

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) -248777, 247775, 2452558, 2455357 Email address: dlvcmk@gmail.com)

Subject: - Application of **S/Shri (1)** Mohan Lal Bhat **S/o** Late Madhu Joo Bhat, **(2)** Pran Nath Bhat, **(3)** Shibani Krishan Bhat and **(4)** Ashwani Kumar Bhat **S's/o** Lt. Janki Nath Bhat **R's/o** Harwan, Tehsil North, District Srinagar **A/P** Pamposh Colony, 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: DCS/SQ/MLA/ 1916/MR/138 dated 12.12.2015, 29/DCS/SQ/MLA/1916/MR/234 dated 08.11.2016, DCS /SQ/Misc/913/1916/MR dated 01.08.2019, DCS/SQ/MLA/1916/MR/694 dated 19.11.2019 and DCS/SQ/MLA/882/1916/MR dated 20.08.2020.

ORDER NO: 61 DIVK OF 2023

DATED : 12 - 07 - 2023

Whereas, Deputy Commissioner, **Srinagar's** letter No: DCS/SQ/MLA/ 1916/MR/138 dated 12.12.2015, 29/DCS/SQ/MLA/1916/MR/234 dated 08.11.2016, DCS/SQ/Misc/913/1916/MR dated 01.08.2019, DCS/SQ/MLA/1916/MR/694 dated 19.11.2019 and DCS/SQ/MLA/882/1916/MR dated 20.08.2020 has reported that the alienor(s) intend to alienate **land measuring 08 marlas along with 04 storied house falling under Survey No. 448-min situated in estate Harwan, Tehsil North, District Srinagar;** and

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 of the **land measuring 08 marla falling under Survey No. 448-min situated in estate Harwan, Tehsil North, District Srinagar** 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, 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. **DCS/SQ/MLA/1916/MR/138 dated 12.12.2015;** 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 08 marlas along with 04 storied house falling under Survey No.**

448-min situated in estate Harwan, Tehsil North, District Srinagar BY S/Shri (1) Mohan Lal Bhat S/o Late Madhu Joo Bhat, (2) Pran Nath Bhat, (3) Shiban Krishan Bhat and (4) Ashwani Kumar Bhat S's/o Lt. Janki Nath Bhat R's/o Harwan, Tehsil North, District Srinagar A/P Pamposh Colony, Jammu IN FAVOUR OF (1) Mohammad Ishaq Chapri S/o Ghulam Rasool Chapri and (2) Mrs. Hajra W/o Mohammad Ibrahim Chapri R's/o Nehru Park, Dal Lake, 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 for the **calendar year 2023** of estate **Harwan**, Tehsil North 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. 3,82,000/- (Rupees three lacs eighty-two thousand)**, value of the structure as assessed by the Executive Engineer, PWD (R&B) Construction Division-II, Srinagar, shall 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 thereunder, shall not be construed as permission for conversion or change of land use which may otherwise be prohibited by any Act/Rules thereunder 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.

2) AS THE MARKET VALUE OF IMMOVABLE PROPERTY IS FIXED ANNUALLY ON CALENDAR YEAR BASIS, THE VALIDITY OF THE PERMISSION SHALL CEASE TO EXIST AT THE END OF THE CURRENT CALENDAR YEAR I.E. 31ST OF DECEMBER, 2023

Am
**DIVISIONAL COMMISSIONER,
KASHMIR**

No: Div.Com/MLA/(2685)/2023

Dated: 12 - 07 - 2023

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Srinagar
4. Alienee namely (1) Mohammad Ishaq Chapri S/o Ghulam Rasool Chapri and (2) Mrs. Hajra W/o Mohammad Ibrahim Chapri R's/o Nehru Park, Dal Lake, Srinagar.
5. Alienors namely S/Shri (1) Mohan Lal Bhat S/o Late Madhu Joo Bhat, (2) Pran Nath Bhat, (3) Shiban Krishan Bhat and (4) Ashwani Kumar Bhat S's/o Lt. Janki Nath Bhat R's/o Harwan, Tehsil North, District Srinagar A/P Pamposh Colony, Jammu

.....FOR INFORMATION AND NECESSARY ACTION.