

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 522 OF 2024
WITH
INTERIM APPLICATION NO. 10376 OF 2024

Shri. Parth Rajendra Kavade

...Appellant

Versus

The Karad Urban Co-op Bank Limited Thr.
Branch Manager And Others

...Respondents

SNEHA
NITIN
CHAVAN

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SNEHA NITIN
CHAVAN
Date: 2024.12.03
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Mr. Yuvraj Narvankar for the Appellant.

CORAM : M.M. SATHAYE, J.
DATE : 3rd DECEMBER 2024

P.C. :

1. Heard learned counsel for the Appellant.
2. By the impugned order dated 30.11.2023, the application filed by the Appellant/original Plaintiff, is rejected. The case of the Appellant is based on Section 8 of the Hindu Minority and Guardianship Act, 1956 ('the said Act' for short). It is contended that the Appellant is owner under registered Sale Deed dated 20.02.2009 and the suit property is purchased along with parents and brother. It is contended that this property is mortgaged by the parents and brother of the Appellant, without taking permission of the Court as contemplated under Section 8 of the said Act.
3. Issue notice to Respondents, returnable on 07.01.2025. In addition to the Court's notice, private notice is permitted.

4. Liberty to the Appellant to move the Court, in case of receipt of fresh notice in furtherance of the action by the Bank in respect of suit property.

(M.M. SATHAYE, J.)