

S/L. .
30.08.2019
MNS

**Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction**

C. O. No. 64 of 2019

**Partha Sarathi Roy and others
Vs.
Sri Mukesh Temani**

Mr. Anirban Banerjee

...for the petitioners.

The present application under Article 227 of the Constitution of India has been preferred for expeditious disposal of a partition suit.

However, learned counsel for the petitioners, in his usual fairness, submits that the matter has been referred to the District Legal Services Authority, although without any consent being taken from the petitioners.

Be that as it may, it will be open to the petitioners to approach the District Legal Services Authority with such grievance as to their unwillingness to go for conciliation. However, no direction for expeditious hearing can be passed on the court below at the present stage, since the matter is pending before the aforesaid Authority for conciliation.

Accordingly, C. O. No. 64 of 2019 is disposed of without passing any direction for

expeditious hearing, but giving the petitioners the liberty to approach this Court at an appropriate subsequent juncture, after the matter comes back from the District Legal Services Authority to the concerned court and in the event unnecessary delay is occasioned by the court below thereafter in deciding the suit.

There will be no order as to costs.

Let photostat certified copies of this order, if applied for, be made available to the parties upon compliance of due formalities.

(Sabyasachi Bhattacharyya, J.)