

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AGA/2/2026
IA No.GA/1/2026

IN THE MATTER OF :
THE ADMINISTRATOR GENERAL OF WEST BENGAL

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 24th February, 2026.

Appearance:
Mr. Indranil Nandi, Adv.
Mr. Sayak Konar, Adv.
.. . for the petitioner.
Mr. Loknath Chatterjee, Adv.
Mr. Sukanta Ghosh, Adv.
. . . for the applicant in GA/1/2026.

The Court:- The draft lease deed is placed before the Court on behalf of the Administrator General, West Bengal a copy whereof which is retained with the records.

On behalf of the International Society for Krishna Consciousness (in short 'ISKCON') in whose favour the lease has been granted it is submitted that regarding all other terms ISKCON has no objection and are agreeable to the same. However, in respect of the periodic escalation it is submitted that ISKCON has already borne a huge expenses and will have to bear huge expenses for maintenance, repair, renovation and paying the property tax in future. In such event if the periodic escalation is waived, it will be convenient for ISKCON.

The rent laws applicable in West Bengal, particularly the West Bengal Premises Tenancy Act, 1997 in Section 18 thereof provides for revision of fair rent at the rate of 5%

every three years. The State Government has the authority under the said section to increase the period from three years to four years. Keeping in mind the expenses to be incurred by ISKCON in future for the leasehold property and that the lease is not for the purpose of commercial exploitation, the periodic escalation and/or revision of the rent fixed initially shall be 6% of the initial amount every nine years. This modification should be incorporated in the terms and conditions of the lease deed and the lease deed should be executed within 28th February, 2026. It is made clear that the Administrator General, West Bengal may nominate a responsible officer in his office to execute the lease deed if the Administrator General is not in a position to execute the same for his other engagements.

The main application being AGA 2 of 2026 along with the application being GA 1 of 2026 filed by ISKON for waiver of periodic escalation is disposed of with liberty to mention to clear any difficulty that may arise in course of execution of the lease deed.

(ARINDAM MUKHERJEE, J.)