

Sl.18
26.09.2025
Court No.6
BP

C.O. 3634 of 2025

Ferdous Waheed Saleem
-versus-
Benazir Sultana

Mr. Somenath Gangopadhyay
Md. Abdul Momen Halder
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the father and is directed against an order being no.29 dated 2nd June, 2025 passed by the learned Additional District Judge Kandi, Murshidabad in G.S. No. 3 of 2021.

By the order impugned the learned Additional District Judge modified the earlier order dated 4th March, 2022 by directing that the mother/opposite party herein shall meet her minor son for four hours on first and third Saturday of each month at Kandi Court premises at the office of SDSLA.

The learned advocate appearing for the petitioner submits that since the son is at present studying in Class IX, his studies would be affected if four-hour time is allowed to the mother to spend with her son.

This Court is not inclined to accept such submission of the learned advocate for the petitioner.

It cannot be said that if the son meets with his mother, his studies will be affected. On the other hand the

son will improve in his studies if he meets with his mother. The child does not have any allegation against the mother.

At this stage, the learned advocate appearing for the petitioner submits that Kandi Court is situated far from the residence of the petitioner and a different place instead of the court premises may be fixed as the venue for such visitation. It will be open to the petitioner to make such a prayer before the learned trial judge.

If such prayer is made, the learned Additional District Judge Kandi, Murshidabad shall consider the same after giving an opportunity of hearing to the opposite party.

With the above observations, C.O. 3634 of 2025 stands disposed of.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)