

MHYA080004952025



Presented on : 23-12-2025

Registered on : 23-12-2025

Decided on : 25-06-2026

Duration : 0Y/6M/2D

IN THE COURT OF DISTRICT JUDGE-1, KELAPUR,
DIST. YAVATMAL

(Presided over by M.A. Kothari)

Civil M.A. No.63/2025

Exh.22

1. Smt. Suchita Giridhar Satpute Applicants.
Age:44 years,Occ. Household,
2. Amruta Giridhar Satpute,
Age: 19 years, Occ. Education,
3. Master Vivek Giridhar Satpute,
Age: 14 years, Occ. Education,
Applicant No.3 being minor
Through Natural Guardian Mother
Smt. Suchita Giridhar Satpute, all
r/o Shivni, Taluka Wani, District-
Yavatmal

-V e r s u s-

None.

..... Non Applicant.

Application under section 29 of Guardian and Wards Act
1890.

Appearance:

For Applicants: Shri. A.P. Tonge

J U D G M E N T

(Delivered on 25th July, 2026)

This application has been filed for grant of
permission to sale undivided share of minor son i.e.

applicants No.3 with applicant Nos.1 and 2 in the immovable property i.e. field Gat No.210/1, area 1.62 H.R, out of field Gat No.210/1 and 210/2 as described in para No.2 of the application. (Hereinafter this immovable property would be referred as the 'Field')

2. It is contended by the applicants that applicant No.1 Smt. Suchita is mother of applicants No. 3. Applicant No.1 being mother is a natural guardian of minor applicant and she is taking all care of minor. It is decided that the said field be sold for the education and well being applicant. Therefore, the applicants decided to sale field No.210/1 area 1.62 H.R at mouza Shivni, Taluka Wani, District Yavatmal for the welfare and for expenses and education of minor applicant No.3 and the applicant Nos.1 and 2 is ready to keep the amount of share of minor in fixed deposit in any Nationalized Bank. Apparently, the sale transaction is in the interest, benefit and welfare of the minor and hence permission to sale field. They urged to allow the application.

3. A notice through paper publication was made in daily newspaper 'Dainik Lokdut' dated 8th January 2026 inviting objections, if any, for granting the leave as prayed. Despite this notice through publication, none appeared and set up any sort of objection or claim.

4. Applicant No.1 Suchita has given her evidence and exhibited many documents including the agreement executed by them on 10/12/2025 in favour

of purchaser. Heard learned counsel for applicant **Mr. A.P. Tonge**. Perused the application, evidence adduced, document exhibited, filed and the entire record of the application. On its basis, following points rise for the determination and the findings to each of them for the reasons recorded as below.

<u>P O I N T S</u>		<u>F I N D I N G S</u>
1)	Whether a case has been made out to sell/alienate/transfer the share of minor in the field being immovable property of the minor applicant No.3 ?	In affirmative
2)	Whether the transfer/alienation of the undivided share of minor field is in the benefit, interest and welfare of minor applicant No. 3 ?	In affirmative
3)	What order?	As per final order.

R E A S O N S

As to Points Nos.1 & 3 :

5. Both these points require scrutiny and appreciation of same facts and evidence, hence they are taken together for sake of convenience, brevity and to avoid repetition.

6. From the application and after perusing the evidence adduced by applicant No.1 mother at Exh.9. and after going through the documents exhibited and filed on record, it reflects that, after the death of her husband and father of minor applicants no. 3 she is

acting as natural guardian of minor being, mother and taking all care of minor applicant including their education and their all beneficial activities on day to day basis. They entered into an agreement to sale Ex.12. From the Revenue document Exhibit-10 and Exhibit 11 and valuation certificate Exhibit 20, it reflects that the names of these applicants have been mutated on record. From the Aadhar card it reflects that minor applicant is residing with mother and she is the Karta of the family after the death of her husband. From valuation certificate Exhibit-20 it reflects that the consideration amount is more than the valuation of the shares of applicant in the field. The applicant No.1 mother is ready to deposit the sale consideration amount coming to the share of minor applicant in fixed deposit.

7. From the overall evidence, facts and circumstances applicant mother has succeeded in establishing that the said sale transaction of the field is in the interest, benefit and welfare of minor and applicant mother is not acting against their interest. The applicant mother is specifically submitting that the said amount is required for the education and welfare activities and care of minor. Hence, by putting condition that the consideration amount coming to the share of minor be kept in fixed deposit till they attained majority would suffice to protect their interest and welfare.

8. Hence, considering the entire evidence, documents produced exhibited and proved on record and overall facts and circumstances the applicant have made out a case to grant permission to sale out the field Gat No.210/1, area 1.62 H.R land on certain conditions which would taken care and protect the interest of minor applicant. Out of total consideration amount of Rs.47,20,000/- which would come in the share of minor is Rs.15,73,333/- and it is required to be kept in fixed deposit till minor would attain majority. Remaining amount which is coming to the share of minor applicant No. 3 could be utilized for the day to day expenses and expenses of minor by her choice. In view of above discussion, I hold the point Nos.1 and 2 in affirmative and answered accordingly. While answering point no. 3, the following order;

ORDER

1. The application Civil M.A.No.63/2025 is **allowed.**
2. Applicant no. 1 mother Smt. Suchita Girdhar Satpute is permitted to alienate/transfer/sell the filed Gat No.210/1, 1.62 H.R land situated at mouza Shivni, Taluka Wani District-Yavatmal which are having undivided share of minor applicant on following conditions.
 - a) The sale of field shall be made only by a

registered instrument in favour of the purchaser Dipak Janardhan Satpue and Ashok Janardhan Satpute in pursuance of agreement to sale dated 10/12/2025 as per the terms mentioned therein.

- b) Out of the entire consideration amount of Rs.47,20,000/- which comes to the share of all applicants, in which share of minor shall be invested by fixed deposit in any Nationalized Bank of the choice of Suchita Giridhar Satpute in the name of minor Vivek Giridhar Satpute till he become major.
 - c) The Smt. Suchita Giridhar Satpute is permitted to withdraw the amount of interest of these Fixed Deposits of minor on yearly basis if she requires for the educational and other expenses of minor. If interest would not be withdrawn on yearly basis, the amount of interest accrued thereon at the time of maturity of these fixed deposit shall be given to both minor after they become major.
3. Accordingly the application is disposed of.

Date: 25.06.2026
Kelapur

(Manish A.Kothari)
District Judge-1 Kelapur