

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 S/Shri Ashok Kumar Bhan S/o Late Prem Nath Bhan R/o Gadbugh, Tehsil Shahoora/Litter, District Pulwama A/P H. No. 44-A Ambedkar Nagar, Old Janipur (near High Court Road), 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, Pulwama's letter No's: DCP-SQ/14/LA/319 dated 26.12.2014, DCP-SQ/15/LA/07 dated 03.03.2015, DCP-SQ/17/Mig/243 dated 13.11.2017, DCP-SQ/18-19/Mig/189 dated 01.08.2018, DCP-SQ/18-19/1554 dated 12.01.2019, DCP-SQ/19-20/Mig/203 dated 15.01.2020, DCP-SQ/19-20/Mig/256 dated 13.03.2020, DCP-SQ/22-23/Mig/124 dated 25.07.2023, DCP-SQ/23-24/Mig/461 dated 19.02.2024 and DCP-SQ/23-24/Mig/18 dated 19.04.2024.

ORDER NO: 73 DIVK OF 2024

DATED : 28 - 06 - 2024

Whereas, Deputy Commissioner, Pulwama's letter Nos: DCP-SQ/14/LA/319 dated 26.12.2014, DCP-SQ/15/LA/07 dated 03.03.2015, DCP-SQ/17/Mig/243 dated 13.11.2017, DCP-SQ/18-19/Mig/189 dated 01.08.2018, DCP-SQ/18-19/1554 dated 12.01.2019, DCP-SQ/19-20/Mig/203 dated 15.01.2020, DCP-SQ/19-20/Mig/256 dated 13.03.2020, DCP-SQ/22-23/Mig/124 dated 25.07.2023, DCP-SQ/23-24/Mig/461 dated 19.02.2024 and DCP-SQ/23-24/Mig/18 dated 19.04.2024 has reported that the alienor intends to alienate land measuring 01 kanal 08 marlas covered under Survey No. 113 situated in estate Gadbugh, Tehsil Shahoora/Litter, District Pulwama; and

Whereas, Deputy Commissioner, Pulwama 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 08 marlas covered under Survey Nos. 113 situated in estate Gadbugh, Tehsil Shahoora/Litter, District Pulwama 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; and

Whereas, Deputy Commissioner, Pulwama 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: DCP-SQ/14/LA/319 dated 26.12.2014; and

Whereas, to rule out the possibility of distress sale, the alienor(s) was/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 of land measuring 01 kanal 08 marlas covered under Survey No. 113 situated in estate Gadbugh, Tehsil Shahoora/Litter, District Pulwama BY S/Sh. Ashok Kumar Bhan S/o Late Prem Nath Bhan R/o Gadbugh, Tehsil Shahoora/Litter, District Pulwama A/P H. No. 44-A Ambedkar Nagar, Old Janipur (near High Court Road), Jammu through attorney holder namely Mohammad Owais Dar S/o Mushtaq Ahmad Dar R/o Zoonipora Tehsil Chadoora District Budgam IN FAVOUR OF (1) Mushtaq Ahmad Dar and (2) Manzoor Ahmad Dar S's/o Ghulam Mohammad Dar R's/o Zoonipora, Tehsil Chadoora, District Budgam, subject to the following conditions: -

- a) That the applicant(s) is/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 under proposed alienation shall be calculated as per the stamp rate prevailing at the time of execution/registering of Sale Deed applicable under irrigated horticulture category of land of estate Gadbugh Tehsil & District Pulwama 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 thereunder, shall not be construed as permission for conversion or change of land use which may otherwise be prohibited by any Act/Rules made thereunder for the time being in force.
- d) That after completion of all registration formalities, the District Magistrate, Pulwama (Custodian of the Migrant Immovable Property) shall handover the possession of the property to the alienee(s) 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.

Am
28/6/21
dx
DIVISIONAL COMMISSIONER,
KASHMIR

No: Div.Com/MLA/(2574)/2021

Dated: 28-06-2021

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Pulwama
4. Alienees namely (1) Mushtaq Ahmad Dar and (2) Manzoor Ahmad Dar S's/o Ghulam Mohammad Dar R's/o Zoonipora, Tehsil Chadoora, District Budgam.
5. Alienor S/Shri Ashok Kumar Bhan S/o Late Prem Nath Bhan R/o Gadbugh, Tehsil Shahoora/Litter, District Pulwama A/P H. No. 44-A Ambedkar Nagar, Old Janipur (near High Court Road), Jammu
6. Attorney holder namely Mohammad Owais Dar S/o Mushtaq Ahmad Dar R/o Zoonipora Tehsil Chadoora District Budgam.

.....FOR INFORMATION AND NECESSARY ACTION.