



LAW BOOK

Sunil Tyagi

I am entering into a deal to purchase a flat in Gurgaon. The owner of the flat has currently leased it out to a family and the lease is due to expire by the end of next year. How can I ensure that the tenant pays the rent to me and not to the previous owner after I purchase the flat?

- Ashmit Kapur

After completion of the sale in your favour, you will automatically step into the shoes of the previous owner. However, you can also enter into a tripartite agreement with the previous owner, lessee for attornment of this existing lease in your favour so as to ensure that all benefits/entitlements under the current lease accrue to you upon execution of the sale deed.

I have taken an apartment on lease in Janakpuri in Delhi and have signed the lease deed provided by my landlord. In the deed there is no provision regarding payment of property tax. Now the lessor is asking me to pay property tax for the apartment. Can he do so?

- Bidisha Chaliha

As per the Delhi Municipal Corporation Act, 1957 the owner of any land/building is primarily liable to pay property tax. Thus, he cannot force you to pay the same.

My brother is claiming a share in a property that was acquired by me. He is claiming that it is a joint family property. He has also filed a case before the Delhi High Court against me and has obtained a stay order. I am in urgent need of funds. Can I sell the property to raise funds?

- Niharika Dey

If the court has passed a stay/restrain order, restraining you from transferring property, you are not entitled to sell the property without permission from the high court.

I recently got a lease deed registered. If the property details are not correctly mentioned in the deed, is it possible for me to get the error rectified now?

- Sanchita Shah

Once a document is registered, any additions, omissions, rectifications and modifications in the document can be possible only through a rectification deed. A nominal stamp duty is payable on the document. Further, a rectification deed must be duly registered with the concerned sub-registrar.

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