

**Order No. 22 dated 22.04.2024**

Today is fixed for hearing of the petition dated 04.03.2023.

The parties have filed hazira through their Advocates.

Ld Advocates of both parties are present.

The petition filed by the respondent husband on 04.03.23 is taken up for hearing.

Perused the petition.

By filing the petition the respondent has stated interalia that the petitioner has been living at her paternal house with her minor son. She has not been allowing the respondent to meet his son. The respondent has been suffering from mental depression for this deprivation.

Perused the W.O filed against this petition in which the petitioner has denied the allegations of the respondent and has stated that the respondent tortured her and compelled her to leave her in-law's house. The petitioner alleged that the respondent always neglected to carry out his paternal obligations.

Heard both sides.

Ld Advocate for the petitioner would submit that the respondent has no right to see his son as he is not paying proper maintenance for the minor child.

The Ld Advocate for the respondent has countered this submission by stating that the respondent desires to meet his son. His next submission is that the respondent has never been negligent to provide maintenance for his minor son. In fact the petitioner refused to accept maintenance. So, the respondent may be given opportunity to see his son physically as well as on video call.

Admittedly the minor child aged about 4 years has been living with his mother. The welfare of the child should be the paramount consideration of this Court. The child has a right to meet his father. At the same time the respondent being a father has right to see his son. Keeping in view this matter, the instant petition is allowed.

The respondent would visit his son on every 3<sup>rd</sup> Saturday at the premises of Chinsurah Court between 2.00 P.M. to 3.00 P.M during pendency of this case in presence of both the parties and their lawyers. The petitioner wife is directed to bring her son to the Chinsurah Court on every 3<sup>rd</sup> Saturday and to take him back after the child's meeting with his father. The petition dated 04.3.23 filed by the petitioner is thus disposed of.

To **04.05.24** for reconciliation.

Dictated & corrected  
by me

Addl. Dist. Judge  
2<sup>nd</sup> Court, Chinsurah

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