


MHAU170000632026 	Presented on : 19-01-2026 Registered on : 19-01-2026 Decided on : 28-03-2026 Duration : 00Y 02 M 09 D
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**IN THE COURT OF DISTRICT JUDGE-1, PAITHAN,
DIST. AURANGABAD.**

[Presided Over by R.D.Gadwe, District Judge-1]

Misc. Civil Application No. 04/2026

Exh.17

- 1] Babaji Pandurang Avhad,
Age : 79 years, Occu: Agriculture,
R/o : Pangarmal, Tq. Pathardi,
Dist. Ahilyanagar, At present – Vihamandwa,
Tq. Paithan, Dist. Chhatrapati Sambhajinagar.
- 2] Meena w/o Babaji Avhad,
Age : 43 years, Occu.: Agriculture,
R/o : Pangarmal, Tq. Pathardi,
Dist. Ahilyanagar, At present – Vihamandwa,
Tq. Paithan, Dist. Chhatrapati Sambhajinagar. .. **Applicants**

VERSUS

The State of Maharashtra through
Collector, Chhatrapati Sambhajinagar. .. **Respondent**

Claim : Application U/s. 8(2) of the Hindu Minority and
Guardianship Act, 1956.

Shri H. T. Funde, Advocate for Applicants

JUDGMENT

(Delivered on 28th March, 2026)

- 01] This is an application under section 8 of The Hindu

Minority and Guardianship Act, 1956 for permission to sell the property of minor.

02] Brief facts of the applicant's case are as under :

a] That, the applicants have two sons namely Haridas Babaji Avhad and Kartik Babaji Avhad, who is minor. Applicant No.1 purchased 80 R land out of Gut No. 467 in the name of minor Kartik Avhad on 12.12.2023 from one Sangita Sanjay Wakle vide registered sale deed No. 8635/2023.

b] It is their further contention that they came to reside at Chhatrapati Sambhajnagar and they decided to settle permanently at village Mungi, Tq. Shevgaon, Dist. Ahilyanagar. They want to purchase irrigated land at said place in Gut No. 265/2 admeasuring 1 H 16 R from one Shobha Kalyanrao Supekar and for that they decided to sell the land in the name of minor Kartik. They have also paid Rs. 10,00,000/- to said Shobha Supekar as an earnest money. They intended to sell land of minor to one Gorakh Sarjerao Pawar, r/o Pimpri, Tq.&Dist. Chhatrapati Sambhajnagar. It is their further contention that the transaction is for the benefit of the minor and therefore, permission needs to be granted.

03] Proclamation in local news paper was ordered inviting objections to the present application in local news papers "Dainik Punya Nagari" Exh.09 and accordingly it was published. But nobody appeared to raise objection.

04] Following points arise for my determination and I proceed to record my findings thereon for the reasons given below:-

<u>Sr.No.</u>	<u>POINTS</u>	<u>FINDINGS</u>
1]	Whether the applicants establishes that the proposed transaction of sale and purchase is for the benefit of minor?	Yes.
2]	Whether the applicants are entitled permission to sell minor's property?	Yes.
3]	What order?	As per final order.

::REASONS::

05] The applicants, in support of their claim, have produced copy of 7/12 extract of G.No. 467 adm. 80 R situated at village Vihamandwa, Tq. Paithan, Dist. Chhatrapati Sambhajinagar which shows that said land is in the name of minor Kartik, copy of Isar Pavti dated 02.01.2026, copy of Isar Pavti dated 06.01.2026 and copies of Aadhar Cards of applicants. Heard learned counsel for the applicants. Perused the application and all the documents produced on record.

AS TO POINT NOS. 1 to 3 :

06] Applicant No.1 Babaji Pandurang Avhad, being the father, and applicant No.2 Meena w/o Babaji Avhad, being the mother of minor, are the natural guardian as per section 6 of Hindu Minority and Guardianship Act, 1956. Applicant No.1 Babaji examined himself vide Exh. 10 and applicant No.2 Meena examined herself vide Exh.11. The copy of agreement to sale dated 06-01-2026 shows that applicant No.1 Babaji agreed to sell 80 R land situated at village Vihamandwa, which is standing in the name of minor Kartik, to one Gorakh Sarjerao Pawar. The copy of agreement to sell dated 02.01.2026 shows that the applicants intended to purchase 1 H 16 R, situated in Gut No. 265/2 at

village Mungi, Tq. Shevgaon, Dist. Ahilyanagar, in the name of minor Kartik, for consideration of Rs.49,15,500/-.

07] It is well settled that the property can be purchased for the benefit of minor without permission of the court, but while selling the property of the minor permission of the court is must. Therefore, keeping in view this aspect, the applicants have applied for permission to sell the land of minor. While considering the question of grant of permission to sell the property of the minor, the court needs to look into the aspect whether the sale is for the welfare or benefit of the minor or not. Applicants have stated on oath that they intend to sell the land for the educational purpose and for purchasing land convenient to them at another place in the name of minor. Considering the statement of applicant Nos.1 and 2, it can easily be said that the transaction in question will definitely benefit the minor. Therefore, it will be just and proper to grant permission to sell the land of the minor on certain terms and conditions. I therefore, answer point nos. 1 and 2 in affirmative and in answer to point no.3, I proceed to pass the following order.

ORDER

01] Application is allowed.

02] Applicants are permitted to sell an agricultural land bearing Gut No. 467 admeasuring 0.80 R, situated at village Vihamandwa, Tq. Paithan, Dist. Chhatrapati Sambhajnagar which is standing in the name of minor Kartik Babaji Avhad on condition of submitting their undertaking that they will produce copy of sale-deed of the land they are intending to purchase in the name of minor Kartik Babaji Avhad in court within six months from the date of this order.

03] Application is disposed off accordingly.

Date: 28-03-2026

(R.D.Gadwe)
District Judge-1,
Paithan

CERTIFICATE

I affirm that the contents of this P.D.F file order are same word to word, as per the original order.

Name of the Stenographer	: M.B. Khonde
Court Name	: District Judge-1 & ASJ Paithan
Date	: 28.03.2026
Order signed by the Presiding Officer on	: 28.03.2026
Order uploaded on	: 30.03.2026