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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?

— Bhriugu 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.

The author is a senior partner, ZEUS Law Associates, a corporate commercial law firm. One of its areas of specialisation is real estate transactional and litigation work. If you have any queries, email us at htestates@hindustantimes.com.

