

Guardian Wards Case No. 25 / 2023
Harsha Vijay Kucheriya + 2 Vs. Nil
CNR NO. MHBU20-000707-2023

ORDER BELOW EXH. 01

(Dated : 02.04.2026)

01] This is an application under Section 8(2) of the Hindu Minority and Guardian Act, 1956 and Section 29 of Guardian and Wards Act for grant of permission to sale of immovable property belonging to minor applicant Nos. (1) Harsha Kucheriya and (2) Bhavesh Kucheriya.

02] It is contended that applicant No. 3 Swati Vijay Kucheriya is mother of minor applicant Nos. (1) Harsha and (2) Bhavesh. Husband of applicant No. 3 and father of minor applicants namely, Vijay Bhavalal Kucheriya died on 11.06.2016 due to brain tumor. After the demise of husband of applicant No. 3, agricultural land in Gut No. 220, ad-measuring 01 H 00 R land, situated at village Changefal, Tq. Sindkhed Raja is recorded in the name of applicant Nos. 1 to 3 and daughter of applicant No. 1 namely, Khushi. Minor applicant Nos. (1) Harsha and (2) Bhavesh are taking education and for further education and welfare of minors, applicants are in dire need of money. Therefore, they intended to sale above said property. Hence, this application.

03] Notice of application was issued by paper publication in local news-paper. However, no one appeared and objected for the proposed sale transaction.

04] By way of examination-in-chief mother of minor applicants namely, Swati Vijay Kucheriya (AW1) reiterated contents of the application and deposed that her husband died on 11.06.2016 due to brain tumor. After death of her husband, agricultural land in Gut No. 220, ad-measuring 01 H 00 R land, situated at village Changefal, Tq. Sindkhed Raja is recorded in the name of applicants Nos. 1 to 3 and daughter of applicant No. 1 namely, Khushi. She further testified that after the death of her husband they are facing financial difficulties. She further testified that for education of applicant Nos. 1 and 2, applicants are in dire need of money.

05] In support of oral contention, applicants have filed Bonafide certificate of minor applicant No. 1 Harsha (Exh. 15), Bonafide certificate of minor applicant No. 2 Bhavesh (Exh. 16), Gaon namuna No. 8-A (Exh. 17), 7/12 Extract of Gut No. 220 situated at village Changephal (Exh. 18), 7/12 Extract of Gut No. 410 situated at village Changephal (Exh. 19), valuation certificate (Exh. 20), paper publication (Exh. 12), death certificate of Vijay Bhavalal Kucheriya (Exh. 30) etc. Applicant No. 1 Harsha has filed pursis at Exh. 23 and thereby stated that she became major.

06] The applicants have filed affidavit of applicant No. 1 Harsha at Exh. 24, affidavit of mother-in-law of applicant No. 3 namely, Umedbai Bhavarlal Kucheriya at Exh. 28 and affidavit of Khushi Vijay Kucheriya at Exh. 29. They testified that applicant No. 1 Harsha attained the age of majority. Applicant No. 1 Harsha is now 19 years old, therefore, she has right to sale property in her name as per

her own wish. They further testified that they have no objection to this application.

07] Admittedly, applicant No. 2 Bhavesh is taking education and for his education, upliftment and welfare, applicants are in dire need of money. Therefore, they wanted to sale agricultural land in Gut No. 220, ad-measuring 01 H 00 R land, situated at village Changefal, Tq. Sindkhed Raja.

08] Under the facts and circumstances, I found that proposed sale of above said agricultural land is for the benefit and welfare of minor applicant No. (2) Bhavesh Kucheriya and for family need of applicants.

Resultantly, I proceed to pass following order.

- O R D E R -

- (1) The application is allowed.
- (2) Applicants are allowed to enter into sale transaction of agricultural land in Gut No. 220, ad-measuring 01 H 00 R land, situated at village Changefal, Tq. Sindkhed Raja.
- (3) Applicants shall invest the amount of the share of minor applicant No. 2 Bhavesh Kucheriya in any Nationalized Bank for the period of attaining his age of majority.
- (4) Applicant No. 3 Swati Vijay Kucheriya shall be entitled to withdraw the accrued interest thereon for the education and other requirements of minor applicant No. 2 Bhavesh.

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(5) Applicant No. 3 shall file the compliance report within the period of three months.

(Dictated and pronounced in open court).

Mehkar
Dated: 02.04.2026

(Sagar K. Mungilwar)
District Judge-1
Mehkar

CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are correct word to word as per the original.

Name of Court : Shri. Sagar K. Mungilwar
District Judge - 1
Mehkar, Dist. Buldhana.

Name of Steno : Shaikh Imran Abdul Rauf,
Stenographer, Grade-1, Mehkar.

Date : 02.04.2026