

**AGREEMENT BETWEEN BUILDER AND A BROKER  
FOR SELLING THE FLATS TO BE CONSTRUCTED**

THIS AGREEMENT made at ..... on this ..... day of ....., 2000, between ABC Construction Co. Ltd., a company incorporated under the Companies Act, 1956 and having its registered office at ..... hereinafter called "the Builder" (which expression shall, unless it be repugnant to the context or meaning thereof, be deemed to mean and include its successors and assigns) of the ONE PART; and Shri XYZ son of Late Shri..... resident of ..... hereinafter called "the Broker" (which expression shall, unless it be repugnant to the context or meaning thereof, be deemed to mean and include his heirs, legal representatives, executors and administrators) of the OTHER PART.

WHEREAS THE builder is constructing residential flats at ..... more particularly described in the Schedule hereunder written; and wants to sell those flats and for the said purpose the services of the brokers are required.

AND WHEREAS the broker has approached the builder and expressed his consent to act as broker for the sale of the flats on the terms and conditions mutually agreed upon.

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:

1. The builder appoints the broker for selling the flats being constructed by him, more particularly described in the Schedule hereunder written at the price and on the terms and conditions laid down in Annexure 1 to this agreement
2. The broker will be entitled to the commission at the rate of 5 per cent on the cost of the flats booked by him.
3. The builder hereby represents and warrants that he is having clear and marketable title to the flats, free from any encumbrance, charge, lien, mortgage or attachment. The builder also represents and warrants that the material used in the flats is of best quality.
4. The builder hereby gives the period of six- months hereof for the sale of the flats described in the Schedule hereunder written and he shall not be authorized to sell the flats after the period of six months.

IN WITNESS WHEREOF the parties have set their respective hands to these presents on the date, month and year hereinabove written.

*Schedule  
Annexure 1*

Signed and delivered by ABC Construction Co. Ltd.  
through the hands of Shri.....  
Managing Director

Signed and delivered by XYZ

WITNESSES;  
1.

2.