

TRANSFER OF OWNERSHIP/LEASE RIGHTS ON THE BASIS OF REGISTERED WILL

CHECKLIST FOR DOCUMENTS TO BE UPLOADED/VERIFIED BEFORE SUBMISSION (In Original) AT COUNTER FOR TRANSFER OF OWNERSHIP/LEASE RIGHTS ON THE BASIS OF REGISTERED WILL

S. No.	Document/Content
1.	Application for Transfer of Ownership/Lease Rights duly signed by the applicant (s)/Beneficiary(s) – Annexure –1
2.	Certified copy of Will duly issued by the Sub-Registrar where the Will has been registered.
3.	Translated copy of WILL in English, if it is in other language.
4.	Liability Affidavit of beneficiary(s) of WILL duly attested by the Notary Public. –Annexure –2.
5.	Indemnity bond of beneficiary(s) of WILL witnessed by two Witnesses and attested by the Competent Authority - Annexure –3.
6.	Self Attested photo identity proof i.e., Aadhar Card/Passport/Voter ID Card/Pan Card of the beneficiary(s).
7.	Death Certificate in Original of the deceased alongwith its translation in English language, if it is in other language.
8.	In case of Death of any Legal heir/beneficiary of the WILL, his/her/their Death Certificate in original alongwith its translation in English language, if it is in other language.
9.	Clearance of previous loan/NOC for transfer, if any, taken from any bank/ financial institution or any Govt./Semi Govt. body (Original). – Annexure – 14
10.	<ul style="list-style-type: none"> Self attested copy of Occupation Certificate/Sewerage Connection/Certificate of date of Permanent release of Electricity or Water Connection from the concerned authority with Release Date, if O.C. or S.C. not available in software. A certificate (in original) issued by the Registered Architect on his/her letter head - Annexure-15.
11.	In case Transfer of Ownership/Lease Rights is applied through GPA/SPA/Sub-GPA:- <ul style="list-style-type: none"> Attach certified copy of GPA/SPA/Sub-GPA. Affidavit of GPA holder- Annexure -11
12.	If the Will is registered under section 40 (i.e after death of the executant of the WILL) <ol style="list-style-type: none"> No Objection affidavit (appended with latest photograph) of all the left out/ignored legal heirs of the deceased owner, if the property is bequeathed in favour of specific legal heir(s) along with self attested ID proofs of the left out legal heirs /ignored legal heirs – Annexure- 4 Affidavits of both the attesting witnesses of Will with their latest photographs on the affidavit alongwith their self attested ID proofs – Annexure- 5

NOTE: If any document is prepared/executed outside INDIA, such document needs to be submitted after getting the same EMBOSSSED from the O/o Finance Department, Chandigarh Administration.

TRANSFER ON THE BASIS OF REGISTERED WILL

To

The Estate Officer,
U.T., Chandigarh.

Subject: Transfer of _____% Share of Plot/Site/Property No. _____, Sector/Phase _____, Chandigarh on the basis of Registered Will.

Sir/Madam,

I/We am/are the beneficiary of Regd. Will of Late Sh./Smt. _____ Son/Wife of _____ executed by the deceased owner of _____ in respect of House/SCO/Booth/indl. Site/Plot No. _____, Sector/Phase _____, Chandigarh, in my/our favour.

I/We, am/are enclosing all the requisite documents as per check list in the booklet for your kind consideration, record and necessary action at your end.

You are, therefore, requested to transfer the above said property on the basis of Registered Will at the earliest.

Thanking you

Dated: _____

Yours faithfully

(Signature) _____

Name & Address:

LIABILITY AFFIDAVIT

I/We _____ Son/ Wife/Daughter of
_____ R/o _____ do
hereby solemnly affirm and declare as under:-

1. That Sh./Smt. _____ is owner of Site/plot/Property No. _____ Sector _____ at Chandigarh to the extent of _____ % Share, vide allotment letter No. _____ dated _____
2. That Sh./Smt. _____ expired on _____ leaving behind the following legal heirs:-

Sr. No.	Name of Legal Heir(s)	Age	Relation with deceased (Mother/Wife/Husband/Son(s)/Daughter(s))	Latest Address

3. That the name of all the legal heirs of the deceased have been mentioned above and no other legal heir(s) have been left out and their address(es) indicated above are also true and correct.
4. That the said deceased had executed a Registered WILL dated _____, duly registered in the office of the Sub Registrar, _____, in which he/she had bequeathed the said site/plot/property in favour of _____, in respect of above said property. It is the last WILL of the deceased. The WILL has neither been superceded nor cancelled till date and I/We shall comply with the stipulations of WILL, if any.
5. That I hereby undertake to pay all sums due in connection with the above said property mentioned above and to abide by the provisions of the Capital of Punjab (Development and Regulation) Act, 1952 and rules framed there-under. I/We shall also abide by the conditions mentioned in the allotment letter as well.
6. That the building is complete upto _____ Storey. The Occupation Certificate has been/not been obtained and there is no building violations.
7. That the mother of the deceased is _____ (Alive/Pre-Deceased/Deceased).
8. That there is no litigation pending in any court of law regarding this property.

9. That no fragmentation shall be made in the site.
10. That the property is free from all sorts of encumbrances i.e. Sale/Transfer/Gift/ Mortgage/ Lien/ Charge of Bank(s) /Financial Institutions.
11. My /our Specimen signatures are as under:-

_____	_____	_____
_____	_____	_____

Place: Chandigarh

Deponent(s)

Dated

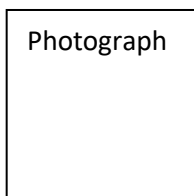
Verification

I/We, the above named deponent(s) do hereby verify that the application/affidavit is correct to the best of my/our knowledge and belief and nothing has been concealed therein. In case of any concealment of misrepresentation in the above said affidavit is found at any stage then legal action may be taken against me/us under Section 182 IPC, Section 415 read with and 420, as the case may be.

Place: Chandigarh

Deponent(s)

Dated



INDEMNITY BOND(S)
(On stamp paper worth Rs.15/-)

This Indemnity Bond is made at _____ on this day of ____ by Sh. /Ms. _____ Son/daughter/wife of _____ Resident of _____ hereinafter called as the Executant (s).

Whereas the above said executant(s) of this Indemnity Bond has/have applied for transfer of ownership/Lease Rights in respect of _____ Site/Plot/Property No._____, Sector_____, Chandigarh, to extent of _____% Share, (File No._____), on the basis of Registered Will of _____, duly registered in the office of the Sub Registrar, _____.

And Whereas the Executant(s) shall be personally liable for settling all the Court cases and dues so levied by the Chandigarh Administration for settling the past liabilities.

And whereas the Executant(s) shall obtain the statutory completion/occupation certificate, if not obtained earlier by the previous owner and remove the building violation/misuse, if any.

And Whereas the Executant(s) will execute the Redemption Deed of loan if not executed earlier, wherever applicable.

Now this Indemnity Bond witnessed as under:

1. The Executant(s) shall remain liable to indemnify the Estate Officer, U.T, Chandigarh and or its employees for all such losses, damages and claims on account of transfer of this property.
2. That if any person will make any claim regarding said property, then the litigation of the same shall be defended by the Executant(s) and the loss suffered by the Estate Officer shall also be made good by the Executant (s) and his/her/their properties.
3. That the said property is free from all sorts of encumbrances and it is not charged, mortgaged or alienated in any manner and no underhand sale is involved in respect of the said property.
4. That in case any legal heirs or other person agitate this transfer in any court of law, then the litigation of the same will be defended by the executants only and the loss

suffered by Estate Officer shall be made good by the Executant(s) & his/her properties.

5. That in case the Estate Office, U.T, Chandigarh would suffer any loss on account of this transfer in the name of said exeucant(s), then the executants(s), his/her/their property and he/she/they in person and/or their legal heirs shall be liable to make good the loss, which may be sustained by the Estate Office or any of its employees.
6. That in case any legal heirs or other persons(s) make any claim against the transfer of the above said property, then the litigation of the same will be defended by the executants only.

In Witness whereof the executants(s) has/have set their hands, on this bond in the presence of the following witnesses, this indemnity Bond is signed at _____

Witness No. 1
Signature
(Name & Address)

Witness No. 2
Signature
(Name & Address)

Executant(s)

(IN CASE WILL REGISTERED UNDER SECTION 40)

ANNEXURE- 4

PHOTO(s)

AFFIDAVIT

(No Objection of the legal heirs other than the beneficiaries in the case of Un Registered Will)

I _____ Son/Wife/Daughter of _____ R/o _____ do hereby solemnly affirm and declare as under:-

1. That Late Sh./Smt. _____ Son/Wife of _____, who was my _____ (relationship) (hereinafter referred to as the deceased) died on _____ at _____.
2. That the deceased was the sole, absolute and undisputed owner in respect of _____ Site/Plot/Property No. _____ Sector _____, Chandigarh to the extent of _____% Share and executed an Un-Registered Will dated _____ registered under section 40(after death) bequeathing the above said property in favour of Sh./Smt. _____.
3. That I being legal heir and _____ (Relationship) of the deceased owner have no interest in the above said property and hence, do not have any objection if the aforesaid property is transferred in the name of aforesaid beneficiary(ies) namely _____ as per wishes of the deceased, vide Un-Registered Will dated _____.
4. That the transfer of property by the office of Estate Officer, UT, Chandigarh in favour of the aforesaid beneficiary(ies) would bear binding on me. I also undertake to bind myself any my heirs not to interfere in this declaration.

Place: Chandigarh
Dated _____

Deponent

Verification

I/We, the above named deponent do hereby verify that the application/affidavit is correct to the best of my/our knowledge and belief and nothing has been concealed therein. In case of any concealment of misrepresentation in the above said affidavit is found at any stage then legal action may be taken against me/us under Section 182 IPC, Section 415 read with and 420, as the case may be.

Place: Chandigarh

Deponent

Dated

(IN CASE WILL REGISTERED UNDER SECTION 40)

ANNEXURE- 5

PHOTO(s)

JOINT AFFIDAVIT OF WITNESSES TO THE WILL

I _____ Son/Wife/Daughter of
_____ R/o _____ do
hereby solemnly affirm and declare as under:-

1. That I was one of the witnesses to the Un-Registered Will of Late Sh. _____ dated _____ registered under section 40(after death), who died on _____.
2. That the Un-Registered Will dated _____ was signed in my presence and the executant was having sound and healthy mind at the time of executing the Will and without any influence from any quarter.
3. That the property i.e. _____ in Chandigarh has been bequeathed in favour of Sh./Smt. _____ leaving behind the other legal heirs namely _____.
4. That other witness Sh. _____ has also signed on the Will in my presence.

Place: Chandigarh
Dated

Deponent

Verification

I/We, the above named deponent do hereby verify that the application/affidavit is correct to the best of my/our knowledge and belief and nothing has been concealed therein. In case of any concealment of misrepresentation in the above said affidavit is found at any stage then legal action may be taken against me/us under Section 182 IPC, Section 415 read with and 420, as the case may be.

Place: Chandigarh
Dated

Deponent

AFFIDAVIT

(On stamp paper worth Rs. 15/- and duly attested by Notary)

I/We, _____, s/o S/Sh. _____ r/o _____, Sector ____, Chandigarh, do hereby affirm and declare as under :-

1. That I/We are GPA/SPA of S/Sh. _____ S/o _____ in respect of _____% share of _____, Sector _____, Chandigarh and the said GPA was duly executed/Registered at Sr. No. _____ dated _____.
2. That the executants(s) of the GPA/SPA is/are still alive and the GPA/SPA executed by him/her/them has not been revoked/cancelled till date and it is still valid and operative.
3. That there is no under hand sale involved **between** the lessee(s)/owner(s)/executants(s) of GPA/SPA and the GPA/SPA holder(s)/deponent(s). The GPA/SPA has not been executed to circumvent the provisions of Indian Stamp Act 1899.

DEPONENT

VERIFICATION :

It is certified that the information provided is true and correct to the best of my knowledge and nothing has been concealed therein.

DEPONENT

On the letter head of Financial Institution

No Objection Certificate

The loan against the property bearing No. _____, Sector _____, Chandigarh owned by S/Sh. _____ has been cleared and nothing is outstanding against them.

We don't have any objection if the above said property is being sold/transferred by S/Sh. _____.

(Authorised signatory)

Office Seal

On the letter head of Architect (Registered)

TO WHOMSOEVER IT MAY CONCERN

It is certified that the _____ has been constructed as per
Sanctioned Building Plan and there is no violation in the building so constructed.

(Authorised signatory)

Office Seal

On the letter head of Architect (Registered)

TO WHOMSOEVER IT MAY CONCERN

It is certified that I, _____, Qualified Architect & Regd. Valuer inspected the Site/H.No._____, Sector-_____, Chandigarh owned by _____. As per the Regd.Will at Sr.No._____, Book No._____, Volume No._____, Page No._____, dated _____ in the office of Sub-Registrar, _____. The percentage of each legal heirs in the above said property as per the WILL is given as under:-

S.NO.	Name of Share Holder	Share
1.		
2.		
3.		

(Authorised signatory)
Office Seal