

22.08.2024
Item No.3
Daily List
Ct. No.26
CHC

WPA(H) 71 of 2024

Dipankar Panja
Vs.
The State of West Bengal & ors.

Mr. Debashis Sinha, Advocate
Ms. Sonali Gupta Sa, Advocate
....for the petitioner

Ms. Munmun Ganguly, Advocate
Mr. Debangshu Dinda, Advocate
...for the State respondents

1. Report submitted in Court be taken on record.
2. Report discloses that, child is with his maternal grandparents.
3. Father seeks custody of his child in this writ of Habeas Corpus Petition. Father himself left the child in the custody of the maternal grandparents and left for his own work. It is on his return after some days that the father is before Court for custody of the child.
4. There are no special circumstances involved requiring invocation of the writ jurisdiction of Habeas Corpus, in the facts and circumstance of the present case. Writ petitioner is not remediless. Writ petitioner may avail of such of the remedies available to him in law for the custody of the child.
5. It cannot be said that the maternal grandparents obtained custody of the child wrongfully

as the writ petitioner himself placed the child voluntarily in their custody.

6. Learned advocate appearing for the writ petitioner seeks leave to withdraw the writ petition to approach the appropriate forum.

7. In such circumstances, WPA(H) 71 of 2024 is dismissed as withdrawn. All points are kept open.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)