

AD24
20.05.2024
Court. No. 19

CO 902 of 2024

Atanu Majumder
vs.
Dipak Kumar Maitra and Ors.

Mr. Indranil Ray
Mr. Biswajit Manna

... for the petitioner

The petitioner has challenged an order dated December 20, 2023, passed by the Learned District Judge Nadia in Act VIII, Case No. 57 of 2022.

By the order impugned, the learned Court held that it would be a futile exercise to direct production of the child for the purpose of visitation. Expeditious disposal of the proceedings was the only way the matter could be put to rest. The court recorded that the child who was around 7 years old, refused to meet the father and started crying profusely at the very thought of it. She alleged that the father had killed her mother.

Under such circumstances, although the Court noted tutoring, it was rightly held that the behaviour of the child indicated that a direction for visitation would prove to be useless.

Under such circumstances, I request the learned District Judge, Nadia to dispose of Act VIII, Case No. 57 of 2022 within six months. The father may renew

his prayer for virtual visitation if necessary, which shall be decided by the learned Court upon contest, in accordance with law. This court has not expressed any opinion on the merits of the proceedings initiated by the petitioner. The learned court will proceed independently.

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.)