



LAW BOOK

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I had leased my apartment for five years. Now, the lease period has expired and the tenant is ready to vacate the flat. But when I vacated my apartment, I observed that the tenant has damaged the apartment. The security deposit has already been set off against the rent and the tenant is now refusing to pay for the damages. What should I do?

- Latha Nageshwar

You should calculate the amount that you will pay to repair and restore the apartment to its original and also file a civil suit against your tenant for recovery of amount spent by you.

My husband and I bought a house 10 years ago in Kerala. Due to marital discord, we have been living separately for the last three months. I am a little apprehensive that he might sell the house in Kerala without my consent. Can he sell it without my consent?

- Sarika Nair

If you both are the registered joint owners of the house, then you both have to sign the instruments/documents in order to effectuate the transfer of all your interest in the house.

I am an 86-year-old and I have a flat in my name which I want to gift to my grandson. My grandson is only 12 years old. Can I gift the property to him if he is a minor? As per my knowledge, a valid gift of a property must be accepted by the recipient. Who

can legally accept the gift for him as he is a minor?

- Sudanshu Nagpal

Yes, a gift made to a minor is valid in the eyes of law. A gift made to a minor can be accepted on his behalf by any of his parents or his guardian.

I intend buying a residential property in Delhi. I am in the final negotiations with a seller and I might enter into an initial agreement with the seller for sale/ purchase transaction of the property. I wish to register the same. Do I have to pay the entire stamp duty on the value of the property twice - that is, on both agreement to sell and sale deed?

- Himanshu Chaturvedi

On an agreement to sell (ATS), stamp duty of any amount can be paid up to a maximum of the applicable stamp duty payable. Such amount of stamp duty paid on ATS shall get credited/ adjusted with stamp duty payable on the sale deed, as and when it is subsequently executed and registered. Thus, the total stamp duty amount for both the sale deed and ATS taken together is same as the stamp duty amount payable on the sale deed.

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