

DL-93

16.12.2025
Court No.37
[Bench ID-266046]
(AD)

WPA (H) 4 of 2025

Ashim Biswas

Vs.

State of West Bengal & Ors.

Mr. Pronojit Roy, Advocate
Ms. Abira Bhattacharjee, Advocate
... for the petitioner

Mr. Debobrata Chatterjee, Ld. Sr. Govt. Advocate
Mr. Simanta Kabir, Advocate
... for the State

1. By this writ petition of habeas corpus, a father seeks custody of his child.
2. State is represented.
3. Court is informed that, the child is with the mother.
4. Case of the petitioner is that, child was with the mother. Thereafter, with the maternal grandmother. The mother of the child is staying with a different person.
5. Father is well aware of the whereabouts of the child.
6. Fact remains that the custody of the child with the mother cannot be classified as wrongful or illegal. No special circumstance exists for the father not to avail of the statutory alternative remedy as to the custody of the child. None is pleaded in the writ petition.
7. Petitioner may avail of a statutory alternative remedy before the appropriate forum so far as the custody of the child is concerned.

8. **WPA (H) 4 of 2025** is **disposed of** accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)