



htestates

LAW BOOK

Sunil Tyagi

I purchased a leasehold DDA flat in 2002 through a registered Agreement to Sell. I have been using the same as my residence. Now I want to get the same converted into freehold. Is it possible?

– Prabhat

You can get your flat converted from leasehold to freehold on the basis of the recently modified scheme of conversion issued by the DDA in April 2014. A property can be converted to freehold if the agreement to sell/general power of attorney in respect of which the property was purchased is registered and such an agreement to sell/general power of attorney was executed on or before October 10, 2011. Also, the property should have been constructed before 1992. Further, you need to comply with other guidelines mentioned in the modified policy of the DDA.

I purchased a shop in Gurgaon through a registered sale deed. Now I want to gift it to my son. What is the stamp duty payable on the gift deed to be executed in favour of my son?

– Jatin Bose

Recently, the Haryana government has, through a notification, remitted the stamp duty in whole, chargeable on instruments for transfer of property within the family

to blood relations. Thus, no stamp duty is payable on the the gift deed to be executed in favour of your son.

I have put my 3BHK flat on rent. At the time of taking back possession, I discovered that the tenant had demolished the wall between two bedrooms and has converted the two bedrooms into a master bedroom. Can I ask the lessee to rebuild the wall before taking possession of the flat? How do I ensure that I get my flat back in its original condition?

– Sharad Kumar

As per the provisions of the applicable law, your tenant is liable to restore the property to its original condition at the time of handing back possession of the flat. Thus, he should reconstruct the walls to restore the property in its original condition before he hands over the property to you. However, this is subject to contrary terms of the lease agreement, if any, executed between the tenant and you.

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