

Act VIII Case No. 17 of 2023

(R. No.- 17 of 2023)

Order No. 13 dated 25.08.2025

Today is fixed for order.

Both parties filed hazira.

The record is taken up today for passing necessary order.

Perused the application dated 07.9.2024 and the relevant written objection as well as materials on record.

Fact remains that the petitioner Sudarshan Duley filed an application u/s 25 of the Guardians and Wards Act against his wife Tagari Duley praying for custody of the minor Sunil Duley. This application has been registered as Act VIII Case No.17/2023.

In the instant case petitioner filed an application and thereby prayed for permitting him to meet his minor son Sunil Duley twice a week. In this application petitioner alleged that his marriage was solemnized with the O.P according to Hindu rites and customs. Out of the said wedlock minor Sunil Duley was born. The petitioner further alleged that the mother of the O.P took Rs.25,000/- on two occasions from the petitioner but she did not return the said money to the petitioner. Subsequently the mother of the O.P again asked for Rs.10,000/- from the petitioner but the petitioner refused to give the said money to her. As a result, a dispute cropped up in his family. Ultimately on 26.4.2016 the mother of the O.P came to his house and took away her daughter along with minor son of the petitioner. Since then the O.P and his minor son are residing at her parents' house. So the petitioner prayed for an order so that he may meet his minor son twice a week.

O.P contested this application by filing a written statement and thereby denied all the allegations.

O.P stated that her marriage with the petitioner was solemnized on 30.01.2013. Subsequently Sunil Duley was born on 07.10.2015. While O.P was residing at her matrimonial house she was subjected to torture both physically and mentally for non-fulfillment of further dowry. Ultimately she was driven out from her matrimonial house along with her minor son and since 25.4.2016 the O.P is residing at her father's house along with her minor son. The petitioner never took any information about them. So the O.P prayed for rejection of the application.

Considering the entire facts and circumstances of the case it is admitted position that the petitioner is the father of the minor son. So he has every right to visit his minor son. So this application should be allowed.

Accordingly, the petition dated 07.9.2024 is allowed in part.

Petitioner is permitted to meet his minor son once in a month. The O.P is directed to appear before the Office of the Secretary, D.L.S.A, Paschim Medinipur, on every 3rd Friday of a month along with her minor son to enable the petitioner to visit his minor son for 1 and ½ hours.

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It is made clear that the O.P brings her minor son before the Secretary, D.L.S.A, Paschim Medinipur, as mentioned above at 2.30 p.m and left the office of the D.L.S.A at 4.00 p.m along with her minor son.

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

To 12.11.2025 for hearing main application.

Dictated & Corrected

District Judge,
Paschim Medinipur.

District Judge,
Paschim Medinipur.