

No. 4-2/DT-ADM/2014-15/ 494  
Administration of Daman & Diu,  
Department of Tourism,  
Information & Publicity,  
DIU.

Dated: - 05 /02/2015

## NOTICE

Whereas, a property bearing new City Survey No. PTS No. 51/32(P), totally area admeasuring 85.38 Sq.mtrs. has been leased out by public auction through open tender notice No. 4-2/DT-ADM/88/2001-2007/37 dtd: 06/05/2002 initially for period of five years by Tourism Department, Diu. After codal formalities and public auction, the lease awarded to highest bidder Shir Bariya Kishor Kahan, resident of Ghoghla – Diu with the yearly lease rent of 70,551/- per year with 10% increase every year for five years commencing w.e.f 01/10/2002 to 30/09/2007.

AND whereas the U.T. Administration has extended the lease period for further five years w.e.f. 01-10-2007 to 30-09-2012 as per Tender condition No.2 published in the Tender Notice No. 4-2/DT-ADM/88/2001-2002/37 dtd:06/05/2002 and agreement addendum made between Shri Bariya Kishor Kahan and Collector, Diu with the condition of 10% increase of lease rent.

AND whereas, the lessee Shri Bariya Kishor Kahan vide his representation dtd: 28-06-2012, 12-10-2012 and 21-06-2013 has requested to extend the lease period for further 5 years as per Tender condition No.2 and condition mentioned in the agreement dtd: 28-11-2007 which were rejected by the competent authority i.e. the then Hon'ble Administrator, Daman, Diu & DNH and communicated vide this office letter dtd: 26/08/2013 and dtd:30/08/2013 and you were asked to vacate the property on 31/08/2013.

AND whereas you had filed Writ Petition No.7963/2013 in the Hon'ble High court of Judicature at Bombay. The Hon'ble High court of Judicature at Bombay has rejected your Writ Petition No. 7963/2013 vide order dtd: 10/07/2014 and directed you to deposit necessary amount as stated in communication dtd: 26/08/2013.


AND whereas you had filed a Special Leave Petition No. 24662 of 2014 in the Hon'ble Supreme Court of India, New Delhi against the Order dtd: 10/07/2014 passed by the Hon'ble High Court of Judicature at Bombay in Writ Petition No. 7963 of 2013 and the Hon'ble Supreme Court of India, New Delhi has dismissed his Special Leave Petition No. 24662 of 2014 vide Order dtd: 10/09/2014.

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AND whereas vide the office letter No.4-2/DT-ADM/2014-15/484 dtd: 29/01/2015, you were directed to handover the vacant possession of Changing Room & Bar-Cum-Restaurant, Ghoghla-Diu amicably to the Tourism Department, Diu on or before 03/02/2015 positively, failing which, the administration will take suitable action for taking over the possession and expenditure incurred will be recover from your security deposit and this office shall not be liable for any loss or damage to your property, articles and stock etc.

AND whereas on 3<sup>rd</sup> day February, 2015, the Govt. officers/officials alongwith Police Personnel were present from 3:00 P.M. to 6:30 P.M. at the premises for taking over possession, but you were not present at the site.

Now, therefore I, Shri Vinod P. Kavle, Collector, Diu hereby order the Dy. Director (Tourism), Diu to take over the possession on 19/02/2015. You are directed to remove all your articles and other belongings other-wise, Govt. officers/officials will not be responsible for any damage caused to your articles / belongings while taking over the possession on 19/02/2015.

  
(VINOD P. KAVLE)  
COLLECTOR, DIU.

To,

1. Shri Kishor Kahan Bariya,  
Lessee, Changing Room-Cum-  
Bar & Restaurant,  
Ghoghla-Diu.
2. Copy for Paste at the Site.

Copy to:-

1. The S.D.P.O., Diu. } They are directed to remain
2. The Mamlatdar, Diu. } present at the site on dated:
3. The Enquiry Officer, city Survey, Diu. } 19/02/2015.
- ✓ 4. The NIC, Diu.....with a request to upload on Govt. Web-site.