



LAW BOOK

Sunil Tyagi

I am the member of an association of flat owners. We had booked our respective flats in a project in Gurgaon being developed by a prominent builder. The flat buyers' agreement executed with us ensured that we would receive possession within 24 months. However, 36 months have passed and the construction is nowhere near completion. We have paid approximately 85% to 90% of the consideration. How should we proceed?

– Siddharth Goel

You may seek compensation for the period of delay in possession together with interest on the same from the builder. Alternatively, you may seek refund of your consideration along with interest.

I live in a rented accommodation in Delhi. The house is in need of major plumbing repairs. Despite repeated requests, the landlord has failed to get the repairs done. What should I do?

– Shekhar Kumar

The maintenance and repairs of rented accommodation depend on the terms of the lease between the landlord and you. If, as per your lease terms, maintenance is the responsibility of the landlord, you may get

the repair work done on your own and deduct the cost incurred from the rent amount.

It has been five months since I shifted to a new flat. At the time of the initial booking, the flat was under construction. Recently, I noticed that there are various cracks in the ceiling of the flat, which were not visible at the time of taking possession. Can I ask the developer to rectify the ceiling?

–Rahul Khanna

Usually the buyer's agreement executed with the developer for purchase of a flat mentions the time period during which the purchaser may approach the developer for rectification and repair of defects/deficiencies in the flat. Hence, if a such time period has not expired as per your agreement, you can approach the developer and ask him to rectify the cracks in your ceiling.

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