

15.05.2026
Item No.10 (DL)
Court No.06
AJ.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 1516 of 2026

**Neha Sonthalia Periwal
-Vs-
Ashish Periwal**

Mr. Aniruddha Chatterjee, Ld. Sr. Adv.,
Mr. S.K. Trivedi,
Mr. Soumabho Ghose,
Mr. Sanket Sarawgi,
Mr. Ratul Das,
Mr. Rajdeep Mantha,
Mr. Parikshit Lakhotia.

.....for the petitioner.

Mr. Probal Kumar Mukherjee, Ld. Sr. Adv.,
Mr. Suhrid Sur,
Mr. Sachin Shukla.

.....for the opposite party.

1. This revisional application is directed against an order dated May 02, 2026 passed by the learned Additional District Judge, 15th Court at Alipore, 24-Parganas (South) in Act VIII Case No. 173 of 2025 whereby the opposite party has been granted temporary custody of his elder son 'Manan' for a period of two weeks beginning May 09, 2026.

2. The parents of 'Manan' are locked in a custody battle over their two children 'Manan' and 'Vanij'. The opposite party has filed an application under Section 25 of the Guardians and Wards Act, 1890 which has been registered as Act VIII Case No. 173 of 2025 which is pending consideration before the learned Additional District Judge, 15th Court at Alipore, 24-Parganas (South).

3. In the said case, the opposite party filed an interim application for temporary custody of the

child 'Manan' in view of the ongoing summer vacations of the said child. The same has been disposed of by the order impugned.

4. A sense of reciprocity seems to have dawned upon the parties. There is a broad consensus between the parties that the period of temporary custody of the child (Manan) will run from May 17, 2026 till May 27, 2026.

5. Since the child has been diagnosed with ADHD and would therefore need special consideration, the parents have agreed that for the first five days of the aforesaid eleven days' period, beginning May 17, 2026 and ending on May 27, 2026 (both days inclusive), the temporary custody of the father shall be only restricted to day time.

6. Mr. Chatterjee, learned senior Advocate appearing for the petitioner confirms that since the mother would be residing at a distance of around five minutes from the residence of the father, therefore it would be open to the father to take the child at any time during the day and the child would return to the mother for the purpose of getting sound sleep during the night.

7. The parties have further agreed that upon considering and evaluating the child's acceptance and acclimatization to the changed environment at the father's place, the aforesaid day time custody would be transitioned into a full day and night custody with the father, for the balance period i.e.

from May 22, 2026 till May 27, 2026 (both days inclusive).

8. The order impugned shall stand modified to the above extent.

9. Both the parties have agreed to (and in any case they should) take into consideration the special needs of the child. The parents should be ready to sacrifice their own wishes for the best interest of 'Manan'.

10. The travel expenses of 'Manan' and his mother both to and fro i.e. from Bangalore to Kolkata and from Kolkata back to Bangalore shall be borne by the opposite party. The other directions as regards the medication schedule etc. which has already been recorded in the order impugned shall continue.

11. The parties are expected to ensure that the hope and trust expressed by the doctor treating 'Manan' - as reflected from page 25 of the revisional application- are not betrayed; that the child's condition improves and develops and there is no deterioration even in the least.

12. Since the aforesaid order is a consent order and no affidavit has been invited therefore, the allegations made by the petitioner against the opposite party in the revisional application shall be deemed not to have been admitted.

13. C.O. 1516 of 2026 stands disposed of with the above observations without any order as to costs.

14. 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.)