

25.5.2023

ct. no. 5

sl. No. 2

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**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 1077 of 2022

**Puja Mondal (Das)
versus
Samit Mondal**

Mr.Kamalesh Chandra Saha
... for the petitioner

Affidavit of service is taken on record.

This revisional application challenges the order passed by the learned Trial court vide order No. 14 dated 15th December, 2021, conferring the right of visitation upon the opposite party/father of the child. The petitioner-mother Smt. Puja Mondal (Das) has been directed to produce the minor child, Shreyal Mondal, at the "Sukanta Sishu Udyan" at New Barrackpore station road, once in a fortnight for an hour in between 4-30 P.M. to 5-30 P.M. Such visit, according to the learned Trial Court, shall take place on every 2nd and 4th Sunday of the Month. According to Mr. Saha, child is pre-occupied on Sunday, he is having his Art class and Recitation class. Though it is not desirable that the child should meet his father at a public place, in absence of the opposite party, the petitioner-mother is unable to suggest a place acceptable to both. She has reservation if her husband is directed to visit his son in the house of the petitioner. She is not in a position to take the child

to her matrimonial home as a divorce suit is pending. She cannot suggest the place of residence of common friend to the parties where the boy can meet his father.

Mr. Saha learned counsel for the petitioner suggests “Krishti Hall”, opposite to New Barrackpore Police Station, which is also a public place and there is no qualitative difference between “Sukanta Sishu Udyan” and that of “Krishti Hall”.

Under such circumstances, at this stage I am not inclined to interfere with the place of meeting, as decided by the learned Trial Court. The next date of hearing, as I have given to understand before the learned Trial Court is sometime in the month of July. Till then, i.e., for the Month of June and July the father shall meet the child at “Sukanta Sishu Udyan” in between 4.30 P.M. and 5.30 P.M. for one hour on every 2nd and 4th Saturday. Learned Trial Court shall hear the parties, if necessary, in his chamber, and make them understand that in the interest of welfare of the child he cannot be allowed to meet his father in any public place. The parties must suggest a place where both will comfortable.

It is expected that two adult persons shall have no hesitation to accord each other with dignity and the child should be treated with dignity as well by his parents.

The impugned order is thus modified as an interim measures. Learned Trial court shall hear the parties afresh and pass appropriate order.

The revisional application is thus disposed of.

All parties are directed to act on the server copy of this order.

(Siddhartha Roy Chowdhury, J.)