

MHLA010008772026



ORDER BELOW EXH.1 IN Civil M.A. No.70/2026

Pratik & Or. Vs. Nil

(Passed on this 8th day of July, 2026)

This is an application under Section 8 (2) of Hindu Minority and Guardianship Act, 1956 seeking permission of the Court for sale of the land owned by the minor's, in Gat No.230, admeasuring 51 Are situated at village Makegaon, Tq. Renapur.

Facts germane to the decision of the application are as under:

2. Agricultural land bearing Gat No.230, admeasuring 51 Are standing in the name of minor Pratik Govind Lahane. Applicant is minor hence, filed present application through his natural guardian i.e. real mother.

3. According to guardian of applicant, the land of minor is of lowest quality and infertile one. Thus, the income from the said land is less than the expenses incurred for the cultivation. Thus, it is decided to alienate said land and purchase suitable as well as fertile land in the name of minor, hence, this present application is filed.

4. After filing of the application, public notice was issued calling from the objection public at large regarding the sale of minor's property. However, nobody came forward to register his / her protest against the propose sale.

5. The guardian of applicant has filed her affidavit vide Exh.8, stating all the facts and dire necessity for which is to be raised in respect of purchasing new land in the name of minor.

6. I have directed the learned advocate to keep the both natural guardian and minor present in the Court for necessary inquiry.

7. Today, both natural guardian alongwith minor - Pratik appeared before me. They have submitted that the agreement for purchasing 50 R land out of Gat No.207 village Makegaon, Tq. Renapur, in the name of minor has been takes place on 04.04.2026. The natural guardian of the minor are intended to alienate 51 R land out of Gat No.230 standing in the name of minor and instead of this they want to purchase fertile and suitable land out of Gat No.207 admeasuring 50 Are.

8. I have carefully gone through the documents placed on record as well as affidavit filed by mother of minor vide Exh.8. On perusal of documents placed on record and after hearing both parents in person, it appears that father has mutated 51 Are land in favour of his son. It is not the case that the minor has inherited the property from third source. I have minutely gone through the Section 8 of Hindu Minority and Guardianship Act, 1956. Section 8 (2) puts an embargo on the natural guardian that he shall not mortgage or charge or transfer by sale, gift exchange or otherwise any part of the movable property of the minor. Section 8 (4) speaks that no court shall grant permission to the natural guardian to do any of the acts mentioned in subsection (2) except in case of necessity or for an evident advantage to the minor. Here,

considering the entire gamut of the circumstances, I am of the opinion that there is genuine necessity of alienation of 51 Are land of Gat No.230 for the sustenance of the family and welfare of the minor. Hence, I do not see any reason to decline the permission. Thus, following order is passed.

ORDER

1. Application is allowed.
2. Mother of applicant- Sonali Govindrao Lahane is permitted to alienate property i.e. Gat No.230, Admeasuring 51 R, situated at village Makegaon, Tq. Renapur, standing in the name of minor Pratik Govind Lahane according to four boundaries mentioned in para No.2 of the application.

Date-08.07.2026

(Sajid A. Syed)
District Judge-4,
Latur.