

Act VIII 19 of 2018

Order No. 23 dtd 28.2.2022.

Today is fixed for hearing the petition dated 23.11.2021 filed by the petitioner.

The petition dated 23.11.2021 is taken up for hearing.

Petitioner is present with his Ld. Advocate. O.P./mother is present with her daughter and her Ld. Advocate.

In the said petition the petitioner prayed for interim custody and visitation right to his minor daughter Aniya Hossain. The petitioner further prayed for keeping his daughter in his custody for some days.

Heard Ld. Advocate for both sides in full.

Ld. Advocate for the petitioner submitted that the petitioner is fit person to get the custody of his said minor daughter. He further submitted that the O.P. has been passing her independent fast life as per her own accord. She has illegally married one Fazrul Karim Khandkar though the marital tie in between the petitioner and the O.P. is still subsisting.

In reply the Ld. Advocate for the O.P. submitted that the petitioner has been trying to harass the O.P. and filed the instant case falsely and prayed for dismissal of the instant case. He further submitted that the petitioner/father is jobless and has no steady income to support his daughter who is now growing up.

On perusal of the record and upon hearing the counsel of both sides this Court is of the opinion that petitioner be permitted to meet with his minor daughter namely, Aniya Hossain once in a week i.e. on every Friday of each week in between 2.00 P.M. to 4.00 P.M. at the office of D.L.S.A., Paschim Medinipur until further order.

Accordingly the prayer for seeking permission to meet with the minor daughter – Aniya Hossain is allowed.

This court however makes it clear that upon hearing the submission of both sides it appears that the petitioner is now jobless and has no steady income and therefore the prayer for keeping the ward in custody of the petitioner for a few days stands rejected at this stage.

Both parties are directed to appear before the office of D.L.S.A., Paschim Medinipur once in a week i.e. on every Friday of each week in between 2.00 P.M. to 4.00 P.M.

The O.P. is directed to produce the minor daughter namely, Aniya Hossain before the Office of D.L.S.A., Paschim Medinipur in between 2.00 P.M. to 4.00 P.M. on the aforesaid dates.

Inform both parties.

Ld. Advocate of both sides are also directed to be present on the date fixed.

Fix 13.5.2022 for further hearing of the case.

Both parties are directed to put their signatures before the Secretary, D.L.S.A., Paschim Medinipur in the register maintained by the office of the D.L.S.A., Paschim Medinipur .

Secretary, D.L.S.A., Paschim Medinipur is hereby requested to secure the attendance of the petitioner and the O.P. along with her minor daughter namely Aniya Hossain on each and every visitation.

Let a copy of this order be sent to the D.L.S.A., Paschim Medinipur for information and taking necessary action.

Dictt and Corrt by me

D.J.

District Judge
Paschim Medinipur