

Act VIII 19 of 2018

Order No. 25 dtd 27.4.2022.

Today is fixed for hearing the petition dated 25.4.2022 filed by the petitioner. Petitioner filed hazira through Ld. Advocate. O.P./Rupsana Begum is present with her minor child. O.P. filed written objection against the petition dated 25.4.2022. The same be kept with the record.

The petition dated 25.4.2022 is taken up for hearing.

Heard Ld. Advocate for both sides in full.

In the said petition the petitioner prayed for allowing him to take the minor daughter and to keep the said minor daughter Aniya Hossain for about 5 days during the festival of Id-ul-Fitar to be celebrated on 03.5.2022 and to observe the customary rituals of the minor daughter of piercing a hole in her nose and ear at the age of 9 to 10 years. .

Ld. Advocate for the petitioner submitted that the petitioner is a fit person to get the custody of his said minor daughter. He further submitted that the petitioner is willing to take his minor daughter and also the O.P. to his house for performing the customary rituals of piercing hole in the ear and nose of his daughter and for celebrating Id-ul-Fitar.

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. He further submitted that the petitioner has already filed a similar type of prayer dated 23.11.2021 and this court vide Order No. 23 dated 28.2.2022 has categorically rejected such prayer of interim custody and allowed the petitioner to visit the minor on every Friday of each week in the office of the DLSA, Paschim Medinipur. He further admits that the visitation rights of the minor is also not complied with by the petitioner father.

I have heard the child personally and the minor child of the petitioner has declined vehemently to go to the custody of her father even for a single day.

On perusal of the record and upon hearing the counsels of both sides this Court is of the view that the petition filed by the petitioner praying for taking the minor daughter in the house of the petitioner on the eve of Id-ul-Fitar on 03.5.2022 for a period of 5 days is considered and rejected keeping in mind the best interest of the minor.

Inform both parties.

Dictt and Corrt by me

D.J.

District Judge
Paschim Medinipur

