

**Mat. Suit No. 176/2019**  
**CNR No. WBCB01-002336-2019**

**Present : Shri P.P. Chakraborty, District Judge, Cooch-Behar**  
**J.O. Code – WB01240**

**Order No.17, dt.24.06.2022**

Today is fixed for reconciliation, hearing of the petition dated 23-04-2021 and payment of cost.

Cost of Rs.200/- is paid to the respondent/wife in Court by the petitioner/husband.

My effort for reconciliation turned futile.

Now, the petition dated 23-04-2021 filed by the father praying for interim custody and/or visitation right of the minor son is taken up for hearing.

Heard both sides.

This estranged couple has one minor child whose date of birth is 06-04-2014. According to para-9 of the petition, the child is a special child who needs special care and attention. It is admitted that the child is in custody of the mother. In the above background, it is necessary to avoid disturbing the present custody of the mother. Now with regard to the visitation, it appears to me that whatever may be dispute between the parties but parents have always natural love and affection for their child and circumstances does not show anything that this father was at any time cruel to the child. Although there is allegation of cruel attitude of the father but still it would be harmful for the child also to deny access of the father to him. Hence, in the absence of any extraordinary ground, I find it appropriate to allow the petition.

So, this Court is of the view that it would be proper to give a direction to the effect that the father will meet the child once in a fortnight at Rajbari Palace Complex, Cooch-Behar in the afternoon for two hours i.e. on 2<sup>nd</sup> Sunday and 4<sup>th</sup> Sunday of every month at 3.00 P.M. In this regard, it is mentioned that the said place has been fixed as per convenience of the parties herein. Further it is mentioned that the mother will accompany the child to the Rajbari Palace Complex for compliance of this order.

The petition dated 23-04-2021 is disposed of.

Now, the suit is taken up for framing of issues.

Heard both sides.

On perusal of the pleadings of the parties, issues are framed and kept in separate sheet.

To **22-07-2022** for P. hearing.

Dictated & corrected,

Sd/-  
District Judge,  
Cooch-Behar

Sd/-  
District Judge,  
Cooch-Behar