

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

140 WRIT PETITION NO.7072 OF 2019

ASHABAI SHAHAJI RAKSHE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. S. S. Choudhary, Advocate for the Petitioner.

Mr. K. B. Jadhavar, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 1st JULY, 2019.

PER COURT:-

1. Mr. Choudhary, learned counsel for the petitioner submits that the sale deed allegedly executed by deceased Suresh Rakshe on 02.07.2019 in favour of respondent no.3 is illegal. He was mentally unsound. He could not have executed the sale deed.

2. All these would be the disputed questions of facts. The sale deed is executed in the year 2009 and deceased Suresh Rakshe expired in the year 2017. The sale deed is registered sale deed.

3. It would not be possible in our writ jurisdiction to enter into the investigation of the said facts.

4. The petitioner may approach the Civil Court in that regard or such other forum as is permissible in law.

5. Writ Petition accordingly disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/July-19