

**htestates****LAW BOOK**

Sunil Tyagi

It has been more than a year I have acquired membership in a cooperative group housing society in Delhi. The management committee is now demanding payment of money towards common good fund from me. Is this charge valid?

-Jatin

As per Delhi Cooperative Societies Rules, 2007, a transfer fee of ₹500 is charged towards common good fund at the time of application of membership. No further payment towards common good fund can be demanded by the housing society.

I have mortgaged one of my properties situated in Gurgaon for a loan borrowed from a lender. I have also mortgaged my other property situated in Delhi against another separate loan that is borrowed from the same lender. I have repaid the amount due towards the property mortgaged in Gurgaon. Despite that, the lender has refused to deliver the mortgage deed and all original documents relating to my property in Gurgaon which are in his possession till I repay the amount due against my other property in Delhi. Is the lender/mortgagee allowed to retain the same?

-LN Tiwari

As per the applicable law, the lender/mortgagee

unless agreed otherwise, cannot deny your right to take delivery of the mortgage deed and all original documents relating to the mortgaged property on repayment of the amount due towards either of the mortgages executed in favour of the same lender/mortgagee. Therefore, the mortgager is liable to return the mortgage deed and all documents relating to the property situated in Gurgaon.

Due to certain dispute, my family has excluded me from my share in the joint family property. Now I wish to file a suit for my share in the joint family property. Is there any limitation period for the same?

-Lalit Goyal

As per the applicable law, a period of 12 years to file the aforementioned suit begins to run from the time the exclusion from the joint family property becomes known to you.

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