

**LAW BOOK**

Sunil Tyagi

My grandfather gifted an immovable property to my sister. I attested the gift deed as a witness along with a family friend. Now our uncle is trying to challenge the deed. Can he do so on the ground that I being a family member attested the gift deed as a witness?

- Saurav Sharma

You being an attesting witness to a gift deed executed by your grandfather in favour of your sister cannot be a ground for challenging the gift deed. There is no bar on family members from being attesting witnesses to a gift deed.

My husband passed away some time back. He had bequeathed our house in Delhi to me through a will which is duly registered. I wish to get the house mutated in my name with the municipal corporation. How do I do so?

- Sakshi Bajaj

You may send a notice to the relevant Delhi Municipal Corporation in Form B within six months along with the appropriate mutation fee and the following documents, (i) Certified copy of registered will of your husband (ii) Original copy of death certificate (iii) Your affidavit as per form prescribed (iv) Indemnity bond by you as per form prescribed (v) Up-to-date property tax

receipts (vi) Rough site plan of the property (in case the site plan is not there in the file with the corporation, it may be required) and (vii) any additional documents the corporation may ask for.

I live in the US and want to sell my property in India. I want to appoint my brother as an authority and have drafted and signed a power of attorney for this purpose in his favour. Can my brother now execute the sale on my behalf or are there any legal formalities to validate the power of attorney?

- Mohit Singh

For such a power of attorney to be binding and recognised by law, it should be duly executed before and attested by the Indian consulate or notary public located in the US as per the prescribed procedure. Once the power of attorney is received in India, it is required to be stamped with the proper stamp duty payable thereon, within three months after it has first been received in India.

The author is a senior partner at Zeus Law, a corporate commercial law firm. One of its areas of specialisations is real estate transactional and litigation work. If you have any queries, email us at htestates@hindustantimes.com or ht@zeus.firm.in