

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 4083 OF 2026

Pravin Vitthalrao Jadhav And Anr

VERSUS

Rukhminibai Vitthalrao Jadhav And Ors

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Advocate for the Petitioners : Mr. Solanke Krushna S.

AGP for Respondent/State : Mr. S.N. Kendre

Advocate for Respondent No.1 : Mr. Krushna N. Bhosale

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : APRIL 18, 2026

PER COURT :-

1. Present petition takes exception to order dated 24.03.2026 passed by Presiding Officer, Senior Citizen Maintenance Appellate Tribunal/Collector, Chhatrapati Sambhajnagar in Appeal No.16 of 2025 thereby upholding order dated 13.08.2025 passed by Tribunal/Sub Divisional Officer, Chhatrapati Sambhajnagar.

2. The respondent no.1 instituted proceedings before Sub Divisional Officer, Chhatrapati Sambhajnagar under provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 seeking direction against petitioners not to disturb her possession over suit property. The Tribunal recorded finding that suit house stands in name of respondent no.1. It was purchased by her under registered sale deed. Since then, she is enjoying ownership and possession of suit property. The petitioners were disturbing her possession on various counts. Eventually, order directing petitioners to deliver

possession of house property to respondent no.1 has been passed by Tribunal. The petitioners preferred appeal under Section 16 before Appellate Authority. The said appeal came to be dismissed upholding order passed by Tribunal.

3. Learned advocate appearing for petitioners submits that Plot No.7 was purchased after selling ancestral property. Even, petitioners have contributed in construction of house. The respondent no.1 filed an application under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 on instigation of younger son of respondent no.1 namely Rameshwar.

4. *Prima facie*, Authority found that respondent no.1 is a sole purchaser of plot under registered sale deed. The petitioners contention that purchase was out of joint family fund or money received from sell of ancestral property cannot be considered at this stage. If petitioners have any right in suit property, they are free to exercise the same by approaching Civil Court. In this backdrop, impugned orders need not be interfered by this Court in exercise of writ jurisdiction.

5. Writ Petition sans merit, hence, dismissed.

**(S.G. CHAPALGAONKAR, J.)**