

October 9, 2023
Sl. No.257
Court No.19
s.biswas

CO 1783 of 2023
With
CAN 1 of 2023

Arun Pramanik
vs.
Soumi Pramanik nee Halder

Mr. Suman Sengupta
Mr. Tapas Maity
Mr. Rahul Kumar Singh

... for the petitioner

Ms. Sudeshna Basu Thakur

... for the opposite party

The revisional application has been filed challenging an order dated April 5, 2023, passed by the learned Additional District Judge, 5th Court, Alipore, South 24 Parganas, in Act VIII Case No.220 of 2022. The learned court below refused to grant visitation rights to the father and also refused to grant temporary custody of the child for two days in a week. The court allowed video conferencing.

The petitioner/father is before this court with the following submissions:

- a) The video conferencing with the child for five days in a week was unreasonable and not workable.
- b) The father should be allowed to meet the child and interact with the child on a personal level.
- c) The child should also be allowed to live in his paternal house with his grandparents so that

the child develops a bonding with the father and his family.

The learned advocate for the opposite party/mother submits that the child is staying at Bhawanipore, Kolkata. The child is nine years old and not in a position to stay away from the mother. That the child is not also mentally ready to be separated from the mother.

Having considered the rival contentions of the parties, this court makes the following arrangements:

- a) As the child is now residing at Bhawanipore, the mother will take the child to Quest Mall, Kolkata, on every Saturday and Sunday between 1 p.m. and 5 p.m., commencing from October 14, 2023.
- b) The child will be handed over to the father. The father will interact with the child. He will have exclusive time with the child in the absence of the mother. The mother will wait in the vicinity or in the mall and shall not interrupt in the meeting of the child with the father.
- c) The paternal grandparents shall also be entitled to interact with the child at the mall.
- d) The father shall entertain the child in the playzone, restaurants, shops, etc. and shall

be restrained from taking the child outside the mall's premises.

- e) The learned advocates on record for the respective parties shall coordinate the entire process.

All the parties shall cooperate and abide by the order of this court in order to allow the child to enjoy the company of both parents in a healthy manner. The mental well-being of the child depends on the cooperation of the parents and the parents must be conscious about their responsibilities, even if they have personal disputes.

This arrangement shall continue till the disposal of the application for custody. In the event of any unforeseen circumstances, the parties may approach the learned court below for necessary orders and modifications.

The revisional application is thus disposed of. With the disposal of the revisional application, the application being CAN 1 of 2023 also stands disposed of.

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

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Shampa Sarkar, J.)