

UNION TERRITORY OF JAMMU AND KASHMIR
OFFICE OF THE DIVISIONAL COMMISSIONER, KASHMIR

Prescribed Authority under Section (3) of J&K Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997.

(Phone/ Fax: (0194) -2487777, 2477775, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of Smt. Nancy Thotha W/o Late Sh. Rajinder Thotha R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar A/P Migrant, Kabir Nagar, Poonch House, 8/1 Talab Tilloo, Jammu for permission to alienate migrant immovable property in accordance with the provisions of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Act, 1997.

Reference:- Deputy Commissioner, Srinagar's letter No: DMS/RD/3285-MR/E-3250/131 dated 03.12.2024.

ORDER NO: 165 DIVK OF 2024

DATED : 06 - 12 - 2024

Whereas, Deputy Commissioner, Srinagar's letter No: DMS/RD/3285-MR/E-3250/131 dated 03.12.2024 has reported that the alienor(s) intend to intend to transfer possessory rights for **land measuring 03.81 marlas** equivalent to **1035 Sfts** along with three storeyed residential house with attic and three shops falling under **Khasra No. 540-min** recorded as "**Abadi Deh**" situated at **Fateh Kadal** in estate **Habba Kadal, Tehsil South, District Srinagar;**

Whereas, Deputy Commissioner, Srinagar after due enquiry from the field functionaries in terms of prescribed procedure laid down under law/rules/guidelines in vogue has verified title, / and possession **land measuring 03.81 marlas** equivalent to **1035 Sfts** along with three storeyed residential house with attic and three shops falling under **Khasra No. 540-min** recorded as "**Abadi Deh**" situated at **Fateh Kadal** in estate **Habba Kadal, Tehsil South, District Srinagar** vide his above referred letter and has recommended the case for grant of permission for alienation under the provisions of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales) Act, 1997;

Whereas, the Deputy Commissioner, Srinagar in terms of rule 3(b) of J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Rules, 1997 has also issued "**No Objection Certificate**" under endorsement No: **DMS/RD/3285-MR/E-3250/131 dated 03.12.2024;** and

Whereas, to rule out the possibility of distress sale, the alienor(s) was heard on video call who authenticated the veracity of the documents executed by her. Further, intimated that the sale has not been made in distress /duress and consented to the grant of alienation permission in favour of the alienee(s).

Now, therefore in pursuance of the powers vested upon me under Section 3 of the Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997, sanction is hereby accorded to the alienation of **land measuring 03.81 marlas** equivalent to **1035 Sfts** along with three storeyed residential house with attic and three shops falling under **Khasra No. 540-min** recorded as "**Abadi Deh**" situated at **Fateh Kadal** in estate **Habba Kadal, Tehsil South, District Srinagar** BY Smt. Nancy Thotha W/o Late Sh. Rajinder Thotha R/o Malik

Angan, Fateh Kadal, Tehsil South, District Srinagar A/P Migrant, Kabir Nagar, Poonch House, 8/1 Talab Tilloo, Jammu through attorney holder namely Mutayib S/o Mohammad Muzaffar Jan R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar IN FAVOUR OF Mohammad Muzaffar Jan S/o Abdul Hamid Jan R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar, subject to the following conditions: -

- a) That the applicant(s) are rightful owners/occupants of the property proposed to be alienated and is free from all encumbrances and the title of the proposed alienor(s) is certified by the Tehsildar concerned under his seal and signatures.
- b) That the value of the property (land) under proposed alienation shall be calculated as per the stamp rate prevailing at the time of execution/ registering of Sale Deed applicable under **commercial category** of land situated at **Fateh Kadal Main Road** in **estate Habba Kadal, Tehsil South, District Srinagar** as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011. Besides, an amount of **Rs. 10,97,935/- (Rupees ten lacs ninety-seven thousand nine hundred and thirty-five)**, value of the structure as assessed by the Superintending Engineer, PWD (R&B), Circle Srinagar South shall be added to the value of the property in question
- c) That any permission under this Act i.e., J&K Migrant Immovable Property (Preservation, Protection & Restraint on Distress Sales), Act, 1997 and rules made there under, shall not be construed as permission for conversion or change of land use which may otherwise be prohibited by any Act / Rules there under for the time being in force.
- d) That after completion of all registration formalities, the District Magistrate, Srinagar (Custodian of the Migrant Immovable Property) handover the possession thereof through prescribed procedure.

DISCLAIMER: 1) THE INSTANT PERMISSION SHALL NOT BE TREATED AS A SUBSTITUTE FOR TITLE DOCUMENTS/SHARE OF THE APPLICANT/DISPUTE FREE NATURE OF THE PROPERTY/LAND USE PERMISSION ETC.


DIVISIONAL COMMISSIONER,
KASHMIR

No: Div.Com/MLA/(3399)/2024

Dated: 06 - 12 - 2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Srinagar
4. Alienee namely Mohammad Muzaffar Jan S/o Abdul Hamid Jan R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar.
5. Alienor namely Smt. Nancy Thotha W/o Late Sh. Rajinder Thotha R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar A/P Migrant, Kabir Nagar, Poonch House, 8/1 Talab Tilloo, Jammu.
6. Attorney Holder namely Mutayib S/o Mohammad Muzaffar Jan R/o Malik Angan, Fateh Kadal, Tehsil South, District Srinagar.

.....FOR INFORMATION AND NECESSARY ACTION.