



## LAW BOOK

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I am an NRI and own a flat in Delhi which I want to rent. Can I do so and do I need to take some approvals?

– Shikha Gupta

Yes, you may rent out the property without the approval of the Reserve Bank of India or any other authority. The rent received can be credited to NRO / NRE account or remitted abroad.

I had entered into a lease for a term of five years, over six months ago. Due to certain unavoidable circumstances, the lessor and I were unable to get the lease deed registered. Now we want to get the same registered, how should we proceed?

– Mamik Malik

As per the Indian Registration Act, 1908, a lease deed having a term exceeding 11 months, is required to be compulsorily registered within a period of four months from the date of its execution. Nevertheless, in exceptional cases where the delay was due to unavoidable circumstances, an additional period (up to a maximum of four months) may be granted by the registrar, on payment of the prescribed fine and depending on the facts and circumstances. You may file an application in this respect with the relevant sub-registrar's office within whose jurisdiction this property is located.

I bought a flat in Delhi in the name of my son but now want to

sell it. My son lives in Bangalore and is unable to travel to Delhi for the sale-purchase transaction. How can we carry out the transaction?

–Shanta Singh

Your son may execute a general power of attorney duly registered in your favour authorising you to carry out the sale on his behalf. Thereafter, you can carry out the sale-purchase transaction on his behalf.

I plan to purchase a fully constructed flat in a residential complex. However, before purchasing the flat I wish to verify the construction of the flat. How do you suggest I should do the same?

–Rewanti Gora

When purchasing a fully constructed property, you may ask the seller to provide you sanctioned building plans, completion certificate and/or occupancy certificate of the property. You may check whether the property has been constructed according to such sanctioned building plans. If there is any deviation from the sanctioned building plans, then the same should have been regularised by paying necessary charges.

*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 [hstestates@hindustantimes.com](mailto:hstestates@hindustantimes.com) or [ht@zeus.firm.in](mailto:ht@zeus.firm.in)*

