

D/L 28
10.04.2025
Bpg.
ct.no.35

W.P.A.28416 of 2024

Moumita Maity Gupta
Versus
The State of West Bengal & Ors.

Mr. Bhagbat Chowdhuri
Mr. Sk. Nizamuddin
Ms. Barnali Gupta.
...for the petitioner.

Mr. Akash Dutta.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner claims that the child has been
illegally detained and she has not been allowed to
meet the child.

Records reflect that child is with the
respondent no.5 who is the father of the child. Since
the child is with the legal guardian, the police
authorities will not be able to interfere without an
order from an appropriate court of law. Petitioner
would be better advised to approach the civil court
under the relevant provisions of law. If the civil court
passes a direction, the police authorities would then
ensure that the same is complied with in accordance
with law.

With the aforesaid observations, WPA 28416 of 2024 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)