

**LAW BOOK**

Sunil Tyagi

My father gifted a house to my minor son while I was made a guardian. Due to some financial exigencies, I want to sell the house. How can I do so?

— Samit Banga

Since the property is in the name of your minor son and you are the guardian, to sell the immovable property, you need to obtain the prior permission of the appropriate court.

I have given my flat in Delhi on rent to a family who have been staying there for the last two years. There was no rent agreement but the amount of rent was agreed at ₹15,000 per month which they were paying on time. Now I have asked them to vacate the house but they are refusing to leave. How can I get my house vacated legally?

— Tushar Singh

The procedure for vacation of property in your case will be governed by the provisions of Transfer of Property Act, 1882. Since there is no rent agreement, the tenancy between you and your tenant is a month-to-month tenancy. You can terminate the tenancy by issuing a notice. If the tenant does not vacate the property, then you can approach the court in whose jurisdiction your property is located and file an eviction suit and force-

him to vacate it.

My mother owned a house in Uttar Pradesh. She passed away without leaving a will. We are two brothers but my brother does not want a share in the house. How can the property be in my sole name?

—Rajesh Sharma

Your brother may execute a relinquishment or release deed, relinquishing his share in the house in your name. Further, the deed has to be registered with the office of the appropriate sub-registrar.

My father had purchased a flat in north Delhi from his own funds. My late father bequeathed the flat solely to my elder brother vide a registered will. Do I have a share in the flat?

— Sagar Jha

Since the said property is a self-acquired property of your father, he is free to dispose/bequeath it to anyone. You shall not be entitled to any share in the said property.

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