

FORM-54
(See Rule 61)
AGREEMENT OF SALE

This Agreement of sale made on the [] day of Two thousand [] between Promoter namely Shri./Smt./M/s [] holder of Licence No. [] dated [] for setting up Colony namely [] on land measuring [] square Metre bearing Khasra No. [] Hadbast No. [] at Village / Town [] Tehsil [] District [] State [] (hereinafter called the Promoter which expression shall include his legal heirs, legal representatives, successors and assignees) of the one part and Shri/ Smt. / M/s. [] Son/ Wife of Shri. [] resident of House No. [] Village/Town [] Tehsil [] District [] State [] (hereinafter called the Purchaser which expression shall include his legal heirs, executive administrators, legal representatives and assignees) of the other part;

Whereas, the Promoter intends to construct or has constructed a Building or Apartment in [] Colony on Khasra No. [] Mauja [] Tehsil [] District [] Himachal Pradesh which are to be sold on ownership basis;

OR/AND

Whereas, the Promoter intends to offer for sale of Plots in [] Colony on Khasra No. [] Mauja [] Tehsil [] District [] Himachal Pradesh;

And, Whereas the Purchaser has applied for purchase of an Apartment/ Plot in the [] Colony on Khasra No. [] Mauja [] Tehsil [] District [] Himachal Pradesh and has deposited the Earnest Money of Rs. [] only (Rs. [] only) with the Promoter;

Now, this Agreement witnesses as follows:-
The Promoter agrees-

1. In the case of Apartment-

- (i) That if the Building or Apartment is to be constructed, the Promoter shall construct the Building according to the Plans and specifications approved by the Director, Town and Country Planning Department Himachal Pradesh, Shimla who is competent to do so under any law for the time being in force;
- (ii) That the possession of the Apartment shall be handed over to the Purchaser by []

- (iii) That the area of the Apartment including the area of the balconies shall be, as shown in the Plan appended to this Agreement, as **Annexure-I**;
- (iv) That the price of Apartment (inclusive of the price of the common areas and facilities) shall be Rs. [] only (Rs. [] only);
- (v) That the Association to be constituted for the administration of the Apartments shall consist of []
- (vi) That the nature, extent and description of the common areas and facilities and the limited common areas and facilities shall be as shown in **Annexure-II** to this Agreement;
- (vii) That the percentage of un-divided interest in the common areas and facilities and in the limited common areas and facilities, if any, appurtenant to the Apartments, agreed to be sold shall be the ratio of the built up area of the Apartments to the total built up area of the Apartment; and
- (viii) That the Apartment shall be used for the purpose of [] and not for any other purpose.

2. In the case of Plot-

- (i) That the possession of the Plot shall be handed over to the Purchaser by []
- (ii) That the area of the Plot is [] square Metre and the price of the Plot is Rs. [] only (Rs. [] only);
- (iii) That the Plot shall be used for the purpose of [] and not for any other purpose;
- (iv) That the Certificate of title to the land having been duly certified by an Assistant Collector First Grade or Second Grade, as the case may be, as required under clause (a) of sub-section (2) of section 78n of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), has been obtained and appended with this Agreement as **Annexure-I**;
- (v) That a certified copy of the revenue record showing the nature of the title of the Promoter to the Plot or the land on which the Building or Apartment is constructed or to be constructed is appended with this Agreement as **Annexure-II**; and
- (vi) That the Plans and specifications of the Apartments as approved by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla who is competent to do so under any law for the time being in force,

are appended to this Agreement as
Annexure-III.

In witness whereof, the parties hereto, have signed this Agreement on the date and year respectively mentioned against their signature(s).

Signature of the Purchaser

Signature of the Promoter

Witness. dated

Witness. dated

Reference: Your Application No **dated**

This is in reply to your Application under reference for issue of Occupation Certificate. This Occupation Certificate is hereby granted in your favour for the Building/Apartment /Flat No. Block No. situated at Village/Town Tehsil District Himachal Pradesh or to the Colony No. (Name of Colony) situated at Village/Town Tehsil District Himachal Pradesh, as it is in accordance to the Regulations and as per the Agreement of sale entered into between you and the Promoter.

Director
Town and Country Planning
Department Himachal Pradesh,
Shimla.
