

D/L
Item No. 730
02.12.2024
KOLE

WPA (H) 89 of 2024

Arijit Mondal
-Vs.-
The State of West Bengal & Ors.

Mr. Sayan Banerjee,
Ms. Suparna Dutta,

...for the petitioner.

Mr. S. Sen,
Mr. Tapas Singha Roy,
Mr. Sobhojit Mondal,,

...for the private respondents.

Mr. Munmum Ganguly,
Mr. Sayan Ganguly,

...for the State.

Affidavit of service filed in Court today be kept with the records.

The private respondents are represented through learned Counsel.

We see from the report dated 20.11.2024 filed by the Officer in Charge, Kolkata Leather Complex Police Station, East Division, Kolkata Police that the minor child in question is in the custody of his maternal grandparents who are the private respondents herein. The report further mentions about the pendency of a criminal action against the petitioner who is allegedly facing a charge under, *inter alia*, Section 304B of the Indian Penal Code.

We are not concerned with the criminal case. However, since the child can no more be said to be missing as he is in the custody of his maternal grandparents, we see no reason to keep this writ petition pending.

WPA (H) 89 of 2024 is, accordingly, disposed of.

This will not prevent the petitioner from approaching the appropriate forum, in accordance with law if he wishes to claim custody of his child.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)