

17-04-2023

ct no. 13

sl. 17

sp

WPA 25737 of 2022

Nurul Islam Mollick @ Nurul Islam Mallick

-Versus-

State of West Bengal & Ors.

Mr. Rabiul Islam,
Mr. Debabrata Mondal,
Ms. Sreetama Neogi

...for the petitioner

Mr. Subhrabrata Datta,
Mr. Banibrata Datta

...for the State

Mrs. Sulekha Mitra,
Mr. Manas Kumar Das

...for the respondent nos. 6, 7, 8 and 9

1. The petitioner is aggrieved that father-in-law, mother-in-law and brother-in-law have wrongfully taken custody of his children after the death of his wife.

2. Counsel for the State submits that the petitioner's wife committed suicide and the petitioner did not bother to take custody of his children for a substantial period of time, from the year 2022. The children were left at the mercy of his in-laws.

3. This Court is of the view that the petitioner's remedy is before the appropriate Court under the concerned statutes for custody and/or guardianship. If approached, the concerned authority shall proceed to deal the matter in accordance with law upon notice to all the respondents. The Court shall decide the matter uninfluenced by any observations made hereinabove.

4. With the aforesaid observations, the instant writ petition shall stand disposed of.

5. There shall be no order as to costs.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)