

MHJN110003002026



ORDER BELOW EXH.1 IN Civil Misc. Appln. No.12/2026
(Lahu & Ors Vs. State)

1. This application is moved by applicant No.4 who is mother and legal guardian of minor son Lahu Laxman Dabhadkar (applicant No.1), Ankush Laxman Dabhadkar (applicant No.2) and Gauri Laxman Dabhadkar (applicant No.3) under Sec. 8 of the Hindu Minority and Guardianship Act, 1956, for seeking permission to sell the share of applicant Nos. 1 to 3 out of Gat No.562, situated in village Machhindranath Chincholi, Tq. Ghansawangi, Dist Jalna.
2. The applicant No.4 who is mother of minors applicant Nos. 1 to 3 has contended that her husband is died on 11-02-2024 as per death certificate (Article-A) and therefore, the applicant is looking after of her minors applicant Nos. 1 to 3.
3. The applicant No.4 has further contended that she has to look after the education of minor applicant Nos. 1 to 3 who are minor sons and daughter respectively. She has also contended that due to death of her husband who is father of applicant Nos. 1 to 3, it has become difficult for her to earn for the education expenses of her minor sons & daughter. She has further contended that for better education of minor applicant Nos. 1 to 3, she wants to sell the share of minor applicant Nos. 1 to 3, out of Gat No.562, situated in village Macchindranath Chincholi, Tq. Ghansawangi, Dist Jalna. She lastly prayed for allowing her application.
4. After filing of this application, proclamation was issued in " Dainik Anandnagari" newspaper dated 05.04.2026. No

objections are received till today. The applicant No.4 who is mother of minor applicant Nos. 1 to 3 in support of her application, she has filed her affidavit.

5. Sub-section (2) of Sec. 8 of the Hindu Minority and Guardianship Act 1956 says that the natural guardian shall not without previous permission of the court sale any part of the immovable property of the minor. Sub-section (5) of Sec.8 says that the court shall observe the procedure and have powers specified in Sub-section (2), (3) and (4) of Sec. 31 of the Guardians and Wards Act 1890. After perusing Sec. 31 of the Guardian and Wards Act 1890, it is seen that the permission to the guardian can be granted, if, execution of sale is necessity or for the advantage of the minor. The legal necessity as well as the need of selling the share of minor applicant Nos. 1 to 3 for the better education of them appears to be plausible one. The sale is certainly for the advantage of minor applicant Nos. 1 to 3. Accordingly I pass the following order.

Order

1. Application is allowed.
2. Permission is granted to the legal guardian i.e. mother namely Ashwini Laxman Dabhadkar of minor applicant Nos.1] namely Lahu Laxman Dabhadkar 2] Ankush Laxman Dabhadkar and 3] Gauri Laxman Dabhadkar to execute sale deed of 1 H 0 R land of minor applicant Nos.1 to 3, out of gat No. 562, situated at Machhindranath Chincholi, Tq. Ghansawangi, Dist. Jalna.

Date: 22.06.2026

(**M.J. J. Baig**)
District Judge-1, Ambad