

21.11.2025
Item No.1
Court No.1
CHC

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.O. 183 of 2025

Sri Sudipta Sengupta
Vs.
Smt. Antara Roy

Mr. Avrojoyti Das, Advocate
Mr. Rajdeep Das, Advocate
...for the appellant

Ms. Sedhi Sethia, Advocate
Mr. Mayank Roy, Advocate
...for the opposite party

1. Revisional application is taken up for consideration subsequent to the order dated November 17, 2025.
2. At the invitation of the parties, the revisional application is heard on merits.
3. Revisional application is directed against the order no.12 dated September 4, 2025.
4. By the impugned order, learned District Judge, Darjeeling in a proceeding in Act VIII 2 of 2025 rejected the prayer for interim custody and fixed date for recording of evidence.
5. During the pendency of the revisional application a mechanism for visitation was provided by the coordinate Bench.
6. Parties agree that, the petitioner before Court can visit the child, presently in the custody of the opposite party, at City Centre Mall, during the

weekends for two hours. Every Saturday is preferred by the parties.

7. So far as the upcoming Saturday i.e., September 22, 2025 is concerned, since, there is a parents meeting at school where the child is studying, it would be appropriate that, the visitation may take place on November 23, 2025 at City Centre Mall for two hours commencing from 4 p.m.
8. For future weekends, the Saturday at the same place and the same time being conducive to the parties is allowed.
9. The impugned order, prior to fixing the dates for evidence did not frame the issues. Impugned order also did not ask for list of witnesses for the parties.
10. In such circumstances, the impugned order is modified by requesting the learned Trial Judge, to frame the issues on the next available date. Parties will also submit their list of witnesses on such date. Immediately on framing the issues, learned Trial Judge is requested to fix dates for evidence of the parties.
11. Parties are at liberty to apply for modification of the place and time of the visitation, upon adequate cause being shown before the learned Trial Judge.
12. I clarify that, so far as visitation rights are concerned, interest of the child is paramount and

no doubt learned Trial Judge will take the same into consideration while modulating the rights between the parties.

13. **C.O. 183 of 2025** is **disposed of**.

(Debangsu Basak, J.)