

11.05.2026.
Court No. 13
Item No. 2.
sp

F.M.A. No. 146 of 2023
With
CAN 6 of 2026
With
CAN 7 of 2026
With
CAN 8 of 2026
Subhasish Sarkar
Versus
Ranajit Kumar Malakar & Anr.

Mr. Arun Kumar Das.

..for the appellant.

Mr. Anirban Mitra.

..for the respondents.

Re: CAN 8 of 2026

1. Counsel for the parties shall decide upon a place convenient to the young son and the father and conduct visitation as already ordered by this Court on 16th March, 2026. The father shall arrange for all educational and other expenses and needs of the son to the extent he can without prejudice to the rights and contentions of the parties in any other proceeding.
2. In view of the above, CAN 8 of 2026 shall stand disposed of.

Re: CAN 7 of 2026

3. CAN 7 of 2026 is an application for deleting the name of the Court appointed guardian who has since died.
4. Let the name of respondent no. 1, Ranajit Kumar Malakar, shall stand deleted from the record of the instant proceeding.

5. Hence, CAN 7 of 2026 is allowed and disposed of.

Re: CAN 6 of 2026

6. CAN 6 of 2026 is an application filed by the father for handing over the custody of the young son who is 17½ years of old.

7. This Court is of the view that the young boy has expressed his opinion in Court to stay with his grandparents.

8. Apart from the above, since the 17½ years old boy is capable of taking decision of his own, his custody shall not be disturbed for the time being. It is, however, left to the discretion of the young boy to stay either with his grandparents or with his father as he decides at any point of time in future.

9. Hence, CAN 6 of 2026 shall stand disposed of.

Re: FMA 146 of 2023

10. With the aforesaid observations, FMA 146 of 2023 along with CAN 4 of 2023 shall stand disposed of.

11. There shall be no order as to costs.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)

