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SUNIL TYAGI

I have got my house in Delhi reconstructed. The total height of the house has exceeded the prescribed limit. Can any action be taken against me for the same?

- Shikha Gupta

Since the height of the house has exceeded the prescribed limit, it is an unauthorised construction of non compoundable nature and cannot be compounded/regularised. The concerned authorities may demolish or alter it at your expense.

I have written a will making my son one of the beneficiaries. Can my son be one of the witness for the will?

- Dinkar Sharma

Yes, your son may be both the beneficiary and witness under your will.

We are a family of two brothers and four sisters. We jointly inherited a property from my father who died intestate in 2008. If I file a suit for partition for my share in this property, will the suit be barred by limitation?

- Bhrigu Srivastava

You may file a partition suit in the civil court at any time, irrespective of which year you had inherited a share in this property, because rights in a jointly owned property is a continuing right.

I booked an under-construction flat in 2014 where the builder was selling the project under a particular name. The builder is

now selling the project under a different name. The documents executed by the builder in my favour are under the project's earlier name. Does that have any bearing on the ownership?

- Sarvesh Mahajan

The builder should have ideally communicated the decision to change the name of the project in writing. You may approach the builder and seek a clarification regarding the change in the name of the project. In any case, change in the name of the project will not affect your ownership rights in the flat.

I have given my house on lease. But he has now further leased the house to a third party without my knowledge or consent. Is he entitled to sub-let the same?

- Moorthi Nigam

The lessee's right to sub-lease the house depends on the terms and conditions of the lease deed. If there is no express prohibition in the lease deed on sub-letting the whole/or any part of the house, then the lessee shall be entitled to sub-let the same.

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