

3 of 07

From

The Chief Administrator,
Haryana Urban Development Authority
Panchkula.

To

1. All the Zonal Administrators, HUDA
2. All the Estate Officers, HUDA

Memo No. A-6-UB-2013/26866-688

dated 03.06.2013

Subject: Policy regarding mode of transfer of immovable property to the legal heir(s)/legatee after death of the allottee/re-allottee.

1. In supersession of letter No. A-6-UB-2013/9454-76 dated 26.02.2013, the following policy guidelines are hereby issued for strict compliance:-

- ~~1~~ 2. On receipt of the application for transfer of ownership in case of death of the allottee/re-allottee, the Estate Officer concerned shall issued a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area giving full particulars of the property and the applicant(s), who have applied for transfer of ownership rights. The public notice should clearly state that if any legal heir(s) is/are having any objection against the transfer of ownership, the objector (s) can submit the objection to the Estate Officer in writing alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the ownership shall be transferred in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues. In case of dispute amongst the legal heirs, the property will be transferred in the names of all the legal heirs. However, they shall not be allowed to alienate the property till they get their interse dispute finally settled through the competent court of jurisdiction.

- ~~2~~ 3. **Transfer on the basis of the registered will.**
On receipt of the application of mutating the property in the name of the holder of the registered will, the Estate Officer concerned shall issued a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area, giving particulars of the property and the applicants (s), who have applied for transfer of ownership rights. The public notice should clearly state that if any legal heir(s) is/are having any objection against the transfer of ownership, the objector (s) can submit the objection to the Estate Officer in wiring alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the property shall be transferred in the name of the holder of the registered will in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond etc. if any objection is received, then the objector should be asked to get the dispute settled from the competent court of jurisdiction regarding the genuineness of the Will but during the pendency of the dispute, the ownership shall be transferred in the name of the holder of the registered will subject to the final outcome of the case subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues.

- ~~3~~ 4. **Transfer on the basis of the unregistered will.**
On receipt of the application for mutating the ownership in the name of the holder of the unregistered will, the Estate Officer concerned shall issue a public notice at the cost of the applicant (s) within 30 days of the receipt of the request in two newspapers – one in Hindi and other in English, having wide circulation in the area, giving particulars of the property and the applicant (s), who have applied for transfer of ownership rights.

4 of 7

The public notice should clearly state that if any legal heirs (s) is/are having any objection against the transfer of ownership, the objector(s) can submit the objection to the Estate Officers in writing alongwith supporting documents within one month of the publication of the notice and if no objection is received within 30 days of the publication of the notice in the aforesaid manner, then the ownership shall be transferred in the records of HUDA subject to the fulfillment of other conditions regarding submission of the death certificate, affidavit, indemnity bond and payment of all outstanding dues. If any objection is received and the Estate Officer is not satisfied regarding the genuineness of the Will, then Estate Officer shall transfer the property on the basis of natural succession subject to the final outcome of the dispute regarding the genuineness of the unregistered Will.

5. Transfer on the basis of Sale Deed.

If the sale deed has been executed after obtaining No objection certificate from HUDA or after execution of the conveyance deed in favour of allottee, transfer shall be allowed by the Estate Officer. Otherwise same procedure as mentioned at Sr. No. 2 and 3 shall be followed".

This has been issued with the approval of Hon'ble CM, Haryana-cum-Chairman, HUDA.

-sd/-

Administrator, HUDA (HQ)
for Chief Administrator, HUDA, Panchkula

Dated:

Endst. No A-UB-A6/2013/

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HUDA, Panchkula.
2. The Chief Engineer, HUDA, Panchkula.
3. The Chief Engineer-I, HUDA, Panchkula.
4. The Chief Town Planner, HUDA, Panchkula.
5. The Chief Architect, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula.
7. The District Attorney, HUDA, Panchkula.
8. The General Manager (IT), HUDA, Panchkula.
9. The Enforcement Officer, HUDA, Panchkula.
10. The Dy. ESA, HUDA, Panchkula.
11. All Assistants & Record Keepers of Urban Branch HQ, Panchkula.

-sd/-

Administrator, HUDA (HQ)
for Chief Administrator, HUDA, Panchkula