

10.06.2022
SL No.4
Court No.8
(gc)

CPAN 310 of 2022

**Khaleda Ahmed
Vs.
Kazi Ruksana Alias
Kazi Ruksana Ahmed Hossain**

In

**FMAT 170 of 2021
With
CAN 2 of 2022**

Mr. Sabyasachi Chatterjee,
Mr. Akashdeep Mukherjee,
Mr. Sayan Banerjee,
Mr. Badrul Karim
...for the Petitioner.
Mr. Dhananjay Banerjee,
Mr. Surojit Basu,
Md. Shamimuddin,
Ms. Oindrila Ghosh,
...for the Respondent/Applicant.

The application for modification of the order dated 30th November, 2021 and the contempt application are taken up together and disposed of by this common order.

The mother of the minor filed an application on 19th January, 2022 for recalling or modification of the order dated 30th November, 2021 by which we permitted the grand parents to visit their grand child at the place of the daughter-in-law on every Sunday between 4.00 p.m. to 7.00 p.m. The applicant alleged that grand parents while visiting did not follow the Covid Protocol and after few meetings, the child complained of fever. Medical documents disclosed in the petition would show that the child was unwell in and around the date mentioned in the

prescription. The child is only four and half years old. It is submitted that the child is now keeping well. The grand parents on the other hand filed a contempt application alleging that they were prevented from meeting the child in spite of our order dated 30th November, 2021.

In view of the materials available on record in CAN 2 of 2022, we cannot say that there has been any willful or intentional violation of our order as the welfare of the child is on paramount consideration. It is expected that the grand parents before visiting the child must ensure that they are not suffering from cough and cold or any other infectious disease. The Covid is again on rise.

The learned Counsel for the parties have suggested that to avoid any future complications, the place of visitation may be shifted from the place of daughter-in-law to the chamber of Mr. Surajit Basu, learned Counsel representing the respondent. We accept the said suggestion.

Accordingly, the grand parents are permitted to visit their grand child at the chamber of Mr. Surajit Basu, Advocate on every Sunday between 4.00 p.m. to 7.00 p.m. subject to wearing mask and proper sanitization.

The application being CAN 2 of 2022 and the contempt application being CPAN 310 of 2022, thus, stand disposed of.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)