

10-01-2022
ct no. 13
Sl. 45
sp

**WPA 17746 of 2021
(Through Video Conference)**

Partha Prtim Dey
-Versus-

The State of West Bengal & Ors.

**Mr. Aninda Bose,
Mr. Asok Banerjee,
Mr. Diptendu Mandal,
Mr. Nikhil Gupta**

....for the petitioner

**Mr. Amitesh Banerjee, ld. Sr. St. Counsel,
Ms. Ipsita Banerjee**

...for the State

Mr. Pappu Adhikari

...for the respondent no.6

Affidavit of service filed in Court today is taken on record.

The writ petitioner complains of inaction by the police in not enforcing the order allowing visitation, passed by the learned Additional District and Sessions Judge, 2nd Court, Barrackpore, North 24 Parganas.

It appears that visitation has been ordered since the year 2017 in Misc. Case 126 of 2016. The matter has been dealt with by this Court under Article 227 of the Constitution of India as well.

The petitioner complains that the private respondent-wife is not complying with the order of visitation and not producing the child for the

purpose of visitation orders. The petitioner has made a complaint in this regard to the Ranaghat Police Station, which has not been acted upon. Hence, this writ application.

This Court is of the view that there is no question of any inaction on the part of the Ranaghat Police Station. If the private respondent has violated any order, directing visitation, the remedy of the petitioner is before the learned Additional District and Sessions Judge, 2nd Court at Barrackpore, North 24 Parganas, where the Misc. Case No. 126 of 2016 is pending.

If the petitioner is aggrieved by any order of the First Court, as indicated hereinabove, remedies of appeal or revision, inter alia, under Article 227 of the Constitution are always available in accordance with law.

For the reasons stated hereinabove, the writ petition is disposed of without any order.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)