

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPARTMENT OF DEFENCE
RAJYA SABHA
UNSTARRED QUESTION NO. 1162
TO BE ANSWERED ON 13th February, 2023

MUTATION OF PROPERTY

1162 SHRI JAVED ALI KHAN:

Will the Minister of Defence be pleased to refer to answer to Unstarred Question 532 given in the Rajya Sabha on 12th December, 2022 and to state:

- (a) whether issue of legality of foreign nationality of applicants have already been clarified by the Ministry of External Affairs;
- (b) if so, the reasons for decision to file clarificatory application before court along with the status of application; and
- (c) the details of action taken till date in response to legal opinion of Additional Solicitor General (ASG) for mutation of half undisputed property?

A N S W E R

MINISTER OF STATE
IN THE MINISTRY OF DEFENCE

(SHRI AJAY BHATT)

(a) to (c): In respect of Bungalow No. 9, Guru Govind Singh Marg, Lucknow Cantt, the Ministry of External Affairs informed that no question of international law is involved in the case, and the Court itself would need to be requested to clarify, if any clarification is felt necessary. In this regard, matter was taken up by DEO Lucknow with Addl. CGSC to file clarificatory application before Addl. District Judge (Sr. Division) Lucknow in Suit No. 837/2006. However, Addl. CGSC has advised DEO Lucknow to file an appeal before District and Session Court, Lucknow against the Order dated 27.09.2010 in Suit No. 837/2006 on the issue of legality of foreign nationals. The matter is under examination.

As regards action taken on the legal opinion furnished by the Ld Additional Solicitor General, DEO Lucknow has already been directed by DGDE to file objections in the ongoing Writ Petition in High Court.
