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C.O. 3049 of 2022

**Priyanka Mohata
Vs
Ashwin Mohata**

Mr. Kushal Chatterjee,
Mr. Debrup Chowdhury,
Mr. Manish Shukla, ... For the petitioner.

Mr. Kushal Chatterjee, learned advocate appearing for the petitioner/wife, while assailing the impugned order dated 25th August, 2022 passed by Additional District Judge, Fast Track Court I, Barasat in Misc Cae No. (Act VIII) No. 16 of 2020, submits that visitation right of the opposite party/father in respect of minor daughter has been granted virtually through video call twice in a week i.e., Wednesday and Sunday at 7.30 p.m. for 15 to 20 minutes.

It is contended by Mr. Chatterjee that even after granting visitation right for the opposite party/father virtually, a direction passed by the Court below requiring the wife to bring the minor daughter before the Court on the date fixed by the Court below, would be unnecessary exercise, and it is no longer needed.

It is not in dispute that the visitation right of the opposite party/father was allowed before physically.

Upon perusal of the impugned order, it appears that there is nothing suggestive of granting visitation

right physically in respect of the opposite party/father. Without the physical visitation right being granted, production of the minor daughter before the Court should not be insisted upon.

The impugned order is thus modified with the observations that petitioner/wife need not produce the minor daughter on the date stipulated in the order impugned.

This would not, however, prevent the opposite party/father to seek for physical visitation right upon establishing an appropriate case before the Court below, if not made earlier.

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

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

(Subhasis Dasgupta, J)