

**Act VIII case no.27/2021**  
**CNR no. WBHG-01-001131 -2021**

**Order no. 19 dated 31.08.2023**

Both the parties file haziras.

Today is fixed for hearing of the petition filed dated 14.08.2023, written objection in the meantime.

Today one written objection supported by affidavit is filed by the O.P/mother after copy service upon the petitioner.

Heard both sides. Considered.

Learned Advocate for the petitioner/father Biswajit Dey submits that the order dated 03.04.2023 passed by the learned District Judge, Hooghly should be modified only to the extent by permitting the petitioner/father to visit his minor child twice in a month at the same time and place of visit. It is urged that being father, visiting only once a month is not sufficient to fill up his emotion towards his minor girl Sonvi Dey.

The learned Advocate, on the other hand, for the O.P/mother on his legs contended that such petition should not be allowed at the choice of the petitioner/father. The order permitting such visit once in a month on every 2<sup>nd</sup> Sunday is enough. It is also submitted by him with considerable force that the minor child on meeting with the father fell sick and suffered mental pain. Moreover, increasing visiting spell for twice a month in place of once a month might disturb her study and other extra curricular activities including dancing, singing and other fine arts. The learned Court, therefore, should reject the prayer of the petitioner/father and instead permit this visit in the nearby park close to the parental house of the O.P Subhra Dey.

After hearing the parties and after going through the petition and the written objection so as the case record, it would appear that this petitioner/father is a resident of Arambagh whereas the O.P is a resident of Chandrokona within the district Paschim Midnapore. If a father with all his eagerness and emotional outburst can visit from Arambagh to Chandrokona, then why should the place of visit should unnecessarily be changed. In my view and consideration it should not be changed. I am also of the view that one more date should be increased fixing 4<sup>th</sup> Sunday of a month keeping the time and place as it is. Such view will not in any way disturb the spirit of the order dated 15 dated 03.04.2023. By virtue of this order, no parties would be allowed to protract the trial of the case in any event.

Accordingly, the petition dated 14.08.2023 is considered and allowed without cost with a direction upon the O.P Subhra Roy (Das) to bring her minor daughter every 2<sup>nd</sup> and 4<sup>th</sup> Sunday of every month, keeping the time and venue as before. The petition as above accordingly disposed of.

To 27.09.2023 for P.W evidence.

Dictated & corrected by me

SD/-  
Additional District Judge,  
1<sup>st</sup> ADJ. Chinsurah  
J.O code no.W.B00753

SD/-  
Additional District Judge,  
1<sup>st</sup> Court, Chinsurah.  
J.O code no.W.B00753

