

One Sided Cancellation

Question: I am an estate agent and have been asked by the heirs of a house to have it sold. They are four brothers and four sisters and all of them have instructed me to sell the house. I have even consulted with each of them individually to secure their consent. When I found a buyer, the heirs were not happy with his offer and he eventually agreed to pay the price they asked. At the final meeting, I again spoke to each heir individually and each one of them agreed to the sale at the agreed price. -The buyer even gave them a deposit of 11000 Rupees and fixed the time period for the balance to be paid off. Furthermore, on the request of the heirs, he even bore the expense of having a sale agreement drafted. However, two of the brothers have now decided not to sell and wish to cancel the sale. The buyer, however, does not wish to cancel. Can the brothers cancel the deal by themselves?

Answer: The transaction in the stated case has been finalised once all the heirs had agreed and even a deposit paid. The transaction can now not be cancelled without the consent of the buyer.

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