

**htestates****law book****SUNIL TYAGI**

I am planning to draft a will for bequeathing both movable and immovable property. I want to know if it is compulsory to get such will registered and what is the legality of unregistered wills?

- Subhash Sharma

Registration of a will is not compulsory. The legal validity of a will is not based on any distinction between a registered will or an unregistered will. However, it is always advisable to get your will registered in the office of the sub-registrar.

I am a German citizen registered as an overseas citizen of India. I want to buy property in India. Is it possible to buy or invest in property in India? What are the restrictions (if any) and what approvals are required?

KP Singh

According to general permission granted by the Reserve Bank of India, an overseas citizen of India (OCI) can purchase immovable property in India (without any approval). However, this general permission only covers the purchase of residential and commercial property. An OCI cannot purchase agricultural land,

plantation property or a farmhouse in India.

We are a Hindu family comprising me and my mother. My father died without making a will. He had bought a house during his lifetime out of his own funds. After his demise, his brother is claiming a share in this house. Can my father's brother claim any share?

- Gulshan Rawat

No. Your father's brother will have no share in the property. As the said property was acquired by your father out of his own funds. Therefore, it is his self-acquired property. As per Hindu Succession Act, 1956, your mother and you are Class I legal heirs and in the absence of any will of your father, both of you will get one-half share in the said house and other self-acquired properties of your father. Your father's brother being a Class II legal heir has no right over the same.

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