

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.62 of 2022

Chandan Mishra **Petitioner**

Mr. R. Achary, Advocate

-versus-

State of Odisha & others **Opp. Parties**

*Mr.J. Katikia,
Addl. Government Advocate*

CORAM:
JUSTICE S.K. SAHOO
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
31.05.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

The petitioner Chandan Mishra has filed this writ petition in the nature of a habeas corpus praying for custody of his minor son, who is stated to be in the company of his grand-parents i.e. opposite party nos.4 and 5.

After hearing the learned counsel for the petitioner, we are of the considered view that remaining of the child in the company of his grand-parents cannot be said to be an illegal detention to entertain this writ petition and more particularly, when

the petitioner has got an alternative remedy to claim the guardianship of his minor child.

Learned counsel for the petitioner seeks permission of the Court to withdraw this writ petition with the liberty to approach the appropriate forum.

With such liberty, the writ petition stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge



PKSahoo