

25.11.2022
sayandeep
Sl. No. 01
Ct. No. 05

WPA 26083 of 2022

Nabami Dhali
-Versus-
State of West Bengal & Ors.

Ms. Jonaki Saha
..... for the petitioner

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee
....for the State

The prayer of the petitioner, who is the mother of a minor girl child, is for a direction on the Child Welfare Committee to consider an undated representation made by the petitioner to the Committee for release of the child. The more specific prayer is for a direction on the CWC to ensure that the child is able to sit for her Class IX final Examinations which starts from today.

The minor child is alleged to have been abducted sometime in September, 2022 and has been in the custody of the respondent No. 5, namely, Digambarpur Angikar Home, South 24 Parganas since that time. Learned counsel appearing for the State suggests that there are allegations against the conduct of the petitioner and her husband with regard to the child by reason of which the child continues to be in the Home for safe custody.

Whatever be the allegations against the petitioner and her husband, i.e., the parents of the child, the child

cannot miss her Class IX final Examinations which is due to start today. The CWC is accordingly directed to make immediate arrangement to ensure that the child can sit for her final Examination today, i.e., 25.11.2022 and for all days on which the Examination is held. Since it has been pointed out that the School in which the child used to attend, namely, Krishnanagar High School is at a considerable distance from the Home requiring about a travel time of 3 hrs., the CWC is directed to ensure that the child can sit for her Class IX Examinations in any other School and should not miss any paper/subject in the Examinations.

The respondent Nos. 3 and 5 being the CWC and the concerned Home are accordingly directed to comply with the above directions. This order is to be communicated to the respondents as dictated in Court.

The CWC will also consider the representation made by the petitioner or any other representation which the petitioner may make within a period of four weeks from the date on which such representation is made.

WPA 26083 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)