

26.09.2023
Court No. 19
Item no.08
CP

C.O. No. 2920 of 2023

Sri Saumyajit Ghosh
Vs.
Smt. Sanjukta Sarkar

Mr. Rajdeep Mantha
Mr. Mainak Biswas

.....for the petitioner.

The Affidavit of service is taken on record.

Despite service, none appears on behalf of the wife.

This is a case where the father seeks modification of an order dated May 15, 2023, passed by the learned Additional District Judge, 10th Court, Alipore in Act VIII Case No. 127 of 2022.

The father's application for interim visitation dated August 22, 2022 was allowed by the learned court below, with certain directions. No objection to the said application was filed by the wife. Thus, it is clear that the mother did not have any objection with regard to the application for visitation.

The only modification which has been prayed for in this revisional application is that the mother may not be present during the interaction between the child and the father. The father should get some exclusive time with the child.

It is further submitted that as the father resides at Delhi, the dates for visitation may be fixed by the court, for the convenience of both the parties.

In my opinion, both the prayers are innocuous and will not adversely affect the mother. It is also submitted that they did not challenge the order granting interim visitation. Thus, the order dated May 15, 2023 is modified to the following extent:

- a) The father will visit the child on every second Saturday of each month, between 5 pm to 8 pm, either at Mani Square or at City Centre – I, Salt Lake.
- b) The father will get exclusive time with the child. The father will be entitled to buy gifts for the child and entertain him at the play zone and the food court.
- c) The mother will drop the child at 5 pm, at the venue, hand over the child to the father and leave him with the father. At 8 pm, the father will hand over the child to the mother. She may wait within the mall premises or in the vicinity, but the child should have exclusive time with the father, without any interruption.
- d) The father shall not take the child out of the mall premises and spend the time within the play areas, restaurant and shops etc.

- e) Such arrangement shall continue for a period of one year or until disposal of the Act VIII Case No. 127 of 2022, whichever is earlier.
- f) First of such visit will commence on October 14, 2023.

Learned Advocates for the respective parties will coordinate such visitation.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)