

04.08.2021

Ct. No.13

Sl. No. 8

pk/akd

W.P.A. 12034 of 2021 [via video conference]

[Sk. Babu Kamaluddin and another -Vs- The State of West Bengal and others]

Ms. Sayanti Sengupta,

Mr. Jamiruddin Khan

... .. for the petitioners

Mr. Samrat Sen,

Ms. Manali Ali

... for the State.

The petitioners claim to have found a new born girl child abandoned in a forest area in Manikabasan Jungle area, Purba Medinipur. They claim to have taken the child for care albeit without informing any public authority. Upon the matter being detected, the Child Welfare Committee, Purba Medinipur took possession of the child and placed it before the adoption centre.

The petitioners are aggrieved by final order dated 14.07.2021 which has refused custody of the child to them.

This Court is of the view that the order-in-question is reasoned and the petitioners have got substantial opportunity to put forward their case. There is no violation of the principles of natural justice.

The petitioners have remedy of appeal under Section 101 of the Juvenile Justice Act, 2015 and hence the writ petition cannot be entertained.

The writ petition is hereby dismissed with liberty, however, reserved to the petitioner to prefer an appeal in accordance with law.

There shall be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)