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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) -2407771, 247775, 2452558, 2455357 Email address: divcomk@gmail.com)

Subject: - Application of S/Sh. (1) Roshan Lal Sadhu S/o Late Sh. Mahadev Joo Sadhu, (2) Ashok Kumar Sadhu (son), (3) Mrs. Sarla Sadhu Nee Raina D/o Late Sarwanand Sadhu and (4) Mrs. Prana Sadhu W/o Late Makhan Lal Sadhu R's/o 55-Karan Nagar, Srinagar A/P Janipur, 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's: DCS/SQ/MLA/2628/MR/31 dated 03.07.2017, DCS/SQ/MLA/2628-MR/211 dated 12.01.2018, DCS/SQ/MLA/803/2628/MR/ dated 25.04.2019, DCS/SQ/929/2628/MR dated 17.08.2019, DCS/SQ/878/2628/MR dated 14.08.2020 & DMS/RD/2628-MR/37 dated 26.05.2023.

ORDER NO: 100 DIVK OF 2023

DATED : 20 - 09 - 2023

Whereas, Deputy Commissioner, Srinagar's letter No: DMS/RD/3263-MR/94 dated 02.01.2023 has reported that the alienor(s) intend to alienate land measuring 17 marla 176 Sft along with residential house bearing plot No. 93, House no. 55, falling under Survey No. 293min situated in estate Tashwan, 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 the land measuring 17 marla 176 Sft along with residential house bearing plot No. 93, House no. 55, falling under Survey No. 293min situated in estate Tashwan, Tehsil South, 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's. DCS/SQ/MLA/2628/MR/31 dated 03.07.2017, DCS/SQ/MLA/2628-MR/211 dated 12.01.2018, DCS/SQ/MLA/803/2628/MR/ dated 25.04.2019, DCS/SQ/929/2628/MR dated 17.08.2019, DCS/SQ/878/2628/MR dated 14.08.2020 & DMS/RD/2628-MR/37 dated 26.05.2023; 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

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Restraint on Distress Sales) Act, 1997, sanction is hereby accorded to the alienation/ transfer of possessory rights for land measuring 17 marla 176 Sft along with residential house bearing plot No. 93, House no. 55, falling under Survey No. 293min situated in estate Tashwan, Tehsil South, District Srinagar BY S/Sh. (1) Roshan Lal Sadhu S/o Late Sh. Mahadev Joo Sadhu, (2) Ashok Kumar Sadhu (son), (3) Mrs. Sarla Sadhu Nee Raina D/o Late Sarwanand Sadhu and (4) Mrs. Prana Sadhu W/o Late Makhan Lal Sadhu R's/o 55-Karan Nagar, Srinagar A/P Janipur, Jammu IN FAVOUR OF Mehak Jan D/o Javed Iqbal Matta R/o Chota Bazar, 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 Tashwan, Tehsil South, 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. 7,69,042/- (Seven Lakh Sixty Nine thousand forty two) as valuation of the structure as assessed by the SE, Circular Road Project, Srinagar (PWD) shall be added to the total 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 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

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20/9/23
**DIVISIONAL COMMISSIONER,
KASHMIR**

No: Div.Com/MLA/(2818)/2023
Copy to the: -

Dated: 20 - 09 - 2023

1. Financial Commissioner (R), J&K Govt. Jammu/Srinagar.
 2. Relief Commissioner (Migrants), Jammu
 3. Deputy Commissioner, Srinagar
 4. Alienee namely Mehak Jan D/o Javed Iqbal Matta R/o Chota Bazar, Srinagar.
 5. Alienors namely S/Sh. (1) Roshan Lal Sadhu S/o Late Sh. Mahadev Joo Sadhu, (2) Ashok Kumar Sadhu (son), (3) Mrs. Sarla Sadhu Nee Raina D/o Late Sarwanand Sadhu and (4) Mrs. Prana Sadhu W/o Late Makhan Lal Sadhu R's/o 55-Karan Nagar, Srinagar A/P Janipur, Jammu
-FOR INFORMATION AND NECESSARY ACTION.