

14 10.02.
PG 2022.
RP

W.P.A (H) 5 of 2022
Sarfaraz Nawaz
Vs.
The State of West Bengal & Ors.

Mr. Amitesh Banerjee, Sr. Standing Counsel
Mr. Debabrata Chatterjee, Ld. APP
Mr. Simanta Kabir

.... For the State

Reference may be made to the order dated 03.02.2022. On the said date none appeared for the petitioner. Therefore, we adjourned the matter. Even today none appears for the petitioner.

Learned Government counsel, on instruction submitted that the writ petitioner himself has filed a petition before the learned District Judge at Purba Burdwan in case no.1389 of 2019 praying for permanent custody of the minor children and relief under Section 10 of Guardians and Wards Act, 1890 and visitation right under Section 12 of the said Act. Thus, as rightly submitted by the learned Government counsel, this is not a matter which can be dealt with in such Habeas Corpus matter as the petitioner is thoroughly aware of the whereabouts of his alleged missing children and he has already moved the appropriate Court for necessary relief.

Hence, the writ petition is dismissed.

Urgent photostat certified copy of this order, if

applied for, be delivered to the learned counsel for the parties, upon compliance of usual formalities.

(T. S. Sivagnanam, J.)

(Hiranmay Bhattacharyya, J.)