

02.01.2026
Ct. No. 30
SL No. **32**
MKP

CO 3225 of 2024

Arijit Saha

Vs.

Pamela Ghosh Saha

Mr. Arnab Roy

Mr. Satyam Mukherjee

Mr. Purnendu Shekhar Ghosh

.....for the Petitioner

1. In spite of service, the opposite parties have not appeared.
2. The revisional application has been preferred challenging an order no. 15 dated 26.07.2024 passed by the Learned Additional District Judge, Fast Track, 4th Court at Barasat, North 24 Parganas in Misc. (Act-VIII) Case No.299 of 2022.
3. Vide the order under challenge the learned Trial Court granted permission to the petitioner/father to make video calls to his daughter aged now about 8 years, everyday at 9:00 p.m. for 10 to 15 minutes.
4. The petitioner being aggrieved that the Trial Court rejected his prayer for taking his daughter outside the jurisdiction of

Chandannagar during his visits, has preferred the revision.

5. It appears from the order under challenge that at present the petitioner/father meets his daughter at Chandannagar as per direction of the Court granting his visitation rights. But the petitioner/father wants to bring his child to Kolkata occasionally from Chandannagar to meet his aged parents at Kolkata and take her to various places, to bond with his child.
6. It appears that the Trial Court considering the age of the child to be about 6 years in July, 2024 has rejected the said prayer of the petitioner.
7. Considering the fact that the child is now aged about 8 years and the petitioner is her father, the emotion and attachment of the father with the child is also to be kept in mind by the Court's.
8. Accordingly, the impugned order is set aside to the extent, where the Trial Court has rejected the prayer for modification of the order of visitation granted in favour of the petitioner.
9. It appears that the Trial Court while considering the prayer of the petitioner, did not consider speaking to the child and is thus

unaware about the present status of mind of the child.

10. The welfare of a child is paramount in cases of this nature and accordingly the order dated 26.07.2024 is modified to the extent that the Trial Court shall consider the prayer of the petitioner/father regarding taking the child out of Chandannagar in furtherance to his visitation rights, **afresh by speaking to the child in camera.**
11. The Court taking into consideration the wish of the child, shall decide the prayer of the petitioner for taking the child out of Chandannagar during his visitation.
12. The Trial Court is also directed to make all endeavour to dispose of the Misc.case of 2022 expeditiously in accordance with law, preferably within 6 months from the date of this order.
13. The civil revision stands **disposed of.**
14. Applications, if any, connected thereto stand disposed of consequently.
15. Interim order, if any, stands vacated.
16. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]