

**Order No. 08 dt. 19.02.25**

Today is fixed for reconciliation and for hearing of the petition dated 12.6.24 filed for visitation rights by the petitioner/husband.

Both sides are present and have filed their respective hazira.

Reconciliation proceedings are taken up by the P.O. in camera in his chamber.

It appears from elaborate discussions during the reconciliation proceedings that there is no scope of amicable settlement between the parties. Hence the reconciliation proceedings be held to be failed.

The record is now taken up for hearing of the petition u/s 26 of the Hindu Marriage Act, 1955, fixed on this day.

Ld Advocate for the petitioner/husband submitted that as the respondent/wife is presently staying with their minor daughter Ritika Mondal away from the petitioner due to matrimonial dispute between them, the petitioner is unable to have the loving company of his above-mentioned child. He submitted that the petitioner being the biological father of the said child needs to see his child and has a right of visitation for the same. He further submitted that the petitioner requires to meet his child to keep the bond between the father and child alive and he prayed for passing of appropriate order for visiting the child and directing the respondent to produce the child at any suitable place for enjoying her company and for sharing his love and affection with her once every week till the disposal of the instant suit.

Ld Advocate for the O.P./wife did not raise objection to the said prayer for visitation rights but submitted that the visitation should be allowed only twice in a month and for only one hour.

Heard both the sides. Perused the petition, and the instant record. Considered.

It appears that the respondent is living with her minor daughter away from the company of the petitioner due to matrimonial dispute between the parties. It also appears that both the parties are presently in an acrimonious relationship, but the petitioner being the biological father of the minor child possesses an indefeasible right to visit his child and enjoy her love, affection and company, when he does not have the custody of her child. As such, this court is inclined to allow the petition of the petitioner for visiting rights of his child.

**The O.P. Sampa Boul Das Mondal shall bring the minor child Ritika Mondal to the chamber of the Id Advocate for the wife at Serampore Court at 1:30 pm once every fortnight preferably on the first and third Saturday of every month so that the**

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**Mat Suit – 878/2023**

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**petitioner Buddhadev Mondal can visit and enjoy her company from 2:00 pm to 3:00 pm in the chamber in the court premises.**

The visitation petition filed by the petitioner u/s 26 of the Act is thus allowed and disposed of.

To 30.04.2025 for framing of issues.

Dictated & Corrected by

Sd/-

Addl. District Judge, 2<sup>nd</sup> Court  
Serampore.

Sd/-

Addl. District Judge, 2<sup>nd</sup> Court  
Serampore.