

In the Court of the District Judge, Murshidabad

Present: Sri Partha Pratim Chakraborty
District Judge, Murshidabad
(JO-WB01240)

Guardianship Case No. 70/2026

Order No. 02, dated 04.06.2026

The case record is put up today on the basis of the petition filed on behalf of the petitioner along with a petition praying for hearing the petition u/s 151 CPC already filed in court.

It has been reported that no caveat has been filed.

The petition dated 21.05.2026 under section 151 CPC, being moved is taken up for hearing.

This is a suit for appointing the petitioner as legal guardian and custodian in respect of the minor, namely, Keyaan Ansary whose date of birth is 1204.2022, a male child born in the wedlock of the petitioner/father and the OP/mother.

As per petition under section 151 CPC, the petitioner prayed for passing an order of temporary injunction with ad-interim order against the OP herein restraining her from taking away the minor Keyaan Ansary (D.O.B -12.04.2022) from the custody of the petitioner by unlawful means.

According to the petitioner, the OP has issues of mental health and she is unable to take proper care of the minor child. The petitioner stated that he has admitted the minor child in a reputed English medium school at Lucknow and he is taking proper care for his upbringing. It has been asserted that the OP left the matrimonial home on 10.05.2026 leaving the minor child in the custody of the petitioner and she began to reside at her paternal home.

In course of hearing, the petitioner submitted photocopies of some documents i.e. one notice from SDM, Domkol directing the petitioner herein to appear and show cause against the petition u/s 100 of the BNSS filed by the petitioner Taslima Khatun (OP herein) and copy of such petition u/s 100 BNSS stating that the petitioner herein had driven out the OP herein after subjecting her to serious physical cruelty.

After considering the said copy of the petition it transpires that at present the minor is in the custody of the father(petitioner herein).

Considered the age of the minor child. After considering the same and also considering the facts and circumstances, it appears that if an order of status quo is passed, neither parties to this proceeding will be prejudiced.

Hence, it is

Ordered

that both parties are directed to maintain status quo subject to condition that the petitioner herein will not deny the OP herein to visit and meet the subject child whenever she wishes during day time i.e. from 10 a.m. to 5 p.m.

This order of status quo shall remain effective till 24.06.2026.

Issue notice calling upon the OP to show cause within fifteen(15) days from the date of receipt of the same as to why the prayer for temporary injunction made by the petitioner against him shall not be granted.

Petitioner is directed to file requisites as per Order 39, Rule 3(a) CPC.

Requisite at once.

Fix **24.06.2025** for SR/AD.

Dictated and corrected by me.

D/J, Murshidabad.

District Judge, Murshidabad.