

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)-242777, 247775, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of Smt. Bharti Tickoo D/o Late Poshkar Nath Tickoo R/o Rainawari, Srinagar A/P Migrant C-92, Carlton-4, DLF-5, Gurugram, Haryana 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: 321/DCS/SQ/MLA/3048/MR dated 16.03.2018, No. DMS/RD/3048-MR/E-3442/230 dated 31.01.2024 and No. DMS/RD/3048-MR/E-3442/49 dated 08.07.2024.

ORDER NO: 80 DIVK OF 2024

DATED : 08 - 07 - 2024

Whereas, Deputy Commissioner, Srinagar vide letter No: 321/DCS/SQ/MLA/3048/MR dated 16.03.2018, No. DMS/RD/3048-MR/E-3442/230 dated 31.01.2024 and No. DMS/RD/3048-MR/E-3442/49 dated 08.07.2024 has reported that the alienor intends to alienate land measuring 02 kanals 15 marlas falling under Khasra No. 501/443/309 (01K-13M-036Sfts) and No. 502/443/309 (01K-01M-236Sfts) situated at Rose Colony, Bund Approach, estate Shivpora, Tehsil South, 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 02 kanals 15 marlas falling under Khasra No. 501/443/309 (01K-13M-036Sfts) and No. 502/443/309 (01K-01M-236Sfts) situated at Rose Colony, Bund Approach, estate Shivpora, Tehsil South, District Srinagar vide his above referred letters and 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, 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: 321/DCS/SQ/MLA/3048/MR dated 16.03.2018; and


Whereas, to rule out the possibility of distress sale, the brother of the alienor(s) was heard on video call who authenticated the veracity of the documents executed by his sister. Further, he 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 02 kanals 15 marlas falling under Khasra No. 501/443/309 (01K-13M-036Sfts) and No. 502/443/309 (01K-01M-236Sfts) situated at Rose Colony, Bund Approach, estate Shivpora, Tehsil South, District Srinagar BY Smt. Bharti Tickoo

D/o Late Poshkar Nath Tickoo R/o Rainawari, Srinagar A/P Migrant C-92, Carlton-4, DLF-5, Gurugram, Haryana through attorney holder namely Mohammad Lateef Ganaie S/o Mohammad Akbar Ganaie R/o Dangerpora, Sopore, District Baramulla IN FAVOUR OF Riyaz Ahmad War S/o Abdul Wahab War R/o Warpora, Sopore, District Baramulla, 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 residential category of land at Rose Colony, Bund Approach, estate Shivpora, Tehsil South 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) shall 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.

  
8/11/24  
DIVISIONAL COMMISSIONER,  
KASHMIR  
Dated: 08 - 07 2024

No: Div.Com/MLA/(2888)/2024

Copy to the: -

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
2. Relief Commissioner (Migrants), Jammu
3. Deputy Commissioner, Srinagar
4. Alienee namely Riyaz Ahmad War S/o Abdul Wahab War R/o Warpora, Sopore, District Baramulla
5. Alienor namely Smt. Bharti Tickoo D/o Late Poshkar Nath Tickoo R/o Rainawari, Srinagar A/P Migrant C-92, Carlton-4, DLF-5, Gurugram, Haryana
6. Attorney Holder namely Mohammad Lateef Ganaie S/o Mohammad Akbar Ganaie R/o Dangerpora, Sopore, District Baramulla.

.....FOR INFORMATION AND NECESSARY ACTION.