

09.02.2026

Item no.DL 6
Court No. 06

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side

Case No.

CO 1434 of 2025

In the matter of :

SRI SUBHADEEP PAUL

... Petitioner

VS.

SMT. MOUMITA GHOSH

... Opposite Party

For the Petitioner :

Mr. Arkadyuti Pahari

Ms. Gargi Maity

Mr. Alik Mandi

... Advocates

For the Opposite Party :

Mrs. Shohini Chakrabarty

Ms. Prajaaini Das

... Advocates

1. Affidavit of service filed in Court today be kept with the record.
2. This revisional application arises out of an order dated March 11, 2025 passed by the learned District Judge-in-Charge at Alipore, South 24 Parganas in Act VIII case no.39 of 2025.
3. By the order impugned, the learned Court refused to pass any ad interim direction for visitation of the father, on the ground that not only the prayers were vague, but also on the ground that an interim arrangement cannot be made in the absence of the other side / mother.

4. It is urged by the learned advocate for the petitioner that the father has a right to interact with the child and create a bond. From 2023, the father has neither seen the child nor interacted with the child. The child is around five years old.
5. Mrs. Chakrabarty, learned advocate appearing on behalf of the opposite party submits that the Court did not commit any irregularity in refusing the ad interim prayer for visitation as the mother was required to be heard. The Court directed service of the application upon the mother.
6. As both the parties are represented before this Court, this Court, prima facie, holds that the father should be allowed to visit the child as an interim measure, till the application is heard out by the learned Trial Judge on its own merits, upon allowing the mother to file her written objection. The petitioner is granted liberty to file an amendment to the application, by incorporating specific prayers, averments and the mode and manner in which the father wants to interact with the child.
7. This court makes an interim arrangement. On February 15, 2026 and March 8, 2026, the mother along with her advocate on record, in the Court below, shall accompany the child to Parnasree

Park at 05.30 PM. The father will be waiting in the park with his advocate on record and an interaction will take place for approximately two hours. The interest of the child will be paramount and the visitation should go peacefully. Both parties should cooperate. The father may be allowed to give some gifts to the child.

8. This interim arrangement is being made till the disposal of the application for interim visitation. The said application shall be disposed of within April 30, 2026 by the learned Court below.
9. This order is being passed only upon appreciating the fact that the father has not seen the child since 2023. The learned Court below will decide the entire issue on merit. The prayer for visitation of the father's family can be decided by the learned Trial Court at the appropriate stage.
10. Accordingly, **CO 1434 of 2025** stands **disposed of**.
11. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.

12. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shampa Sarkar, J.)