



LAW BOOK

Sunil Tyagi

I had entered into an agreement to sell in January 2015 to purchase a plot. As per the agreement, the sale deed was supposed to be executed in my favour in July 2015. However, the owner has been delaying the execution of sale deed in my favour on flimsy grounds. Is it too late for me to file a suit for specific performance?

- Jayesh Mishra

Under the Limitation Act, 1963, the period of limitation in a suit for specific performance is three years. This period of three years will be calculated depending on whether the parties have specified a date for performance of the contract in their agreements. As the agreement to sell in this case had fixed a date in July 2015 for execution of the sale deed in your favour, the period of limitation of three years will also commence from July 2015. Thus, you may file a suit for specific performance against the seller as currently you are well within the limitation period.

My neighbour has blocked a significant portion of our common corridor in the building, claiming it is for security reasons. Can he do so?

- Naveen Verma

It is not permissible for any occupant to unlawfully reserve any portion of an area demarcated as common areas and facilities

for his/her personal use. Generally, corridors are part of common areas and hence meant for common use and enjoyment by all occupants.

I am staying in a flat in Delhi that I have taken on lease for a period of five years. I have been residing in the flat for six months now. Due to certain unavoidable circumstances, the lease deed could not be registered. Is it too late to get the registration of lease deed now?

- Mahesh Jain

The time period for presenting the lease deed for registration is four months from the date of its execution. As you have already crossed the prescribed time period, you may still present the lease deed to the registrar for registration within four months from the expiry of the prescribed period. If the registrar is satisfied with the reasons due to which the lease deed could not be presented for registration within the prescribed period, then he may accept the lease deed for registration on payment of requisite fee/fine.

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