

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: 101941-240777, 247775, 2462560, 2466357 Email address: divcomk@gmail.com)

Subject: - Application of S/Sh. (1) Bhushan Lal Pandit and (2) Roshan Lal Pandit S's/o Shridhar Pandit R's/o Handwara, District Kupwara A/P Migrants at H. No 162/3, Vivek Vihar Paloura, 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, Kupwara's letter No. DCK/SQ/Alienation/19/1003 dated 16.10.2019, No: DCK/SQ/Alienation/19/1437 dated 30.12.2019 and No: DCK/M Cell/Alienation/(7299844)/23/129 dated 10.11.2023

ORDER NO: 41 DIVK OF 2024

DATED : 04 - 04 - 2024

Whereas, Deputy Commissioner, Kupwara vide letter No. DCK/SQ/Alienation/19/1003 dated 16.10.2019, No: DCK/SQ/Alienation/19/1437 dated 30.12.2019 and No: DCK/M.Cell/Alienation/(7299844)/23/129 dated 10.11.2023 has reported that the alienor(s) intend to alienate land measuring 01 kanal 13 marlas falling under Survey No. 265 situated in estate Handwara, Tehsil Handwara, District Kupwara; and

Whereas, Deputy Commissioner, Kupwara, 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 of the land measuring 01 kanal 13 marlas falling under Survey No. 265 situated in estate Handwara, Tehsil Handwara, District Kupwara vide his above referred letters, 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, Deputy Commissioner Kupwara 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. DCK/SQ/Alienation/19/1003 dated 16.10.2019, No: DCK/SQ/Alienation/19/1437 dated 30.12.2019 and No: DCK/M.Cell/Alienation/(7299844)/23/129 dated 10.11.2023. and

Whereas, to rule out the possibility of distress sale, the alienor(s) were heard on video call who authenticated the veracity of the documents executed by them and also 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 land measuring 01 kanal 13 marlas falling under Survey No. 265 situated in estate Handwara, Tehsil Handwara, District Kupwara BY S/Sh. (1) Bhushan Lal Pandit

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and (2) Roshan Lal Pandit S's/o Shridhar Pandit R's/o Handwara, District Kupwara
A/P Migrants at H. No. 162-3, Vivek Vihar Paloura, Jammu (in equal shares) IN
FAVOUR OF Arif Yousuf Sofi S/o Mohammad Yousuf Sofi R/o Handwara, Tehsil
Handwara, District Kupwara, 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 **agriculture category** of land of estate **Handwara**, Tehsil Handwara, District Kupwara as approved by the Committee constituted under the J&K Preparation and revision of market value guideline rules 2011.
- 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, Kupwara (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/(3025)/2024

Dated: 04 - 04 - 2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Kupwara
4. Alienee namely Arif Yousuf Sofi S/o Mohammad Yousuf Sofi R/o Handwara, Tehsil Handwara, District Kupwara
5. Alienors namely S/Sh. (1) Bhushan Lal Pandit and (2) Roshan Lal Pandit S's/o Shridhar Pandit R's/o Handwara, District Kupwara A/P Migrants at H. No. 162-3, Vivek Vihar Paloura, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.