**GIFT DEED**

This Deed of gift made on........................... 19...........................

Between

Shri........................... s/o........................... aged about........................... years r/o........................... (hereinafter called The Donor’ of the one part and Shri ........................... s/o Shri........................... aged........................... years r/o ........................... (hereinafter called ‘The Donee’ of the other part.

Whereas the Donee is desirous of making a provision for the Donee after his death out of natural love and affection.

NOW THE DEED WITNESSES AS UNDER:

That the said donor does hereby freely and voluntarily convey to the said donee all -that the property described as........................... situated at........................... admeasuring........................... sq. ft. to Donee to hold the said property hereby gifted unto and to the use of the said donee forever and absolutely.

In witness whereof the donor doeth sets and subscribes his signature and delivers in the presence of the witnesses at present on the day, month and year abovementioned.

Witnesses Donor

1............................ ...........................

2............................ Donee

..........................

**CASE LAW**

**GIFT DEED**

The gift deed in respect of immovable property requires registration and attestation by atleast two witnesses. It is not admissible in evidence under Section 68 of the Evidence Act unless one of witnesses examined for purpose of proof.1

**GIFT OF ANCESTRAL PROPERTY**

Consent to gift deed by only sole surviving co-parcener would not make such gift valid.2

**GIFT BY HINDU WIDOW**

Sub-Section (1) of Section 14 of Hindu Succession Act, 1956 applies to cases where the conferment of right to a Hindu Widow was in lieu of maintenance or in recognition of her pre-existing right as provided under the Shastric Law and Hindu Women’s Rights to Property Act.3

Where the property was self acquired property of the father he would be free to sell the property to his son or gift it to him.4