

03.10.2024  
Item No.50  
DL, Ct.19  
A.J.

**IN THE HIGH COURT AT CALCUTTA  
CIVIL REVISIONAL JURISDICTION**

**C.O. 3527 of 2024**

**Rajib Mohan Chatterjee**

**-Vs-**

**Hasi Das**

Mr. Soumya Majumder,  
Mr. Sumanta Biswas,  
Mr. Supratim Laha,  
Mr. B. Chakraborty,  
Mr. Sauryabrata Chakraborty.  
.....for the petitioner.  
Mr. Srijib Chakraborty,  
Mr. V. Balu,  
Mr. A. Biswas. ....for the opposite party.

The instant application under Article 227 of the Constitution of India is directed against the Order No. 15 dated September 05, 2024 passed by the 13<sup>th</sup> Court of the learned Additional District Judge at Alipore, District : 24-Parganas (South) in Act-VIII Case No.67 of 2023.

The petitioner has a daughter namely Riddhima Chatterjee aged about 13 years. The minor has lost her mother, she is in the custody of her maternal grandmother, the opposite party herein.

The father has initiated the connected proceeding for custody.

The learned Trial Judge, by the order impugned has granted the father access to his daughter on the day of Mahashasti i.e. October 09, 2024 and on the day of Mahasaptami i.e.

October 10, 2024 from 2 P.M. to 4 P.M. at Acropolis Mall.

Mr. Soumya Majumdar, learned advocate for the petitioner submits that his client is aggrieved by the duration of the access.

Mr. Chakraborty, learned Advocate for the opposite party submits that the prayer of the father for extending the duration may be considered but the child since has some medical issues, she may not be taken far away from the place of residence of the opposite party.

Having heard the learned counsel for the parties and on perusal of the materials-on-record, this Court is of the opinion that the father is entitled to a meaningful access to her daughter, two hours is too short a time for the said purpose.

Therefore, the duration of the said access on the aforementioned two days of Durga Puja is enhanced to five hours i.e. **from 12 noon till 5 P.M.**

The opposite party shall handover the child to the petitioner at Acropolis Mall on the said two dates at the scheduled time and the petitioner, after the duration of said access, shall return the child to custody of the opposite party.

It is made clear that the father shall not take the child far away from the residence of the opposite party.

This order, however will not override the existing orders of visitation of the father to his daughter.

The prayer of the petitioner to take the child to his place of residence is refused at this stage, but this order however will not prevent him to renew his said prayer before the Court below, if the occasion so arises.

C.O. 3527 of 2024 is disposed of with the above observations without any order as to costs.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**