

Sl. 07  
22.12.2014.  
S.d.

***C O 3857 of 2014***

*Debasree Dutta*  
*-versus-*  
*Rakesh Dutta*

Mr. Probal Kumar Mukherjee  
Mr. Shibaji Kumar Das  
Mr. Koustav Bagchi  
....for the petitioner.

Mr. Debjit Mukhjee  
Mrs. Dipanwita Ganguly  
Ms. Susmita Chatterjee  
...for the opposite party.

Though the matter was adjourned on a previous occasion, it does not appear that an immediate reconciliation is possible. At the request of the husband, the petitioning wife has agreed that the husband may meet the child at the wife's father's residence, where the wife now resides with the child, on Saturdays and Sundays till the disposal of the application for visitation by the trial court.

Mr. Suman Das Adhikary, Advocate, who resides in Kalyani, is appointed special officer for the purpose of being present at the wife's present residence during the time of the husband's

visits between 4 pm and 6 pm on Saturdays and Sundays. The primary brief of the special officer is to ensure an interrupted interaction between the husband and the child without either the wife or any relative of the wife seeking to enter the room in course of the interaction, unless there is something untoward. It will also be open to the husband to come out of the house of the wife's residence with the child, but not leave the area and always be accompanied by the special officer.

The special officer will be paid a remuneration of Rs.1000/ per visit by the husband. The order impugned dated November 27, 2014 is set aside, since such order amounted to a direction on the wife to return to the husband without service being effected on the wife.

The directions as to the visitation herein will be without prejudice to the rights and contentions of the parties before the trial court.

CO 3857 of 2014 is disposed of by directing the written objection to the petition under Section 9 of the Hindu Marriage Act, 1955 to be filed by January 8, 2015; reply thereto, if any, may be filed within three days thereof. The trial court should endeavour to

dispose of the matter expeditiously and without granting any adjournment to either of the parties.

There will be no order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Sanjib Banerjee, J.)