



Farhana Merchant Malik

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  Mumbai

Practice Areas

Corporate

Finance

Sectors

Manufacturing

Real Estate

Banking & Financial Services

Mines & Minerals

Construction and Engineering

Agriculture & Forestry

Hospitality, Tourism & Retail

Technology, Media & Sports

Services

Urban Infrastructure, and Smart Cities

Public Procurement

About

Farhana specializes in real estate, commercial, corporate and related legislations.

Farhana has considerable experience in advising clients engaged in the real estate and property sector. The scope of work frequently includes advising on legal and regulatory issues for various types of real estate projects, conducting title diligences over the land, analysing title documents, revenue records and encumbrance certificates in order to ascertain flow of title from predecessors to the current owner. She has been involved in drafting real estate transaction documents including documents such as

memorandums of understandings/term sheets, agreements to sell, purchase agreements, transfer agreements, development agreements, joint development agreements, agreements for sale, conveyance deeds, lease deeds, leave and license agreements, business centre agreements, assignment deeds, conducting agreements, maintenance agreements, tenancy agreements, agreements for temporary/permanent alternate accommodation, re-conveyance, powers of attorney, declarations and undertakings, indemnity deeds and guarantees and construction agreements.

Farhana has been practising law since 1999. She was with AZB & Partners, Mumbai, for about nine years.

Experience

Some of the key assignments in these areas handled by Farhana, amongst others, cover the following:-

- Advising and assisting clients towards acquiring and selling land or developing the same along with dealing with issues that arose in the course of the relevant transactions.
- Representing owners of residential, commercial and industrial properties in relation to various modes of either transferring or letting out their properties.
- Representing purchasers, lessees, licensees towards acquisition of immovable properties in a cost effective manner, including conducting title diligences, drafting and negotiating the documentation with respect to the same.
- Advised leading IT companies towards acquisition of immovable properties for the purpose of setting up software technology parks and leasing the premises to third parties along with assisting in documenting the same.
- Advising and assisting reputed renewable energy companies towards setting up a solar project in various parts of India by conducting the title due diligence and assisting in several other aspects of setting up the projects.
- Representing an international developers in relation to assigning its name towards development of luxury residential buildings in Pune and Mumbai by conducting the title due diligences in relation to the land on which such buildings are constructed.
- Advising and assisting a leading overseas company on the assignment of commercial and residential premises in favour of its Indian subsidiary in a cost-effective manner and documenting the same.
- Advising and assisting an established distributor in acquiring premises and setting up its showrooms all over Maharashtra, structuring and documenting the same.
- Represented developers in relation to forming a condominium in accordance with the Maharashtra Apartment Ownership Act and rules framed thereunder in relation to buildings located in and around Mumbai.
- Representing leading clients on transactions that involved acquisition of immovable properties, either by way of sale or lease, from private parties and statutory corporations such as MIDC, GIDC, MMRDA, CIDCO, MHADA, etc.

- Represented several well-known construction companies/developers in relation to setting up Slum Rehabilitation projects by conducting title diligences and assisting and advising them on regulatory matters towards setting up the project along with documenting the transaction in relation to the free sale component and rehabilitation component.
- Advised and assisted leading hotel chains in relation to acquisition of properties towards setting up hotels all over India, taking over and operating the business of hotels including drafting and negotiating the related documentation.
- Advised and assisted clients in relation to acquisition and development of agricultural land by complying with the procedural formalities and documenting the same along with providing advice on various issues relating to land tenures / user / zoning to ensure completion of the critical transactions.
- Conducting title due diligence for leading pharmaceutical companies in respect of the properties owned/held by them and advising them on the same.
- Representing clients viz. developers and tenants on redevelopment of old tenanted buildings and developers and members of cooperative housing societies in redevelopment of their buildings.
- Advising, assisting and structuring a deal for a leading overseas dredging company towards taking flats on lease and license in a cost-effective manner, including drafting the documentation in relation to the same.
- Advising clients in relation to the Real Estate (Regulation and Regulation) Act, 2016 and the rules framed thereunder from time to time.

Memberships

Bar Council of Maharashtra & Goa

Publications

“Legally Speaking” published in The Times of India - Times Property dated February 14, 2020

Education

B.A., University of Bombay (1995)

LL.B., Bachelor of Laws, University of Mumbai (1999)

Languages Spoken

English

Hindi

Marathi
