

July 31, 2023
Sl. No.A 342
Court No.19
s.biswas

CO 2025 of 2023

Saikat Bhattacharya
vs.
Mousumi Bhattacharya

Mr. Arindam Sen
Mr. Sagnik Bhattacharya
Mr. Rishav Gupta

... for the petitioner

This revisional application is not entertained. The father is unhappy with the arrangement made by the learned court below, by which the interim custody of a 15 year old girl, who is admittedly studying in Class XI, was retained with the father for five days and the child was to be with the mother on the week ends. The child also expressed her view that she would like to stay with both her parents, without any disturbance to her studies, her daily routine and other regular activities.

Admittedly, the child is studying in a school close to the residence of her father. Further, she is at the verge of completing her schooling and entering into a different phase of life, which would have a marked effect on her future prospects. Dislodging the child at this stage, would be detrimental to the child's welfare.

Thus, the prayer of the petitioner to give interim custody to her mother, does not seem to be reasonable. The child is a student of Class XI. She cannot be uprooted suddenly from her permanent

place of residence at Kolkata and sent to Naihati to her mother's place, which is in suburbs. The child will have better prospects in Kolkata. The child is 15 years old and very soon she will start her own life and choose the parent with whom she would like to stay.

The revisional application is dismissed.

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.)