

**In the Court of the Additional District & Sessions Judge,
01st Court, Alipore, South 24-Parganas.**

Present: Sarajit Mazumdar [J.O Code: WB00646]

CNR No: WBS01-0088612023

Act VIII Case No.111 of 2023

Order No.12 dated 04.09.2024

Today is fixed for hearing of the application dated 25.07.2024 under section 12 of the Guardians and Wards Act for interim visitation.

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

Respondent files written objection to the application filed under section 12 of the Guardians and Wards Act, copy of which has already been served.

Application dated 25.07.2024 under section 12 of the Guardians and Wards Act for interim visitation is taken up for hearing.

Heard the learned advocate for the petitioner who submits that this respondent is the biological father. It is settled law that for well-being of the Ward, care of both the parents is required and as such the petitioner may be permitted to meet his minor son Adhiraj Iyengar. According to him the right of visitation cannot be denied to the father whatever may be the circumstances. In support of his contention he referred the decision of the Hon'ble Supreme Court of India passed in Civil Appeal No.4983 of 2016 in Manoj Anshlem Rebeiro Vs Candace Elizabeth Rebeiro.

Learned advocate representing the respondent on other hand submits that she has no objection against visitation but child himself do not want to meet his father.

Perused the application, written objection and other materials on record.

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 care of both the parents is utmost important. Thus, it seems to me that the petitioner should be permitted to meet his son.

It seems to me that visitation once in fortnight for one hour will be sufficient at this stage.

Hence it is

O R D E R E D

That the application dated 25.07.2024 under section 12 of the Guardians and Wards Act for interim visitation is allowed on contest without cost.

Contd...

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That the visitation shall be on the **1st** and **3rd Saturday** of each month from **5.00 PM to 6.00 PM** till further order in the courtroom of this court.

Respondent is directed to produce the ward as directed above.

Petitioner is directed to pay **Rs.2,500/-** per visit in advance to the respondent towards the expenditure for the said purpose including food and fare.

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

Fix 17-01-2025-for P.H.

Typed to the dictation directly;
corrected on the system.

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

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