



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAA) NO.17 OF 2026 IN
APPEAL AGAINST ORDER ST. NO.1834 OF 2025

Ku. Ananya d/o Liladhar Kohale through Liladhar S/o Nilkanthrao Kohale .Vs. Nil

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.R. Ingole, Advocate for appellant.

CORAM : ROHIT W. JOSHI, J.
DATE : 13/03/2026

1. For the reasons mentioned in the application, application for condonation of delay is **allowed**.

APPEAL AGAINST ORDER ST. NO.1834 OF 2025

2. The father of applicant who is a minor had filed application under Section 8(2) of the Hindu Minority and Guardianship Act, 1956 read with Section 29 of the Guardians and Wards Act, 1890, in the name of the applicant (minor), seeking permission to sell her 1/11th share in the property bearing plot No.35, admeasuring 199.73 sq.mtr., situated at Jawahar Nagar, Mouza Sakkardara, Nagpur.

3. The learned District Judge-3, Nagpur, has rejected the application vide order dated 09.08.2024, observing that the property is joint family property of the minor and therefore Section 8 of the Act is not applicable. The property initially belonged to one Keshavrao Sitaramji Nandgaonkar, who is maternal great-grandfather of the

applicant (mother's grandfather). The mother of minor has expired. A property inherited by Hindu through her mother is neither her ancestral property nor part of her Joint Hindu Family property. The learned Court has clearly erred in holding that property was Joint Hindu Family property of the minor and therefore Section 8 of the Hindu Minority and Guardianship Act, 1956, was not applicable.

4. In view of the aforesaid, order dated 09.08.2024 passed by the learned District Judge-3, Nagpur, is quashed and set aside. Misc. Civil Application No.254 of 2024 is remanded to the learned District Judge, Nagpur, for deciding the application afresh. Applicant is directed to appear before the learned District Judge, Nagpur, on **02.04.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate