

11.05.2026
Ct. No.6
Sl. No.21
skg

C.O. 1231 of 2026

**Afrin Akbar
Vs.
Md. Ansar Ali**

Mr. Md. Salauddin,

...for the Petitioner

1. This revisional application is directed against the order dated March 23, 2026 passed by the learned Additional District Judge, FTC-III at Alipore, South 24 Paraganas in Act VIII case no. 201 of 2024 whereby the opposite party's application under Section 12 of the Guardians and Wards Act, 1890 has been allowed in part.
2. The Act VIII case no. 201 of 2024 has been filed by the opposite party under Section 7 and Section 25 of the Guardians and Wards Act, 1890 praying, inter alia, for custody of his child. In the said Act VIII case the opposite party filed an application under Section 12 of the Guardians and Wards Act, 1890 praying for production of the minor child before the learned Court and for granting visitation rights to the opposite party to enable him meet his minor son in person every weekend as also to have access to the minor child through video calling facility.

3. The said application has been disposed of by the learned First Track Court on contest by the order impugned by allowing the opposite party to meet the child through virtual mode/zoom meet on every Saturday and Sunday for a span of one hour. The petitioner is aggrieved by the aforesaid order.
4. The learned Advocate appearing for the petitioners submits that the learned trial Court has failed to appreciate that the opposite party had inflicted torture upon the petitioner prior to the birth of the child and that more than twelve cases in respect of such treacherous attitude of the opposite party are pending. It is further submitted that while the petitioner was admitted in the hospital the opposite party never visited the petitioner and that the opposite party ultimately divorced the petitioner in accordance with Mohamedan Law.
5. Heard the learned advocate appearing for the petitioner and considered the materials on record. The learned trial court while passing the order impugned has considered various aspects and has found that even where parents are at logger heads a child should not be denied his right to have company of both his parents. The learned trial Court has weighed the material facts properly and given due importance to the welfare and the best interest of the

child while directing that the opposite party would be entitled to meet the child through virtual mode/zoom meet on every Saturday and Sunday for a span of one hour. The learned trial court has further directed that such time would be fixed as per the convenience of the child's daily schedule on those two days by way of consultation between the learned advocates for the contending sides.

6. The learned trial Court has further directed that the virtual visitation would be recorded from both the ends so that the Court can take note of any disobedience of the order if the same happens. It is noticed that the learned trial court has cautioned both the parents to maintain cordial relationship in front of the child and has directed that such order would remain in force till final disposal of the guardianship petition.
7. Having regard to the facts and circumstances of the case, this court does not find any illegality or material irregularity in the order impugned. Nothing has been brought on record suggest that the virtual visitations of the father in respect of his child would adversely affect the interest of the child, in any manner whatsoever.
8. In such view of the matter no interference with the order impugned is called for. Accordingly, C.O. 1231

of 2026 stands dismissed. There shall be no order as to costs.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)