

IN THE COURT OF DISTRICT JUDGE,

SOUTH 24-PARGANAS AT ALIPORE

Act VIII Case No. 127 of 2026

Present : Smt. Kusumika Dey (Mitra) (WB00992) District Judge-in-charge

MR. DIBYAJIT ROY

... PETITIONER

VS.

MRS. PURNAPAMA GUHA

... OPPOSITE PARTY

Order No. 01, dated 24.06.2026

At this stage, Ld. Advocate for the petitioner prayed for moving the application under Section 12 of the Guardians and Wards Act, 1890, seeking interim visitation rights in favour of the petitioner, being the father.

As per office report, no caveat has been filed.

As such, the application under Section 12 of the Guardians and Wards Act, 1890, is taken up for hearing.

It is the case of the petitioner that the marriage between the petitioner and the opposite party was solemnized on 11.08.2024 as per Hindu rites and customs and from the said marriage, a male child was born to the parties on 25.03.2026. On 28.03.2026, the opposite party took the baby away to her parental house. It has been alleged that on 04.05.2026, the opposite party voluntarily assaulted the petitioner's mother and the petitioner's mother sustained injuries and had to undergo medical

treatment. Subsequent thereto, one F.I.R was lodged being Tollygunge P.S. 120 dated 06.05.2026. Presently, the respondent is residing separately with the minor and is not allowing the petitioner to meet with the child. As such, finding no alternative, the petitioner has been compelled to file the instant Act VIII Case along with an application praying for interim visitation rights in his favour so that the petitioner, being apprehensive of the welfare of the child, can meet with his child.

Heard the submissions made by the Ld. Advocate on behalf of the petitioner.

Perused the application filed under section 12 of the Guardians and Wards Act, 1890, and the documents annexed therewith.

On perusal of the documents annexed with the case record as well as the submissions placed before this Court, *prima facie*, the birth of the minor child and the petitioner being the father are found to be admitted. It has been contended in the instant application, that has been supported by an affidavit, that the petitioner is not being allowed to meet with his child.

Therefore, considering the entire aspect of the matter and taking into account the fact that petitioner/father has an equal right of meeting and interacting with the child along with the opposite party/mother, this Court is of the view that for the holistic welfare of the child, the petitioner deserves to have the right of visitation with his child, however, considering the age of the minor, this Court is of the view that such visitation should only take place once in a month.

Hence, it is,

ORDERED

that the prayer for an order of interim visitation is allowed in favour

of the petitioner/father till **12.08.2026**.

The petitioner/father is given liberty to meet and interact with the minor, namely, Indrayudh Basu Roy, at the Office of District Legal Services Authority, South 24 Parganas, at Alipore, once in a month specifically on the first Monday till **12.08.2026**.

The opposite party/mother is directed to produce the minor at the aforementioned place and time on the respective dates of visitation.

The parties to the instant case, being the parents of the minor, are directed maintain decorum at the time and place of visitation.

The Secretary, District Legal Services Authority, South 24 Parganas, at Alipore, is requested to make necessary arrangements in this regard.

Let a copy of this order be also sent to the Secretary, District Legal Services Authority, South 24 Parganas, at Alipore, for information and compliance.

Fix **12.08.2026** for S/R and A/D.

Dictated and corrected by me

Sd/- Smt. Kusumika Dey (Mitra)

District Judge, I/c

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