

25.03.2022
Item No.29
Ct. No.7
CHC
(disposed of)

**C.O.644 of 2022
(Physical Hearing)**

**Sudipta Chakraborty
Vs.
Smt. Sutapa Chakraborty**

Mr. Arka Pratim Chowdhury,
Mrs. Saswati Chatterjee,
Mr. Sunny Nandy,
Mr. Tamal Singha Roy,
Mr. Subha Pathak
...for the petitioner

Having dissatisfied with the urgency shown by the petitioner, who is the father of the child, the interim visitation right of father/petitioner has been rejected.

Admittedly, petitioner is the father of the child, and the child is staying with her mother. The opposite party/mother has been staying apart from petitioner since 13th March, 2019. The prayer for visitation right has been made in connection with an Act VIII Case praying for custody of the child, registered as Act VII Case No.70 of 2022 of learned Additional District Judge, 4th Fast Track Court, Barasat.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the petitioner had no occasion to see even his child/daughter, since 13th March, 2019. The said child was born on 6th June, 2016.

Though the interim visitation right has been refused; by the order impugned dated 15.03.2022 of learned Additional District Judge, 4th Fast Track Court, Barasat, but the prayer for visitation right in respect of the child/daughter has not been finally disposed of.

In view of the submission made before this Court, it is known that the next date before the court below is fixed on 28th April, 2022, which is not very far off.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite party is thus dispensed with so far as present application is concerned.

Accordingly, learned Additional District Judge, 4th Fast Track Court, Barasat, in connection with Act VIII Case No.70 of 2022 is directed to hear out prayer for visitation right of petitioner/father particularly, either on the scheduled date, or if for any reasons whatsoever, the same could not be done, the prayer for visitation right of petitioner/father must be peremptorily disposed of within three (03) weeks thereafter, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is directed to make communication of this order to the learned court below as well as to the

opposite party and her learned advocate appearing in the court below.

With this direction/observation, the instant revisional application stands disposed of.

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

(Subhasis Dasgupta, J.)