

**LAW BOOK**

Sunil Tyagi

We own a flat registered in my wife's name. We have no ancestral property. We have two sons and a daughter, all majors. We have given financial support to our sons to buy their own apartment. We want to transfer the flat to our daughter later. Is it legally permissible?

- Som Sharma

As the flat is a self-acquired property, your wife is free to transfer it to anyone. You do not need approval from your sons for such a transfer. If she wishes that it will be owned by her daughter after her demise, she can execute a will in her favour.

I had executed a gift deed for a property in 2001. It was a conditional gift and the condition attached to the gift has been violated lately. I can prove the violation of the condition in court. Can I revoke the gift?

- Tarun Verma

A conditional gift can be revoked if there is an express mention in the gift deed of the power of revocation of the donor, which in this case is you. In case a valid condition in the gift

deed is not fulfilled by the donee and you have been specifically provided with the power of revocation for such an event then you can revoke the gift.

I plan to buy a residential property in south Delhi. The seller claims that the property is free of mortgage charge. How can I verify this claim?

- Mahesh Jindal

To rule out existing mortgage on a property, you must verify the original title documents of that property. If the original title documents are in custody and possession of the seller, this will rule out any existing equitable mortgage on such property. For checking other kinds of mortgage, you can inspect the records at the office of the concerned sub-registrar.

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