

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: (0104) -2487777, 2477775, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of S/Sh. (1) Pushkar Nath Bhat, (2) Bansi Lal Bhat and (3) Jai Kishan Bhat S's/o Late Sh. Ganish Lal Bhat R/o village Ashmuji, Tehsil & District Kulgam A/P (1) H. No. 20, Lane No. 1/A, Shanti Puram, Lower Roop Nagar, Muthi Jammu, (2) H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, Jammu and (3) 401, Niger-C, Omex Rivera, Rudrapur, Udham Singh Nagar, Uttarakhand C/o H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, 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, Kulgam's letter No: DCK/M/2023-24/166 dated 24.11.2023 and No. DCK/M/2023-24/256 dated 20.03.2024.

ORDER NO: 76 DIVK OF 2024
DATED : 28 - 06 - 2024

Whereas, Deputy Commissioner, Kulgam's letter No: DCK/M/2023-24/166 dated 24.11.2023 and No. DCK/M/2023-24/256 dated 20.03.2024 has reported that the alienor(s) intend to alienate land measuring 12 marlas under Survey No. 289-min situated in estate Ashmuji Khalisa, Tehsil & District Kulgam; and

Whereas, Deputy Commissioner, Kulgam 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 12 marlas under Survey No. 289-min situated in estate Ashmuji Khalisa, Tehsil & District Kulgam 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, Kulgam 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/M/2023-24/166 dated 24.11.2023; and

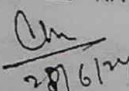
Whereas, to rule out the possibility of distress sale, the alienor's brother was heard on video call who authenticated the veracity of the documents executed by his brother and also intimated that the sale has not been made in distress/duress and consented to the grant of alienation permission in favour 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 12 marlas under Survey No. 289-min situated in estate Ashmuji Khalisa, Tehsil & District Kulgam BY S/Sh. (1) Pushkar Nath Bhat, (2) Bansi Lal Bhat and (3) Jai Kishan Bhat S's/o Late Sh. Ganish Lal Bhat R/o village Ashmuji, Tehsil & District Kulgam A/P (1) H. No. 20, Lane No. 1/A, Shanti Puram, Lower

Roop Nagar, Muthi Jammu, (2) H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, Jammu and (3) 401, Niger-C, Omex Rivera, Rudrapur, Udham Singh Nagar, Uttarakhand C/o H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, Jammu through attorney holder namely Mehmooda Begum D/o Ghulam Qadir Wani W/o Manzoor Ahmad Rather R/o Near Masjid Shareef, Ashmuji Khalisa Tehsil & District Kulgam IN FAVOUR OF Shabnum Ara D/o Mohammad Shafi Shah W/o Nazir Ahmed Rather R/o Near Masjid Sharief, Ashmuji Khalisa, Tehsil & District Kulgam, 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 agriculture category of land of estate Ashmuji Khalisa, Tehsil & District Kulgam 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, Kulgam (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.


28/6/24
DIVISIONAL COMMISSIONER,
KASHMIR

Dated: 28 - 06 - 2024

No: DivCom/MLA/(3322)/2024

Copy to the: -

1. Financial Commissioner (Rev), J&K Govt., Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Kulgam
4. Alienee namely Shabnum Ara D/o Mohammad Shafi Shah W/o Nazir Ahmed Rather R/o Near Masjid Sharief, Ashmuji Khalisa, Tehsil & District Kulgam.
5. Alienors namely S/Sh. (1) Pushkar Nath Bhat, (2) Bansi Lal Bhat and (3) Jai Kishan Bhat S's/o Late Sh. Ganish Lal Bhat R/o village Ashmuji, Tehsil & District Kulgam A/P (1) H. No. 20, Lane No. 1/A, Shanti Puram, Lower Roop Nagar, Muthi Jammu, (2) H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, Jammu and (3) 401, Niger-C, Omex Rivera, Rudrapur, Udham Singh Nagar, Uttarakhand C/o H. No. 538, Lane No. 5, near Evergreen Higher Secondary School, Suryavanshi Nagar, Muthi, Jammu
6. Attorney holder namely Mehmooda Begum D/o Ghulam Qadir Wani W/o Manzoor Ahmad Rather R/o Near Masjid Shareef, Ashmuji Khalisa Tehsil & District Kulgam

.....FOR INFORMATION AND NECESSARY ACTION.