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

WPA (H)/25/2026

**Arup Kumar Bhattacharya
Vs.
The State of West Bengal & Anr.**

Mr. Amitabha Ghosh
....For the Petitioner

Father is before the Court complaining that the mother of the child removed the child from his custody wrongfully.

The child is of 4years and 2 months.

Petitioner possesses statutory alternative remedy. Custody of the minor by the mother cannot be said to be illegal per se. Disputed questions of facts are involved.

In such circumstances, we are not minded to interfere under Article 226 of the Constitution of India.

This order will not prevent the writ petitioner from availing of his remedies before the appropriate forum, in accordance with law.

WPA (H) 25 of 2026 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)