

05
28.04.2026
S.D.
Ct. No. 37
Bench Id
266046

WPA (H)/39/2026

**Sri Madhusudan Manna
Vs.
The State of West Bengal & Ors.**

Mr. Sanjib Seth
Ms. Soumi Chakraborty
....For the Petitioner

Mr. Swapan Kumar Dutta, Ld. G.P.,
Mr. Santanu Kumar Mitra, Sr. Govt. Adv.,
Mr. Amartya Pal
....For the State

Mr. Debasis Sur
Mr. Mrinmoy Chatterjee
..For the respondent nos. 5 to 7

Petitioner is the father of the child.

Essentially, the petitioner seeks custody of the child.

Child is in the custody of the maternal grandparents since 2022. Proceedings under Section 100 of the BNSS were undertaken by the petitioner with regard to the custody of the child. Court is informed that there is a stay of such proceedings.

Petitioner is not remediless with regard to the custody dispute relating to the child.

We need not enter into the arena of the custody of the child of a proceeding under Section 226 of the Constitution of India as disputed questions of facts are involved. In any event, the petitioner possesses statutory alternative remedy. There does not exist any special circumstances for the Writ Court to intervene under Article 226 of the Constitution of India.

In such circumstances, WPA (H)/39/2026 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)