

Ct. 05
Item No.14
14.07.2022
(suvendu)

WPA 14581 of 2022

Ayush Sarkar (minor)
Through of his biological father
Sri Ranjit Sarkar
Vs.
State of West Bengal & Ors.

Mr. Mukunda Lal Sarkar
Mr. Bikram Mandal

.....for the petitioner

Mr. Raja Saha
Ms. Piyali Sengupta

.....for the State

The affidavit of service is taken on record.

Since the relief prayed for in the writ petition by the biological father of the minor child is for release of the minor child and the minor mother of the child from the custody of the Child Welfare Committee and the petitioner has not made the mother of the child as a party to the writ petition, the petitioner is given leave to add the mother of the child as a party to the writ petition.

Admittedly, both, the petitioner that is the minor child and the wife of the biological father of the petitioner, are minors.

The allegation is that the Superintendent of the concerned Home, being the respondent no. 4, is not taking proper care of the minor child. It also appears that the petitioner who is represented by her

biological father made a representation to the concerned Home on 09.06.2022. This representation was not responded to by the Home.

Since the allegations are of lack of care and other facilities for both the minor child and the minor mother of the child, WPA 14581 of 2022 is disposed of with a direction on the respondent no.5, being the Chairperson, Child Welfare Committee, Murshidabad, to respond to the representation within a period of four weeks from date and a copy of such response should be forthwith served on the father of the minor child.

This order is being made subject to the petitioner adding the mother of the minor child as a party to the writ petition and serving a copy of this order on the mother within 48 hours from today. The biological father of the minor child shall be at liberty of serving this order on the parents of the mother of the minor child.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)