



LAW BOOK

Sunil Tyagi

I had purchased a flat in my wife's name and the payment was made by me. I want to sell the flat. How can I do so?

- Satyapal

Generally the person in whose name the property is purchased has sole ownership rights over it. Therefore, in order to sell the flat your wife may execute the sale deed in favour of the intending purchaser.

I am planning to purchase a flat in an under-construction project by a renowned builder in Gurgaon. The builder has told us that the portion of land on which the tower comprising of my proposed unit will receive a license in a few months. Can I purchase the flat before the license is granted?

- Rupashree

As per the law applicable in Haryana, to undertake construction, the developer has to obtain license from the Town and Country Planning Department. Therefore, you may purchase the flat once the land parcel has received the license from the Town and Country Planning Department.

I have some property which I bought from my own income. I have drawn a will bequeathing it to my daughter. Now, my son is

claiming that he should have an equal share in my property. Is his claim valid?

- Bhupinder Sharma

If you have purchased the property from your own income then it shall be your self-acquired property and you are free to dispose it in any manner.

I own a house in Gurgaon. Since I don't have children, I wish to gift the house to my niece. Is there any stamp duty exemptions for the same?

- Mrinalini

As per notification passed by the Haryana government in July 2014, stamp duty payable on transfer of property by an owner to any blood relation (i.e father, mother, children, grandchildren, brother(s), sister(s) and between spouse) has been exempted. Since your niece does not come under the definition of blood relation there is no exemption towards the stamp duty leviable on the gift deed executed by you in her favour.

The author is a senior partner at Zeus Law, a corporate commercial law firm. One of its areas of specialisations is real estate transactional and litigation work. If you have any queries, email us at hstestates@hindustantimes.com or ht@zeus.firm.in

