

Court No. 6
(265719)

13.06.2025
(AD 27)
(S. Banerjee)

CO 2029 of 2025

Kasturi Mitra
Vs.
Sayantan Jana

Mr. Debasish Roy, Sr. Advocate
Ms. Sumitra Das
Ms. Kasturi Tarafdar
Ms. Srijata Mukherjee

...for the petitioner

The mother of a minor son has filed this application under Article 227 of the Constitution of India challenging an order dated May 2, 2025 passed by the learned Additional District Judge, Fast Track 4th Court at Barrackpore in Act-VIII Misc. Case No. 263 of 2023. By the order impugned the hearing of the application under Order 12 Rule 6 of the Civil Procedure Code and for production of the minor children, has been fixed on July 23, 2025.

Mr. Roy, learned Senior Advocate appearing for the petitioner/mother submits that the minor son has applied for getting admitted to class XI in Woodstock School in the State of Uttarakhand. He further submits that the sessions is scheduled to start from July, 2025 and unless the admission process is completed prior to that, the minor son will lose a year in his academic career. Mr. Roy further submits that the school authority is insisting upon some documents in support of the fact that the mother is

having the custody of the minor son. He, therefore, submits that unless the hearing of the application under Order 12 Rule 6 of the Civil Procedure Code is expedited, the petitioner will suffer irreparable loss and injury.

In the light of the submissions made by Mr. Roy, learned Senior Advocate for the petitioner, liberty is given to the petitioner to file an appropriate application before the learned Additional District Judge, Fast Track 4th Court at Barrackpore, District North 24 Parganas for preponing the date of hearing of the application under Order 12 Rule 6 of the Civil Procedure Code highlighting the urgency involved in the matter. If such an application is filed by June 16, 2025, the learned Additional District Judge, Fast Track 4th Court at Barrackpore is requested to consider the same sympathetically and to pass orders in accordance with law.

Mr. Roy assures this court that if the date of hearing is preponed, the petitioner shall produce the minor child on the date that may be fixed by the learned Additional District Judge.

With the above observation, CO 2029 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)