

**In the Court of the Additional District & Sessions Judge,**  
**01<sup>st</sup> Court, Alipore, South 24-Parganas.**  
**Present: Sarajit Mazumdar [J.O Code: WB00646]**  
**CNR No: WBSP01-0030622024**  
**Act VIII Case No.53 of 2024**

**Order No.25 dated 12.02.2025**

Today is fixed for show cause by the respondent.

Both the parties are represented through their respective learned advocates and on their behalf lawyers' hazira are filed.

On behalf of the respondent cause is shown supported by affidavit.

The application showing cause is taken up for hearing.

Heard the Learned advocate for the respondent who submits for acceptance of the cause shown by her.

Learned advocate for the petitioner raises objection claiming that show cause petition does not bear the signature of the respondent. According to him signature appearing on the cause shown to be fake. At this stage respondent appears in person and submits that show cause petition bears her signature. So, I find no justification to disbelieve that affidavit is sworn by the person other than the respondent.

Cause shown appears to me to be sufficient and accordingly accepted.

At this stage the application dated 02.05.2024 under section 12 of the Guardians and Wards Act for interim visitation is taken up for hearing.

On behalf of the respondent one petition is filed seeking adjournment.

Heard. Considered. Prayer for time stands refused.

Heard the learned advocate for the petitioner who submits that this petitioner is the biological father. It is settled principle that for well-being of the Ward presence of both the parents is required and as such the petitioner may be permitted to visit his child both physically and virtually. He may be permitted to talk to his child over phone. According to him for the last two years he could not meet his child.

Learned advocate for the respondent/ wife raises no objection but submits that the conduct of the petitioner is whimsical. He previously filed this type of the application and subsequently not pressed the same.

He submits further that the petitioner is free to meet his daughter but should be at a neutral place preferably at Salt Lake City Center-I Mall, Kolkata-64 in presence of court officer. He further submits that visitation through video conference may be permitted once in a week for one hour from 9.00 PM in the mid of the week preferably on Wednesday.

Learned advocate for the petitioner raises no objection against the venue of

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visitation and the proposal regarding video conference touching the issue of date and time. But he submits that he is not in a position to bear the fees of the court officer and as such no court officer is required to be appointed for that purpose.

In reply learned advocate for the respondent submits that this petitioner has already levelled wild allegation against her accordingly she apprehends further allegation touching the issue of visitation.

Considered.

In a proceeding for custody and Guardianship of the person and property well-being of the Ward is the paramount consideration. It is undisputed that for proper development of the child presence and care of both the parents is utmost important. Considering the age of the child and daily routine for a normal child of such age it seems to me that the petitioner should be permitted to meet physically his daughter twice in a month for two hours. Similarly it appears to me that it would be just and proper if the petitioner is permitted to meet his daughter virtually once in a week for one hour.

Hence it is

**O R D E R E D**

That the application dated 02.05.2024 under section 12 of the Guardians and Wards Act for interim visitation is allowed on contest without cost.

That the visitation shall be on the **1<sup>st</sup>** and **3<sup>rd</sup>** **Sunday** of each month from **6.00 PM** to **8.00 PM** at Salt Lake City Center-I Mall, Kolkata-64.

Respondent is directed to produce the ward as directed above.

Petitioner is directed to pay **Rs.750/-** per visit in advance to the respondent towards the expenditure for the said purpose including food and fare.

The virtual visitation shall be on the **Wednesday** on each and every week from **9.00 PM** to **10.00 PM** till further order.

Both the parties are directed to submit their mobile numbers for the said purpose.

Both the parties are directed to behave and act as responsible parents so that their dispute may not raze the Ward.

Fix **30-04-2025** for filing W/S.

Typed to the dictation directly;  
corrected on the system.

Sd/-Sarajit Mazumder  
Additional District and Sessions Judge  
01<sup>st</sup> Court, Alipore,  
South 24 parganas.

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