

Item No.8
08.10.2024
Court. No. 9
GB

W.P.A. 25143 of 2024

XXXX

Vs.

The State of West Bengal & Ors.

Mr. Achin Jana,
Mr. Prasayan Mukherjee,
Mr. Prosenjit Ghosh,
Ms. Gargi Dhang,
Mr. Bhaskar Dalui

...for the Petitioner.

Mr. Sk. Md. Galib,
Ms. Sujata Mukherjee

...for the State.

1. The mother shall be allowed to meet the daughter under supervision of the home, three times between October 9, 2024 and October 17, 2024.
2. It appears from the report of the authority, that five children were rescued by the Barasat Police Station and an NGO. The authorities suspected that the victim (minor daughter of the petitioner) was being trafficked. Barasat Police Station case has been registered. The children were produced before the CWC Barasat and then the victim was placed in Sukanya Home, for care and protection. The home has been providing vocational training to the girl. Points noted by the CWC and the SIR report are not positive. Thus, the committee requires some time to probe into the matter and consider the issue of restoration.
3. As the mother has already prayed for restoration, her prayer shall be considered in accordance with the rules.

The mother will be heard. The mother shall be treated with the dignity she deserves during the entire process.

4. However, the well-being, rehabilitation and improvement of the situation of the child is of foremost importance and the authority shall decide the matter by taking into consideration all the relevant aspects, solely on the basis of what is best for the child.
5. The decision shall be arrived at within a period of three months. If the authority does not deem it fit to restore the child to the mother, reasons shall be assigned and the mother shall be informed such reasons by an official letter.
6. Beyond the period prescribed by this Court, the mother shall be allowed to visit the child under supervision of the home, once a week.
7. Written instruction is taken on record.
8. Accordingly, the writ petition is disposed of.
9. However, there will be no order as to costs.
10. Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)