

21.04.2026
Item No.8
Court No.37
CHC
(disposed of)

In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA (H) 32 of 2026

Sampa Kayal
Vs.
The State of West Bengal & Ors.

Mr. Raghunath Chakraborty, Advocate
Mr. Uttam Kumar Shaw, Advocate
Ms. Amrita De, Advocate
Ms. Sabnam Sultana, Advocate
Mr. Saikat Thakurata, Advocate
...for the petitioner

Mr. Swapan Kr. Datta, Sr. Advocate & Ld. G.P.
Ms. Sangeeta Roy, Advocate
Mr. Kaustav Chatterjee, Advocate
...for the State

1. Writ petition is at the behest of the grand-mother of a child. Son of the petitioner unfortunately expired. Son prior to death was married. A child was born out of the wedlock. Daughter-in-law of the writ petitioner is no longer staying with the petitioner.
2. Essentially by way of this writ petition, custody of the minor child is sought.
3. Learned Government Pleader submits a report on behalf of the State which be taken on record.
4. It transpires from such report that, child is presently with her mother. The grand-child and her mother are both residing at the parental home of the mother of

the grandchild that is the daughter-in-law of the writ petitioner.

5. We are not in a position to pronounce the custody of the child with the natural mother to be improper.

6. In such circumstances, we find no merit in the present writ petition.

7. **WPA(H) 32 of 2026** is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)