

17.7.2023
ct. 236
sk,sl. 23

C.O. 194 of 2014

In the matter of : Baishali Acharjee(nee Banerjee)

. None is appearing on behalf of the petitioner.

This revisional application is awaiting adjudication for last nine years.

The Hon'ble Supreme Court in Robin Thapa Vs Rohit Dora, reported in AIR 2019 S.C.C. 3225 held that:

"8 Ordinarily a litigation is based on adjudication on the merits of the contentions of the parties. Litigation should not be terminated by default, either of the plaintiff or the defendant. The cause of justice does require that as far as possible, adjudication be done on merits".

This revisional application impeaches the Order No. 24 dated 6.1.2014 passed by learned District Judge, Burdwan in Misc. Case No. 30 of 2012.

By the impugned order learned trial court directed the petitioner to bring the child to the court room of learned District Judge on every 1st and 3rd Saturday from 2-00 p.m. to 4-00 p.m. for enabling the father to meet the child in presence of learned advocates representing the parties.

With the consent of the parties, the Co-ordinate Bench was pleased to modify the order

and the father was permitted to visit the child after interval of two months on any Saturday in the Chamber of the Special Officer appointed for that purpose.

In view of such ad interim order, I do not find any reason to interfere with the order impugned, the interim order passed on 12th December, 2014 is made absolute.

The revisional application is, thus disposed of.

Let a copy of this order be sent down to the learned trial court for information and necessary action.

(Siddhartha Roy Chowdhury, J)