INDIALAW

Purchase & Sale Of Commercial And Residential Properties

Property Purchase and Sale Law Firm in India for Due Diligence and RERA Matters

PRACTICE PROFILE • OCTOBER 2026

Overview

We provide comprehensive legal services for the purchase and sale of commercial and residential properties, ensuring that every step of the transaction is legally sound, efficient, and aligned with your business or personal goals. Our expertise spans the entire property transaction lifecycle, from due diligence and regulatory compliance to drafting and executing agreements and handling post-transaction formalities.

Our Services

Due Diligence & Title Verification

- Thorough investigation of premises ownership records as per the limitation period.
- Verification of records at the Sub-Registrar's office, Municipal Corporation, CERSAI, and revenue departments to detect encumbrances, litigations, or third-party interests in the Commercial and Residential Properties.
- Thorough search to assess whether the property or any of its co-owners are party to any ongoing or past litigation, including civil, criminal, revenue, or consumer disputes.
- Assessment to confirm that property taxes, development charges, and other municipal or local levies are fully paid and up to date.
- Verifying approved building plans and completion certificates.

Transaction Documentation

- Drafting and vetting Agreement for Sale documents to ensure they are aligned with applicable laws, including the Transfer of Property Act, RERA (where applicable).
- Drafting Sale Deeds and Conveyance Deeds for final transfer of title upon completion of the transaction.
- Assisting in structuring and drafting Development Agreements, Joint Development Agreements (JDAs), and Joint Venture Agreements between landowners and developers.
- Structuring commercial lease deeds, industrial lease agreements, and Leave & License Agreements for both long-term and short-term arrangements.
- Drafting General Power of Attorney and Special Power of Attorney instruments for various real estate purposes, including execution of sale deeds, representation before authorities, registration, and project development.
- Drafting NOCs, Indemnity Bonds, Affidavits, and Undertakings, Possession Letters, and Declaration Forms and other supplementary documents.

Regulatory Compliance & Approvals

- Verifying Occupancy Certificates, Building Completion Certificates, Sanctioned Plans and other statutory building approvals and permissions issued by competent authorities.
- Provided advisory and assistance in complying with the provisions of the RERA, 2016.
- Advising clients, particularly purchasers, on their obligations under Section 194-IA and Section 194-IC of the Income Tax Act, 1961.

Transaction Execution & Post-Completion Services

- Expert representation during negotiations relating to pricing, payment terms, possession timelines, indemnities, and risk allocation.
- Ensuring that all transaction documents (such as the Agreement for Sale, Sale Deed, Power of Attorney, NOCs, and other ancillary instruments) are executed in strict compliance with applicable legal and procedural norms.
- Coordination with sub-registrar offices for document registration.
- Post-transaction, assisting in applying for and completing changes in official property ownership records to reflect the buyer's name.
- Coordination with municipal bodies, societies, and utility service providers for ownership updates.

Transaction Structuring & Financing

- Structuring of joint development agreements, lease deeds, and sale-cum-development deals.

- Assisting in identifying and resolving issues related to disputed ownership, missing title documents, illegal possession, ancestral rights, and partition of undivided family properties.
- Provide end-to-end legal assistance in coordinating the closure of housing or commercial loans as part of sale transactions.

Key Professionals

Shiju P V
Managing Partner

Vinod P.V.
Senior Partner

Suresh Palav
Partner

Shweta Tiwari
Associate Partner

G.P. Yash Vardhan
Associate Partner

Pranava Charan MG
Associate Partner

Asav Rajan Arora
Associate Partner

Tannya Baranwal
Associate Partner

Nim Dem Dorjee
Associate Partner

Shrishail Kittad
Senior Partner

Frequently Asked Questions

Q1 **What legal services are involved in the purchase or sale of property in India?**

Property transaction services cover title verification, due diligence across Sub-Registrar and revenue records, drafting of sale agreements and deeds, RERA compliance checks, structuring of development or joint venture agreements, and handling registration and stamp duty formalities.

Q2 **When should a buyer or seller engage a property transaction lawyer?**

Ideally before signing any memorandum of understanding or term sheet. Early engagement allows proper title searches, detection of encumbrances or litigation risks, and structuring the deal to optimise stamp duty and tax exposure before commercial terms are locked in.

Q3 **Which Indian laws and regulators govern property purchase and sale transactions?**

Key statutes include the Transfer of Property Act, Registration Act, Indian Stamp Act, and RERA for projects covered under it. State revenue departments, Sub-Registrar offices, municipal corporations, and CERSAI for encumbrance checks all play regulatory roles in the process.

Q4 What is the typical timeline and what drives costs in a property transaction?

A straightforward residential sale may close in four to eight weeks. Timelines stretch when title chains are long, co-owners are involved, or municipal approvals are pending. Key cost drivers include stamp duty (which varies by state), registration fees, and the depth of due diligence required.

Q5 What documents are needed to begin due diligence on a property in India?

At minimum, the chain of title documents for the limitation period, approved building plans, completion or occupancy certificates, property tax receipts, encumbrance certificates, and any existing agreements or powers of attorney. For RERA projects, the registration number is also essential.

Q6 What common mistakes do buyers make in Indian property transactions?

Relying solely on the seller's representations without independent title searches is the most frequent error. Others include skipping CERSAI checks for existing charges, ignoring revenue record discrepancies, and failing to verify that development permissions match the actual constructed area.

Related Practice Areas

Real Estate | Real Estate Finance | Title Due Diligence & Verification | Estate Planning & Inheritance | Regulatory & Compliance Advisory | Development & Construction Projects | Leasing And Licensing | Land Acquisition