

Court No. 6
(265719)

31.07.2025
(AD 5)
(S. Banerjee)

CO 673 of 2025

Chandan Sonthalia
Vs.
Sajan Kumar Dhelia & Anr.

Mr. Sourav Roy

...for the petitioner

Mr. Pritam Choudhury

...for the opposite parties

This application under Article 227 of the Constitution of India is at the instance of the father and is directed against an order dated July 25, 2024 passed by the learned Additional District Judge, 4th Court at Barasat in Misc. Case No. 146 of 2024 (Act VIII). By the order impugned the petitioner was allowed to meet the minor daughter namely Vani Sonthalia on every last Sunday of month at 5 p.m. at the residential address of the respondent at Santana Nibhas, 38/53/1, S. K. Deb Road, Flat No. 4C, Lake Town, Kolkata – 700 048.

Learned advocate appearing for the petitioner submits that the petitioner is staying at United Arab Emirates and he is regularly coming to Kolkata to meet his daughter. He submits that being a father he should be permitted to meet his daughter physically more frequently and the petitioner be permitted to

interact with the minor daughter through video conferencing facility.

Mr. Choudhury, learned advocate appearing for the opposite parties submits that the father was regularly attending the residence of the wife/opposite party for meeting his daughter. He submits that the opposite parties are not obstructing the meeting between the father and the daughter. He further submits that considering the fact that the child is at present about 8 years old and is studying in the school, the physical visitation may be allowed if the court so feels for only two days in a month.

Heard the learned advocates for the parties and perused the materials placed.

The petitioner is the father of a minor daughter. The minor daughter is presently residing with her maternal grandparents, maternal uncle and aunt, and the sister. The father is staying abroad and is eager to meet his daughter more frequently physically as well as through video conferencing.

Considering the fact that the petitioner is the father of a minor daughter and is residing abroad, this court is of the considered view that the petitioner should be permitted to meet his daughter on every 2nd and 4th Saturdays and Sundays of each month at the residence of the opposite parties herein for one hour on the aforesaid days starting from 5 p.m. In addition

thereto, the petitioner shall be permitted to interact with the minor daughter through video conferencing facility on every Wednesday from 8:30 p.m. to 9 p.m.

Both the parties shall cooperate with each other with regard to physical interaction as well as interaction through virtual mode. The parties will make arrangements in that regard. Such visitation, physical as well as virtual, should be a meaningful one and the opposite parties shall not interfere with and/or create any obstruction in the physical and/or virtual interaction between the father and the child.

The petitioner is also restrained from intimidating the opposite parties or their relatives while exercising the physical as well as virtual visitation.

The impugned order stands modified as indicated hereinbefore.

Accordingly, CO 673 of 2025 stands disposed of.

It will be open to the parties to pray for any further order before the learned trial judge if the situation demands.

(Hiranmay Bhattacharyya, J.)