

Item No. 113
16.06.2023
Court. No. 19
GB

C.O. 1847 of 2023

Manish Baheti
Vs.
Shipra Baheti

*Mr. Subhashish Sengupta,
Ms. P. Chaudhary*

... for the Petitioner.

*Mr. Nilanjan Bhattacharya,
Mr. Brajesh Jha,
Mr. Abhijit Saha,
Ms. Megha Datta,
Mr. Saikat Dey*

... for the Opposite Party.

Affidavit-of-service filed in Court today, be kept with the record.

The Court does not find any reason to interfere with the order impugned. The learned District Judge, Alipore, upon appreciation of certain facts has restrained the father from removing the child from the boarding school at Shimla and has also restrained the father from taking the child away from the mother's custody. Such order was passed upon ascertaining previous issues which had cropped up between the parties.

However, the father undertakes before this Court that the child who is studying in Shimla shall not be disturbed in any way and the father will also bear all the expenses for the son, as per his capability. The mother and the father reside in the same house.

Thus, the problem can be resolved without any interference with the order of the learned court below, but by directing that while the child is in Kolkata during his summer

vacation, he will remain in the same house where both the parents are residing and both the parents will enjoy the company of the child, interact and ensure that the child enjoys his vacation without having to face any acrimony between the parents. This vacation will be an entertainment for the child and for emotional bonding of the parents with the child. Parties are restrained from discussing any matter with regard to custody of the child in front of the child.

Under such circumstances, the revisional application is disposed of.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)