

16.01.2025
(D/L-171)
Ct.-22
(Nandita)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 708 of 2023

Sahinara Khatun

-Vs-

Sk. Saiful Islam

Mr. Yunush Mondal

Mr. Pronojit Roy

... For the Petitioner.

Mr. Dipankar Mandal,

Mr. Abdul Aziz Mondal

... For the Opposite party.

Challenge is a portion of order passed on 28.7.2022 in connection with Misc. case no. 96 of 2021 initiated under Section 12 of Guardians and Wards Act, wherein Learned Additional District Judge, Fast Track Court-3, Barasat disposed of an application with an order on the prayer of visitation right virtually as well as physically.

Learned counsel appearing on behalf of the petitioner has prayed for change of the physical meeting place identified by the learned Judge i.e. Barasat Court Compound. It is submitted on behalf of the petitioner that the place of visit may be shifted to a place other than the court compound.

Learned counsel appearing on behalf of the opposite party appears and submits that

any other place may be identified for physical visitation.

It appears that no prayer for modification has ever been filed before the learned Trial Judge and instead of filing such application, the instant revisional application has been preferred.

In the aforesaid view of the matter, I am unable to interfere with the order impugned by exercising power under Article 227 of the Constitution of India.

However, liberty is given to the petitioner to file application for modification before the trial court.

With the aforesaid observation, this revisional application is disposed of.

Interim order, if there be any, stands vacated.

Connected application, if any, also stands disposed of accordingly.

All the parties shall act on the server copy of the order duly downloaded from the official web site of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)