

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: divcomk@gmail.com)

Subject: - Application of Smt. (1) Kishni Koul @ Krishni Koul W/o Chuni Lal Koul and (2) Rajni Koul W/o Yougesh Koul R's/o Goripora, Hyderpora, Srinagar A/P H. No. 1, JDA Colony, Phase No. 1 near Soap Factory, 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, Srinagar's letter No: DMS/RD/3258-MR/2023/01 dated 03.04.2023, DMS/RD/3258-MR/47 dated 09.06.2023 and DMS/RD/3256, 3258, 3259-MR/61 dated 27.06.2023.

ORDER NO: 66 DIVK OF 2023

DATED : 08 - 08 - 2023

Whereas, Deputy Commissioner, Srinagar's letter No: DMS/RD/3258-MR/2023/01 dated 03.04.2023, DMS/RD/3258-MR/47 dated 09.06.2023 and DMS/RD/3256, 3258, 3259-MR/61 dated 27.06.2023 has reported that the alienor(s) intend to alienate land measuring **10 marla 241 sfts** falling under **Survey Nos. 678-min (08M-045Sfts** belonging to alienor No. 1) and **688-min (02M-196Sfts** belonging to alienor No. 2) situated in **estate Hyderpora, Tehsil Chanapora/Natipora, 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 land measuring **10 marla 241 sfts** falling under **Survey Nos. 678-min (08M-045Sfts** belonging to alienor No. 1) and **688-min (02M-196Sfts** belonging to alienor No. 2) situated in **estate Hyderpora, Tehsil Chanapora/Natipora, 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. DMS/RD/3258-MR/2023/01 dated 03.04.2023, DMS/RD/3258-MR/47 dated 09.06.2023 and DMS/RD/ 3256, 3258, 3259-MR/61 dated 27.06.2023; 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 him 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 **10 marla 241 sfts** falling under **Survey Nos. 678-min (08M-045Sfts**

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Divisional Commissioner
Kashmir

belonging to alienor No. 1) and 688-min (02M-196Sfts belonging to alienor No. 2) situated in estate Hyderpora, Tehsil Chanapora/ Natipora, District Srinagar BY (1) Kishni Koul @ Krishni Koul W/o Chuni Lal Koul and (2) Rajni Koul Yougesh Koul R's/o Goripora, Hyderpora, Srinagar A/P H. No. 1, JDA Colony Phase No. 1 near Soap Factory, Paloura, Jammu IN FAVOUR OF Abida Bhat Ghulam Mohammad Bhat R/o Zaindar Mohalla, Habba Kadal, 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 **Hyderpora, Tehsil Chanapora/Natipora, District Srinagar** 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 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

Gm
**DIVISIONAL COMMISSIONER,
KASHMIR**

No: Div Com/MLA/(3239)/2023

Copy to the: -

Dated: 08-08-2023

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Srinagar
4. Alienee namely **Abida Bhat D/o Ghulam Mohammad Bhat R/o Zaindar Mohalla, Habba Kadal, Srinagar.**
5. Alienors namely **Smt. (1) Kishni Koul @ Krishni Koul W/o Chuni Lal Koul and (2) Rajni Koul W/o Yougesh Koul R's/o Goripora, Hyderpora, Srinagar A/P H. No. 1, JDA Colony, Phase No. 1 near Soap Factory, Paloura, Jammu**

.....FOR INFORMATION AND NECESSARY ACTION.