

Misc Case. 10 of 2022
CNR No.WBUD01-000714-2022
J.O. Code: WB-00700

Order No. 28
Dated: 01.08.2025

In compliance with Order No. 27 dated 23.07.2025, the child has been produced before this Court today.

The Court had an interaction with the child in question.

Ld. Advocates representing both the Petitioner and the Opposite Party appeared before this Court.

A joint petition is filed on behalf of both the parties. Let the same be kept with the record.

Ld. Counsel for the Opposite Party has submitted that the Opposite Party, being the biological father of the child, has been deprived of access to his daughter for a considerable period of time. This prolonged separation has caused significant emotional distress and a deep sense of anguish, resulting in the infringement of his paternal right to enjoy the companionship and affection of his daughter. On the basis of these submissions, Ld. Counsel for the Opposite Party has prayed for an order from this Court that would facilitate and establish a suitable mechanism to ensure his access to the child, as deemed appropriate by this Court.

Ld. Counsel for the petitioners does not oppose the relief sought and has submitted that the matter may be left to the sound discretion and judicial conscience of this Court.

Upon thoughtful consideration of the submissions advanced on behalf of both parties and after careful evaluation of all factors relevant to the physical and mental well-being of the child, this Court is of the view that a provisional arrangement may be devised to enable the Opposite Party to enjoy the company of his daughter, pending adjudication of the custody application.

Considering that the child presently resides with the petitioners, it is essential to ensure that any interaction between the child and the Opposite Party/ father is facilitated in a manner that is seamless and free from any hindrance. In the Court's view, meeting in person is the most suitable arrangement in the current situation.

This Court further thinks that the Opposite Party, being the father of the child, should pay a sum of Rs. 17,000/- on a monthly basis towards the welfare and well-being of the child in question, in order to support her overall development and needs. The petitioner is required to open a bank account in the name of the child in any Nationalized Bank, which shall be used exclusively for the deposit of the said amount towards the benefit and welfare of the child.

Accordingly, the Opposite Party is granted the liberty to have physical access to his daughter, namely Anayka Adhikary on the second Sunday of every calendar month.

The petitioners, being the maternal grandparents with whom the child presently resides, is directed to ensure the child's availability and facilitate the communication with the Opposite Party during the scheduled time.

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(Contd. Order No.28 dated: 01.08.2025)

This interim arrangement shall remain in operation until further order.

The remaining interlocutory petitions are kept in abeyance for the time being.

To **22.09.2025** for further order.

Let a copy of this order be provided to the learned advocates of both parties so that they can inform their clients.

Dictated & Corrected by

District Judge,
Uttar Dinajpur, Raiganj

District Judge,
Uttar Dinajpur, Raiganj