

10.01.2023
SL No.2
Court No.8
(gc)

**FMA 1105 of 2022
CAN 2 of 2022**

**Sri Radhika Ranjan Barik & Anr.
Vs.
Smt. Malati Barik**

Mrs. Shohini Chakraborty,
Mr. Arijit Sarkar,
...for the Appellants.
Mr. Saumyen Datta,
Mr. Tapas Singha Roy,
...for the Respondent.

Pursuant to our direction dated 14th December, 2022, the child is admitted to Kamarpukur Ramakrishna Mission Multipurpose School. The child is attending the class. We are confident that the School Authorities will take care of the child and his welfare after taking into consideration the litigation between the grandparents and the mother. We expect that the mother and the grandparents would behave responsibly and shall take due care of the child and shall not act in a manner which would be inconsistent with the growth and development of the child. We reiterate that the custody of the child would remain with the mother and the appellants-grandparents would have limited visitation rights.

The Principal of Maa Sarada Sishu Niketan is directed to send the original Transfer Certificate to the Headmaster of Kamarpukur Ramakrishna Mission

Multipurpose School within two weeks from the date of communication of this order by either of the parties.

The respondent shall not remove the child from the said school without the leave of this Court.

We make it clear that the respondent shall execute all documents that may be necessary with regard to the stay of the child in the said school.

We reaffirm that all educational expenses and medical expenses shall be borne by the grandparents.

All other directions not inconsistent with the aforesaid direction stand affirmed.

We wish the child a bright future.

Accordingly, the appeal being FMA 1105 of 2022 and the application being CAN 2 of 2022 stand disposed of.

A copy of this order shall be communicated by either of the parties to Mr. Biswabrata Basu Mallick, learned Advocate who had represented the Secretary, Remakrishna Mission, Belur Math for information and doing the needful.

A copy of this order shall also be forwarded to the Headmaster of Kamarpukur Ramakrishna Mission Multipurpose School for information.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)