

Item No. 2
23.12.2025
Court. No. 6
GB

C.O. 4538 of 2025

Ankit Saraiya
Vs.
Pooja Saraiya nee Churiwal

*Mr. Jishnu Chowdhury, Sr. Adv.,
Mr. Debanjan Mandal,
Mr. Sanjiv Kumar Trivedi,
Mr. Satadeep Bhattacharyya,
Mr. Sanket Sarangi,
Mr. Ratul Das,
Ms. Sriparna Mitra*

...for the Petitioner.

*Mr. Ratnanko Banerjee, Sr. Adv.,
Ms. Nandini Khatun,
Mr. Pratul Shanu*

...for the Opposite Party.

1. The revisional application arises out of an order dated December 18, 2025, passed by the learned Additional District Judge, 9th Court at Alipore in Misc. Case No.318 of 2021.
2. The petitioner is the father. The petitioner filed an application for implementation of the guidelines, framed by the High Court, with regard to sharing of the child's holidays, by both parents. The learned court fixed the matter on January 9, 2026, at 3 p.m. It also appears that the mother had filed an application for modification of the order passed on January 10, 2024, by which the erstwhile learned trial Judge had made an interim arrangement for the father's visitation.
3. Mr. Banerjee, learned senior advocate for the opposite party, submits that, the father had been permitted to meet the child on every Saturday. The father had

missed most of those Saturdays. Accordingly, the child is confused, his expectations are also broken and such conduct of the father psychologically impacts the child. The entire routine of the household gets hampered. Moreover, the father had accepted such arrangement for more than a year. There are no grounds for modification of the order dated January 10, 2024, just prior to the Christmas vacation. Mr. Banerjee submits that until the modification application of the mother is decided, no other alternative arrangement should be made. It is submitted by Mr. Banerjee that, the child will be going for a holiday with the mother.

4. Mr. Chowdhury, learned senior advocate for the petitioner submits that the guidelines provide that the father will have 50% of the child's company during the vacation. Hence, a prayer was made before the learned trial Judge to allow the father substantial time during the 16 days of the winter vacation.
5. Having perused the decision impugned, this Court finds that the learned trial court had not considered the prayer of the father for enjoyment of the company of the child during the ensuing Christmas vacation. This led to the filing of this revisional application.
6. Admittedly, the applicability of the guidelines in the fact situation of this case, is pending decision before the learned trial Judge. The mother has also prayed for a modification of the order dated January 10,

2024. Thus, this Court does not deem it fit and proper to make any observation or express any opinion with regard to the pending applications. Those applications shall be disposed by the learned trial Judge independently, on the facts and circumstances of the case that have been pleaded.

7. I find that the matter has already been fixed on January 9, 2026. Thus, both the parties can get redressal of their grievances before the learned trial Judge, in an expeditious manner.
8. The only issue is whether this Court should make an interim arrangement for the Christmas vacation. This Court is of the view that, irrespective of the implementation of the guidelines which is pending before the learned trial Judge, an interim arrangement must be made so that the father can enjoy the company of the child during the Christmas vacation. The dates have been obtained from the mother and without prejudice to the rights and contentions of the parties in the pending applications, this Court makes the following arrangements:-

On 3rd, 4th and 5th January, 2026, the father will pick up the child from the mother's residence at 11 a.m., take the child to his own residence, take him for outings, lunch, shopping, entertainment, etc. The duration of such visitation, shall be between 11 a.m. and 4 p.m. Thereafter, the father will drop the child to the mother's residence within 4.30 p.m.

9. Mr. Banerjee apprehends that the father might not turn up or he might just change his plan. This Court

has made this direction on the assurance given by Mr. Chowdhury, learned senior advocate for the petitioner that the father will be present and the father wants to start on a clean slate. Upon such submissions being recorded, if the father misses a date, it will only reflect badly on his conduct. This arrangement is being made with the hope and trust that the father keeps up to his promise.

10. Under such circumstances, the revisional application is disposed of. The pending applications shall be decided expeditiously by the learned court.
11. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)