

Order Below Exh.1 in Civil M. A. 162/2025

This is application Under Section 29 of the Guardian and Wards Act moved by applicant Ajulfar Abdul Hakim Chaudhari to sale out the agricultural land standing in the name of minor Aqsa Fatema Abdul Hakim Chaudhari for welfare, maintenance and education of the minor.

2. The applicant no. 1 is the mother and natural guardian of minor applicant no.2. Husband of applicant No.1 died on 24/05/2025. Thus applicant No.2 is having her undivided share in the vacant plot CTS No.6473, admeasuring 79 sq. mt., situated at Kabadli Mohalla, Jalna, Tq. & Dist. Jalna. Minor applicant No.2 is taking education and applicant No.1 being Parda Nasheen lady having no any source of income. Therefore for the education of minor she is in need of money. Thus Applicant no.1 decided to sell the suit property which is standing in the name of minor applicant no.2 to Sohail Alam Khan for consideration of Rs.4,21,000/- as per agreement and received Rs.1,21,000/- as earnest amount and remaining will be paid at the time of execution of registered sale-deed. Thus, applicants filed present application.

3. On filing application notice was issued to the non applicant State of Maharashtra. In spite of due service of the notice none appeared for the State. As per the procedure notice is issued by way of paper publication in Dainik 'Punyanagari' dated 30/01/2026 calling objection in respect of the impugned

subject matter of the application. In spite of paper publication no one raised objection by appearing before the Court.

4. In support of the application, applicant no.1 Ajulfar Abdul Hakim Chaudhari filed her evidence on affidavit at Exh.13. In evidence she stated that suit property standing jointly in the name of herself and the minor, for securing the bright future of the minor, providing her with a better life and fulfilling her educational needs and the minor is also agreeable to the same wants to sell the suit property. After the demise of her husband, she has been left without any source of income and therefore it has become necessary for her to sell the suit property. Hence, the suit property has been agreed to be sold to Sohail Alam Khan on 24/09/2025 with the consent of the minor for total consideration of Rs.4,21,000/- and had received an amount of Rs.1,21,000/- as earnest from him. She further agreed to receive the balance consideration amount of Rs.3,00,000/- on or before 16/10/2025 and to execute the Sale Deed accordingly. However, since the minor also has a share and interest in the suit property, it is necessary for her to obtain permission for sale of the said property.

5. In support applicant no.1 has filed various documents on record i.e. Adhar card of applicants at Exh.14 & Exh. 15, death certificate of Abdul Hakim Abdul Kadar at Exh. 16, PR card of suit property at Exh. 17, copy of Isar pawati agreement, dated 01/10/2025, at (Exh.18) & bonafide and character certificate of applicant No.2.

6. On perusal of bonafide certificate of applicant No.2 (Exh.19) it reveals that her date of birth is 28/11/2008, thus she is minor. On gone through the evidence and documents, it appears that applicant No.1 intended to transfer/sell the suit property which is mutated in the name of her minor daughter. She filed verified copy of Issar Pawati (Exh.18), which shows that she intended to sell suit property to one Sohail Alam Khan on 01/10/2025 with the consent of the minor for total consideration of Rs.4,21,000/- and had received an amount of Rs.1,21,000/- as earnest from him. She further agreed to receive the balance consideration amount of Rs.3,00,000/- on or before 16/10/2025 and to execute the Sale Deed accordingly. Thus the applicants want to sell suit property for the purpose of maintaining themselves and providing future education to minor applicant. Therefore I am of the opinion that interest of applicant no.1 is not adverse to the interest of minor. Therefore, considering the grounds, permission can be granted to applicant no.1 to sell the suit property to Sohail Alam Khan as per Exh.18 on certain terms and conditions. Hence, order;

ORDER

1. The Civil M. A. No.162/2025 Under Section 29 of the Guardian and Wards Act is allowed.
2. Applicant no.1/guardian **Ajulfar Abdul Hakim Chaudhari** is permitted to sell suit property vacant plot CTS No.6473, admeasuring 79 sq. mt. situated at Khabadi Mohalla, Near Alankar Takies, Jalna, Tq. & Dist. Jalna to Sohail Alam Khan.

3. Applicant no.1/guardian **Ajulfar Abdul Hakim Chaudhari** is directed to file on record documents i.e. copy of sale deed regarding sale of suit property, within 15 days from the date of transaction completed.

Date : 08/05/2026

(G. R. Dhepe)
Ad-hoc District Judge-1,
Jalna.

CERTIFICATE

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

Sd/-
(S.S. Khandare)
Stenographer (Gr.III)