

Item 42. 05-07-2022 FMA 1755 of 2015
CAN 1 of 2014 (old CAN 8619 of 2014)

^{sg} Ct. 8 Sayd Abdur Razzaque
Versus
Yeasmin Begum

(Through Video Conference)

This matter appeared in the warning list on 29th June, 2022 and continued to appear in the list until it was transferred to the daily cause list today.

The appeal is arising out an order dated 29th April, 2014 passed by the learned District Judge of Bankura passed in an application under Section VIII of the Guardian and Wards Act preferred by the mother of the minor daughter, Syeda Kabira Atifa @ Alifa.

The learned Trial Judge by referring to the provision of Section 352 of the Mahomedan Law has, in our view, correctly declared that the mother of the minor is entitled to be the legal guardian of the minor until she attains puberty.

We do not find any reason to interfere with the order of the learned Trial Judge.

The appeal and the connected application are, accordingly, dismissed. However, there shall be no order as to costs.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)