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01.04.2026
S.D.
Ct. No. 37
Bench Id
266046

WPA (H)/20/2026

Samar Kumar Jana
Vs.
The State of West Bengal & Ors.

Mr. Chirantan Sarkar
....For the Petitioner

Mr. Swapan Kumar Dutta, Ld. G.P., Sr. Adv.,
Ms. Sangeeta Roy
....For the State

Mr. Keshab Chandra Das
Mr. Biplab Adak
...For the respondent no. 4

The writ petition is at the behest of the father of the minor.

Mother of the minor expired on January 18, 2024. Since then, the minor is in the care and custody of the maternal grandmother.

There is a proceeding under Guardians and Wards Act where *ex parte* order was passed. There is an application for recalling of such *ex parte* order pending. Such proceeding relates to the custody of the minor.

Since there is a proceeding for custody of the minor pending and since the petitioner is aware as to the location of his child, we are not minded to

invoke our extraordinary writ jurisdiction under Article 226 of the Constitution of India.

WPA (H)/20/2026 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)