

D/L- 8
17/04/2025
Ct. No.-6
Aritra

C.O. 1262 of 2025

Santanu Mukherjee

Vs.

Sampa Mukherjee (Biswas)

Ms. Madhumita Kar

Ms. Gargi Saha

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the husband and is directed against an order dated January 18, 2025 passed by the learned District Judge, Birbhum in Misc. Case No.79 of 2019.

By the said order the learned District Judge, Birbhum directed that the three petitions will be heard at the time of final hearing.

When this matter is taken up for hearing, the learned advocate appearing for the petitioner submits that the petitioner is not really aggrieved by the order dated January 18, 2025 but is aggrieved against the order dated September 27, 2024. She submits that though the order dated August 31, 2023 was modified by changing the venue but no time limit has been fixed for the visitation.

After going through the records, this Court finds that the learned District Judge, Birbhum by an order dated August 31, 2023 fixed the time limit of visitation from 2.00 p.m. to 4.00 p.m. on every alternate Saturday

for the purpose of visitation of the father with the minor child. In the said order the venue was fixed at Bharat Sevashram Sangha, Muluk, Bolpur, Adarshyapally, P.O.-Muluk via Bolpur. On an application being filed by the petitioner for modification of the said order, the learned District Judge, by the order impugned, changed the venue to the Secretary, DLSA, Suri, Birbhum. It was also mentioned therein that the visitation will take place before the DLSA, Suri, Birbhum on the date fixed.

Thus, this Court finds that only the venue was changed without modifying the time of visitation and the dates on which the father shall meet the minor child.

For such reason this Court is not inclined to interfere with the order dated September 27, 2024.

For the aforesaid reasons CO 1262 of 2025 stands disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)