



LAW BOOK

Sunil Tyagi

My grandfather gifted his property to my father and the property is registered in my father's name. Now my elder uncle is claiming a portion in that property. Do we need to obtain a no objection certificate from other legal heirs for the gifted property?

- Sandeep Sehgal

It is not clear from your question whether the property gifted by your grandfather is a self acquired property or a Hindu Undivided Family (HUF) property. Presuming that the property in question is a self acquired one, there is no requirement under law to obtain a no objection from other legal heirs for such a validly gifted property.

My father-in-law expired in 2014 without leaving a will and there is a property in his name. He is survived by my mother-in-law, my wife and her sister. My mother-in-law now wants to sell this property. Please let me know if my mother-in-law can sell the property without any legal documents from her daughters. Although we applied for succession certificate but I am told that it shall take some time before we get it. What should we do?

- Ashwini Singh

As your father-in-law died without leaving behind a will, your mother-in-law cannot sell this property without the consent of your wife and her sister. All three of them can execute a sale deed jointly in favour of the buyer to sell the said

property. Alternatively, if your wife and her sister do not want a share in the said property, they can execute a relinquishment deed in favour of your mother-in-law. This shall transfer absolute ownership of the said property in the name of your mother-in-law and then she can sell the same.

I had booked a 3BHK flat in Delhi with a reputed builder in 2014. I have already paid an amount of ₹28 lakh to the builder. It has been two years now but there has been no progress in the said project. On enquiring, their executives say that the project has approval issues. I have also asked for a refund and sent several e-mails but there has been no response. Which consumer court should I approach in this regard?

- Rajarshi Bose

You can file a written complaint for seeking relief before the State Consumer Disputes Redressal Commission if your refund claim along with interest and compensation is between ₹20 lakh and ₹1 crore.

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