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IN THE COURT OF DISTRICT JUDGE – 3, PANDHARPUR
(Presided Over by Atul Shankarrao Salgar.)

Civil M.A. No. 145/2025.
CNR – MH50050018382025.

1) Tejaswini Madhukar Metkari,
Age – 15 years, Occu. - Education.

2) Rajeshri Madhukar Metkari
Age – 35 years, Occu. - Household & Agri.
Both R/o. - Waghmode Vasti, Tisangi,
Tal. Pandharpur, Dist. Solapur.

(Minor applicant No. 1 through applicant No. 2
mother i.e. natural guardian).

--- **Applicants.**

Versus

The State of Maharashtra.

--- **Respondent.**

Advocate for applicants - Shri. B. M. Lamkane.
AGP for respondent - Shri. S. S. Dulange.

Application under Section 8 of
The Hindu Minority and
Guardianship Act

JUDGMENT
(Delivered on 22nd June, 2026.)

Present application is filed under Sec. 8 of the Hindu Minority and Guardianship Act, 1956 for seeking permission to sale the property in the name of minor applicant No. 1.

2) The applicant No. 2 Rajeshri is mother of minor applicant No. 1 Tejaswini. Madhukar Metkari i.e. father of applicant No. 1 & husband of applicant No. 2 died on 27.09.2011. Agricultural property Gat No. 3368/2, in total admeasuring 2 H 74 R, share of minor applicant No. 1 admeasuring 1 H 37 R, situated at Mangalvedha, Dist. Solapur stands in the name of applicants. The description of the land is given in application.

3) The minor applicant is taking education. Applicant No. 2 alone is maintaining minor applicant. She has no source of income. She needs money for maintaining minor applicant and for her education purpose. She cannot do agricultural work. She does not get any income from said land. Therefore, she intends to sale said property in the name of minor for the benefit and welfare of minor. Applicants have executed agreement-to-sale in favour of one Vithhal Dongare. Hence, this application is filed by applicants for grant of permission to sale of minors property.

4) After filing of application publication was issued in local newspaper 'Sakal' dated 18.01.2026 calling upon objections regarding sale of minors property. In response to said paper publication, nobody appeared to record objection.

5) Respondent appeared and filed say at Exh. 10 and resisted this application. Applicant has not produced any documentary evidence before Court. Lastly, respondent prayed for passing necessary order on application.

6) In support of application, the applicant No. 2 Rajeshri Metkari has filed her affidavit at Exh. 12, wherein she has testified that the applicant Nos. 1 is her minor children.

7) In the given facts and circumstances of the case, following points arise for my determination to which I have recorded my findings for the reasons to follow.

Sr.No.	Points	Findings
01.	Whether the applicants prove that the sale of property is for the benefit and welfare of minor ?	In the Affirmative.
02.	Whether the applicants are entitled to the relief of grant of permission to sale minor's property ?	In the affirmative.
03.	What order ?	As per final order.

REASONS

8) Heard learned advocate Shri. Lamkane for the applicants and learned APP Shri. Dulange for the state.

As to point No. 1 to 3 :

9) It is case of applicant that, the suit property is standing in the

name of applicants. The applicants want to sale out the property to meet education expenses as well as maintenance of minor applicant No. 1. Hence, they sought permission to sale out the property. In order to prove the contents of application the applicant No. 2 namely Rajeshri Metkari is examined at Exh. 12. She has reiterated the contents of application. She was cross examined by respondent. But nothing was brought on record during her cross examination. Her evidence is not rebutted.

10) In support of oral evidence, the applicants have produced on record their Aadhar cards, bonafide certificate of applicant Nos. 1 provided by school, 7/12 extracts of land, copy of agreement-to-sale. It appears that there is transaction in between the proposed purchaser and the applicant No. 2 for land for Rs. 55,55,350/-.

11) Pertinently, except state nobody appeared in the proceeding asking to refuse permission. Having regard to peculiar facts of the case, there is absolutely no doubt in mind that for bright future of minor applicant No. 1, it is necessary to sell property. There is no reason to disbelieve the fact that the applicant No. 2 is unable to maintain minor applicant No. 1 and to meet the educational expenses of minor applicant Nos. 1. Therefore, it is extremely necessary for her to sale the property in question to ensure better higher education and better living of applicant No. 1. As such the sale of property is completely in favour of and for the benefit of minor applicant No. 1.

12) Bearing in mind above discussion and in the light of facts of the case, it is necessary to conclude that the applicants succeeded to

show that the sale of property is in the interest and benefit of minor applicant No. 1. Therefore, applicants are entitled to the relief as prayed.

13) Applicant No. 1 is minor. There is long way to go for these applicants in their life. Except the said property, no other immovable property in the name of minor is brought to the notice of court. If the entire consideration amount of the property is paid in cash and if that amount is spent for any reason, in near future the applicants shall be resourceless. Hence, to safeguard the future of minor applicant, it is necessary to impose certain restrictions. In this backdrop, point No. 1 and 2 are answered in affirmative and in answer to point No. 3 following order is passed :-

ORDER

- 1) Civil Misc. Application No. 145/2025 is allowed.
- 2) Permission is granted to the applicants to sale the share of minor applicant No. 1 in property i.e. agricultural property bearing Gat No. 3368/2, admeasuring 2 H 74 R out of it share of minor applicant No. 1 admeasuring 1 H 37 R, situated at Mangalvedha, Dist. Solapur.
- 3) Applicant No. 2 is directed to invest 40 % of consideration amount in the name of applicant No. 1 in any Nationalized Bank or in Central or State Government sponsored bonds or debentures for period of 6 years.
- 4) Applicants are at liberty to withdraw quarterly interest on 40 % invested amount.
- 5) Applicant No. 2 is directed to inform the Court about the investment of 40% amount.

6) Application is disposed off.

Date : 22.06.2026.

(A. S. Salgar)
District Judge 03, Pandharpur

CERTIFICATE

I affirm that, the contents of this PDF file are same word to word as per the original.

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| 01. | Name of the Stenographer | - Santosh Vilas Ghongade. |
| 02. | Name of the Court | - Court of Dist. Judge 03,
Pandhapur. |
| 03. | Order/judgment signed by P.O.
on | - 22.06.2026. |
| 04. | Order /Judgment uploaded on | - 22.06.2026. |