice to determine lease to one of the joint tenants is sufficient and suit for ejection against one of the tenants also good. Therefore, I hold that Issue No. 6 and 7 are proved.

15. The Petitioner's Advocate vide notice dated 04.03.2013 terminated the holding over and the same was pasted in the petition premises in presence of two witnesses on 08.03.2013 the pasting report of the same is taken on record. Hence, notices were validly served and despite the receipt of said notice the Respondents have failed to comply with the requisitions contained therein. Therefore, I hold that Issue No. 1 and 3 are proved.
16. After the termination of holding over of the Respondents the authority of the Respondents to occupy the petition premise was withdrawn. However, the Respondent did not handover the possession of the petition premises to the Petitioner hence the status of Respondents with regard to petition premises became that of an 'unauthorized occupant' in terms of Section 2 (g) of the PPE Act. The same is reproduced here for the sake of reference-

Section 2 (g)-"Unauthorized occupation, in relation to any premises, means the occupation of any person of the public premises without authority for such occupation and includes the continuance in occupation by any person of the public premises after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises as expired or has been determined for any reason whatsoever."

17. It is to be noted that for such unauthorized occupation, the Respondents are the unlawful occupants of the petition premises and they have neither adduced any evidence to support their claim as 'authorized' nor have they adduced any evidence to refute the claims of arrears/damages by Petitioner. Based on the above findings, the Petitioners are entitled to recover from the Respondents the vacant and peaceful possession of the petition premises. Therefore, I hold Issue Nos. 4, 5 and 8 are proved.
18. The petition premises are public premises under Section 2 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. Therefore, Issue No. 2 is proved.
19. It is the contention of the Petitioner that the petition premises were affected by Mumbai Trans-Harbour Link (MTHL Project) as per the requirement of Mumbai Metropolitan Region Development Authority. Further, the said premises were required by the Petitioners. The same is affirmed by the letter dated 29.06.2017 issued by MMRDA which is produced and taken on record as 'Exhibit- P4.'
20. The Petitioner amended the petition as per the order dated 02.03.2022 and the copies of amended petition were served to the Respondents by RPAD service acknowledgment on 30.03.2022. The contention of the Petitioner in their amended petition was that during the pendency of the above petition, MMRDA a statutory authority initiated separate proceedings under the MRTP Act for acquisition of the plot and after an award being passed in the aforesaid matter, the MMRDA has taken over possession of a major portion of the plot admeasuring 1490.58 sq. mtrs. out of the total area of 1744.07 sq. mtrs. and paid compensation to the Respondents. Furthermore, it is taken into consideration that the MMRDA has forwarded possession certificate dated 17.06.2019 recording the said fact. The Petitioner also have started billing in favour of MMRDA in accordance with the TR No. 213 of 2019. A true copy of the Possession Certificate dated 17.06.2019 issued by the



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MMRDA duly signed on behalf of MMRDA is produced on record as 'Exhibit P-12.' Therefore, the area of the plot in petition which the Petitioner sought to recover from the Respondents is 253.49 sq. mtrs.

21. Upon perusal of the petition, written arguments, and documents submitted on record, it is observed that the Petitioner validly and lawfully terminated the holding over of Respondents. In the circumstances, being satisfied as above, I, therefore, declare that the Respondents are in unauthorized occupation of the premises. I hereby declare Respondents as unauthorized occupants and pass orders for payment of arrears of compensation, taxes, and other charges under section 7(1) (2) (2A) of the 1971 Act against the Respondents and I also hereby pass an order under section 5(1) of the PPE Act, 1971 for eviction from the said premises. Accordingly, orders in **Form 'B', and Form 'G'** are issued.
22. Upon perusal of the evidence, I have assessed the Petitioners Statement of Arrears and Statement of Damages adduced with this order as compensation/arrears pay the sum of Rs. 128,588,943.81 (Rs. Twelve Crore Eighty Five lakhs eighty eight thousand nine hundred forty three and eighty one paise) assessed by me as damages/mesne profit on account of your unauthorized occupation of the premises and to pay the compensation arrears from 30.06.2019 with interest as on 31.10.2023 amounting to Rs. 25452391.42 (Rs. Two crores fifty four lakhs fifty two thousand three hundred ninety one and forty two paise) including damages and compensation arrears. I hereby order Respondents to pay the same.



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Form B

Order under sub-section (1) of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971

Case No. EO/E/ 212 of 2017

The Board of Mumbai Port Authority

A Statutory Corporation, Successor in title

Of the Board of Trustees of the port of Mumbai

Having its registered office at Vijay Deep, Shoorji Vallabhdas Marg, Fort,

Mumbai – 400 001.

.....Petitioner

V/s

1. Shri Deependra Singh

2. Shri. Tapendra Singh

3. M/s. Indian Steel Corporation

At

503, Pushpa Kunj, A. Road,
Churchgate, Mumbai- 400020

Also at,

Plot No. 1, Sewri Gaddi Adda,
Mazgaon Sewri Reclamation Estate,
Mumbai- 400 015

.....Respondents

ORDER

WHEREAS, I, the undersigned am satisfied for the reasons recorded hereinabove that the Respondents, are in unauthorized occupation of Public Premises specified in the **Schedule** below and have failed to hand over vacant and peaceful possession despite termination of tenancy.

REASON

Upon perusal of the petition, documents on record and heard the argument of the advocate, it is, *prima facie*, observed that:

1. The Petitioner's Advocate notice dated 04.03.2013 to Respondents terminated the holding over for the reasons of unauthorized construction and unauthorized sub-letting. Hence, the Respondents are unauthorized occupants in the petition premises.

NOW, THEREFORE, in exercise of the powers conferred on me under sub-section (1) of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, I hereby order Respondents and others who may be in occupation of the said premises or any part thereof to vacate the said premises within 15 days of the date of publication of this order. In the event of refusal or failure to comply with this order within the period specified above, the Respondents and all other concerned are liable to be evicted from the said premises, if need, by the use of such force as may be necessary.



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OFFICE OF THE ESTATE OFFICER
UNDER PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971
The Estate Officer, 7th Floor, Vijay deep bldg., S. V. Marg, Ballard Estate, Mumbai – 400 001.
Case No. EO/E (212) of 2017

SCHEDULE
Description of the Petition Premises

All that piece of land belonging to Board in the Island of Bombay situate at Sewri Gadi Adda on the Mazgaon Sewri Reclamation Estate containing by admeasurements one thousand seven hundred and forty four sq. mtrs. and seven sq. dm. or thereabouts and bounded as follows that is to say on or towards the North by other land belonging to the Board on or towards the South by the other land belonging to the Board on or towards the East by Board's Road on or towards the West by the BPT Railway siding and which said piece of land is registered in the books of Collector of Land Revenue, Bombay under Cadastral Survey No. 276/145, 276/145D (part), 276/145/E (part) and 276/145A (part) (Parel Sewri Division) and in the books of Assessor and Collector Municipal rate and taxes under F/South Ward No. 2794 (4), 35C Jackeria Bunder Road and is situate in the registration sub-district and district of Bombay city and Bombay sub-urban and delineated.

All that piece and parcel of land bearing Plot No. 1 admeasuring 253.49 sq. meters. at Mazagaon Sewree Reclamation Estate, Sewree, Mumbai- 400 015 and bounded as follows:

Bounded on or towards the North by:
Bounded on or towards the South by:
Bounded on or towards the East by:
Bounded on or towards the West by:

Mumbai Port Authority Plot
Mumbai Port Authority Office
Mumbai Port Authority Road.
Mumbai Port Authority Plot

Place: Mumbai
Date: 09.11.2023



(R.J. Sawant)

ESTATE OFFICER

Signature & Seal of the Estate Officer

MUMBAI PORT AUTHORITY
OFFICE OF THE ESTATE OFFICER
UNDER PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971
The Estate Officer, 7th Floor, Vijay deep bldg., S. V. Marg, Ballard Estate, Mumbai – 400 001.
Case No. EO/E (212) of 2017

Form G

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

Case No. EO/E/ 212 of 2017

The Board of Mumbai Port Authority

A Statutory Corporation, Successor in title

Of the Board of Trustees of the port of Mumbai

Having its registered office at Vijay Deep, Shoorji Vallabhdas Marg, Fort,

Mumbai – 400 001.

.....Petitioner

V/s

1. Shri Deependra Singh

2. Shri. Tapendra Singh

3. M/s. Indian Steel Corporation

At

503, Pushpa Kunj, A. Road,
Churchgate, Mumbai- 400020

Also at,

Plot No. 1, Sewri Gaddi Adda,
Mazgaon Sewri Reclamation Estate,
Mumbai- 400 015

.....Respondents

ORDER

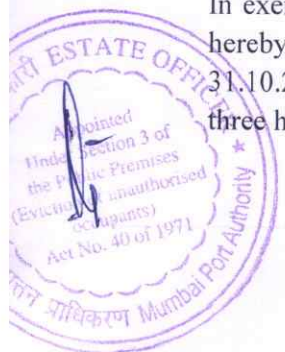
WHEREAS I, the undersigned am satisfied that you the Respondents are unauthorized occupation of the Public Premises in the **Schedule** below.

AND WHEREAS, by written notice dated 05.10.2017 you were called up on to show cause on 24.10.2017, why an order requiring you to pay total **damages** for wrongful use and occupation of the premises from 01.07.2019 to 31.10.2023 with interest as on 31.10.2023 amounting to Rs. 128,588,943.81 (Rs. Twelve Crore Eighty Five lakhs eighty eight thousand nine hundred forty three and eighty one paise) should not be made;

AND WHEREAS, you have not made any objections or produced any evidence before the said date;

NOW, THEREFORE, in the exercise of the powers confirmed 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 to Rs. 128,588,943.81 (Rs. Twelve Crore Eighty Five lakhs eighty eight thousand nine hundred forty three and eighty one paise) assessed by me as damages/mesne profit on account of your unauthorized occupation of the premises.

In exercise of the power conferred by sub-section (2-A) of Section, 7 of the said Act, I also hereby order you to pay the compensation arrears from 30.06.2019 with interest as on 31.10.2023 amounting to Rs. 25452391.42 (Rs. Two crores fifty four lakhs fifty two thousand three hundred ninety one and forty two paise) including damages and compensation arrears.



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In the event of your refusal or failure to pay the total sum including damages and compensation arrears as **Rs. 15,40,41,335. 23** (Rs. Fifteen Crore Forty Lakhs forty one thousand three hundred thirty five and twenty three paise) or any installments thereof within the said period or in the manner aforesaid, the amount will be recovered as arrears of land revenue.

SCHEDULE

Description of the Petition Premises

All that piece of land belonging to Board in the Island of Bombay situate at Sewri Gadi Adda on the Mazgaon Sewri Reclamation Estate containing by admeasurements one thousand seven hundred and forty four sq. mtrs. and seven sq. dm. or thereabouts and bounded as follows that is to say on or towards the North by other land belonging to the Board on or towards the South by the other land belonging to the Board on or towards the East by Board's Road on or towards the West by the BPT Railway siding and which said piece of land is registered in the books of Collector of Land Revenue, Bombay under Cadastral Survey No. 276/145, 276/145D (part), 276/145/E (part) and 276/145A (part) (Parel Sewri Division) and in the books of Assessor and Collector Municipal rate and taxes under F/South Ward No. 2794 (4), 35C Jackeria Bunder Road and is situate in the registration sub-district and district of Bombay city and Bombay sub-urban and delineated.

All that piece and parcel of land bearing Plot No. 1 admeasuring 253.49 sq. mtrs. at Mazagaon Sewri Reclamation Estate, Sewri, Mumbai- 400 015 and bounded as follows:

Bounded on or towards the North by:	Mumbai Port Authority Plot
Bounded on or towards the South by:	Mumbai Port Authority Office
Bounded on or towards the East by:	Mumbai Port Authority Road.
Bounded on or towards the West by:	Mumbai Port Authority Plot

Place: Mumbai
Date: 09.11.2023



(R.J. Sawant)

ESTATE OFFICER

Signature & Seal of the Estate Officer.

NAME OF THE TENENT:-
 CODE :-
 PLOT NO :-
 AREA (Sqmters) :-
 AREA (Sqmters) :-
 F.S.I

HLR OF LATE SHRI NARENDRA SINGH TRADING AS OF M/S INDIAN STEEL CORPN.
20501150
 LEASE OF PLOT 1 (GADI ADDA)
 1744 07
 253 49
 0.51

FROM 01.10.2021

STATEMENT OF ARREARS AS PER SOR (DEMAND NOTICE)

1. ALL CALCULATIONS/RATES ARE SUBJECT TO VERIFICATION/AUDIT.
2. THIS STATEMENT DOES NOT INCLUDE ANY CHARGES/PENALTIES PAYABLE FOR REGULARISATION OF BREACHES IF ANY WHICH WILL BE CHARGED & CONVEYED SEPERATELY
3. ARREARS FROM 01.10.2012 ARE CALCULATED AS PER TAMP APPROVED SOR.(2012-2017) & (2017-2022)
4. FSI CONSIDERED FOR SOR COMPENSATION CALCULATION IS SUBJECT TO OUTCOME OF FSI COMMITTEE REPORT
5. TR 127 2006 WILL BE APPLICABLE FOR BREACHES AFTER 10.03.2004

Sr. No.	CHARGES	RS.
1	ARREARS AS PER S.C.JUDGMENT UPTO 31.03.2004	916758.61
2	PRESUMING INTEREST ON ARREARS UPTO 31.03.2004 AS ON 31.10.2023	1406576.77
3	INTEREST BILLED BUT NOT PAID UPTO 31.03.2004	2114.43
	TOTAL ARREARS AS PER S.C. JUDGEMENT UPTO 31.03.2004 WITH INTEREST AS ON 31.10.2023	2325449.81
	LESS: AMOUNT LYING IN MD	284009.04
	BALANCE ARREARS PAYABLE AS PER S.C. JUDGMENT UPTO 31.03.2004 AS ON 31.10.2023 (EXCLUDING BREACHES AND DEPOSIT)	2041440.77 (A)
5	BILLED ARREARS AS PER S.C.JUDGMENT WEF 01.04.2004 TO 30.09.2012 WITH PRESUMING INTEREST AS ON 31.10.2023	0.00
6	BILLED ARREARS TOWARDS SERVICE TAX UPTO 30.09.2012 WITH PRESUMING INTEREST AS ON 31.10.2023	0.00
	AMOUNT PAYABLE AS PER S.C.JUDGMENT WITH INTEREST FROM 01.04.2004 TO 30.09.2012 AS ON 31.10.2023	0.00 (B)
7	BILLED ARREARS AS PER S.C. JUDGEMENT W.E.F. 01.10.2012 TO 30.06.2019 WITH PRESUMING INTEREST AS ON 31.10.2023 (including IBBNP)	389869.26
8	BILLED ARREARS TOWARDS SERVICE TAX/GST FROM 01.10.2012 TO 30.06.2019 WITH PRESUMING INTEREST AS ON 31.10.2023 (including IBBNP)	74624.00
	AMOUNT PAYABLE WITH INTEREST ON BILLED ARREARS FROM 01.10.2012 TO 30.06.2019 WITH INTEREST AS ON 31.10.2023	464493.26 (C)
	AMOUNT PAYABLE WITH INTEREST AS PER SC JUDGEMENT UPTO 30.06.2019 WITH INTEREST AS ON 31.10.2023 (A+B+C)	2505934.03 (D)
9	DIFFERENTIAL SOR DEMAND NOTICE ARREARS BILLED FROM 01.10.2012 TO (excluding Interest) 30.06.2019	19446150.33
10	GST ON DIFFERENTIAL SOR DEMAND NOTICE ARREARS FROM 01.10.2012 TO (excluding Interest) 30.06.2019	3500307.06
	TOTAL DIFFERENTIAL SOR DEMAND NOTICE ARREARS FROM 01.10.2012 TO (excluding Interest) 30.06.2019	22946457.39 (E)
	Total Arrears payable upto 30.06.2019 (A + B + C + E) with interest as on 31.10.2023	25452391.42 2.55 crs

Note: Interest on differential arrears from 01.10.2012 to 31.10.2023 is not charged. the same will be charged after approval of the competent authority.



M. H. H.
 08/11/23
 ATM Gr. I

Statement of Damages Payable From 01.07.2019

NAME OF THE TENANT - H. P. NO.	HLR OF LATE SHRI.NARENDRA SINGH TRADING AS OF M/S INDIAN STEEL CORPN.		
	LEASE OF PLOT 1 (GADI ADDA)		
	20501150		
Plot No. Number	1744.07	253.49 (w.e.f 01.10.2021)	
APPLICABLE FSI	0.51		
EFFECTIVE REVISED FSI	0.51		
SERVICE CHARGE	872.04	506.98	(w.e.f 1.6.23)
	126.75		

Note :- ERRORS AND OMISSIONS EXCEPTED

Zone	11/85 OF READY RECKONER	
Rate as per TAMP APPROVED SOR	SOR 2017-2022	SOR 2022-2027
zone	11/85	11/85 B
Period	Rate FSI = 1	Rate FSI = 1
01.10.2017 to 30.09.2018	842.25	
01.10.2018 to 30.09.2019	875.94	
01.10.2019 to 30.09.2020	910.98	
01.10.2020 to 30.09.2021	947.42	
01.10.2021 to 30.09.2022	985.32	
01.10.2022 to 31.05.2023	1024.73	
01.06.2023 to 30.09.2023		383.94
01.10.2023 to 30.09.2024		391.62

Damages payable from 01.05.2018 (Three times of APPROVED SOR rate)

Period	Rate for FSI 1.00 as per SOR	Rate for FSI 0.51 as per SOR	Three times rate for Damages	Damages per month
	(A)	(B)	(B X 3)	
01.07.2019 to 30.09.2019	875.94	446.73	1340.19	2337385.17
01.10.2019 to 30.09.2020	910.98	464.60	1393.80	2430884.77
01.10.2020 to 30.09.2021	947.42	483.16	1449.54	2528099.23
01.10.2021 to 30.09.2022	985.32	502.51	1507.53	382143.78
01.10.2022 to 31.05.2023	1024.73	522.61	1567.83	397429.23
01.06.2023 to 30.09.2023	383.94	195.81	587.43	148907.63
01.10.2023 to 30.09.2024	391.62	199.73	599.19	151888.67

DAMAGES FROM 01.07.2019 TO 31.10.2023 AS PER THREE TIMES OF SOR RATE

PARTICULARS	AMOUNT in RS.
1 Damages From 01.07.2019 to 31.10.2023	74970160.20
2 GST on Damages from 01.07.2019 to 31.10.2023	13494628.72
3 Interest on Damages From 01.07.2019 to 31.10.2023 as on 31.10.2023	33026267.41
4 Interest on GST on Damages From 01.07.2019 to 31.10.2023 as on 31.10.2023	7097887.47
Total Damages From 01.07.2019 to 31.10.2023 with interest as on 31.10.2023 Rs.	128,588,943.81

12.86
Crs



M. Adat
08/11/23
ATM Gr. I