

20 07.10.
AGM 2021
Ct
07

C.O. 1384 of 2021

Sri Mukut Bose
Versus
Smt. Tamalika Bose

(Via Video conference)

Mr. Sabyasachi Chatterjee,
Mr. Akashdeep Mukherjee,
Mr. Sayan Banerjee,
Mr. Sagar Dey,

... For the Petitioner.

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of a petition, filed on 6th July, 2021 by petitioner/father seeking visitation right of his child, which is allegedly kept pending.

Mr. Sabyasachi Chatterjee, learned advocate representing the petitioner/father submits that the visitation right of the father/petitioner in respect of his own child is a valuable right and long pendency of such petition would amount to denial of such right.

It is gathered knowledge in course of the hearing that the child, in respect of whom visitation right has been sought for, has been lying in the custody of mother/opposite party, and the opposite party/mother has already appeared in Misc Case No 106 of 2019, which is basically under Section 12 of the Guardians and Wards Act.

In view of the nature of the order proposed to be made and the point sought to be addressed by this Court, the Court is of the view that it does not require any extensive hearing, and the matter may be instantly disposed of giving a suitable direction

therefor, even without securing presence of the opposite party/mother.

Accordingly, service upon the opposite party/mother stands dispensed with.

Learned Additional District & Sessions Judge, First Track 2nd Court, Howrah in connection with Misc Case No. 106 of 2019 is directed to ensure expeditious disposal of the pending petition of the petitioner/father seeking visitation right in respect of his child, providing sufficient opportunities of hearing to either of the parties in this case, but without granting unnecessary adjournments, unless it is extremely unavoidable, so that logical conclusion of the prayer pertaining to visitation right may be decided at an early date, preferably with ten weeks from the date of communication of this order.

The petitioner is directed to communicate this order to the opposite party/wife and her learned advocate appearing in the Court below, apart from making independent communication of the order to the learned Court below.

With these directions and observations, the revisional application stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the appearing parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J)