

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO. 13/2015**

1. GURUDWARA SRI GURU SINGH
SABHA, a Society registered under the
Societies Registration Act, 1860, through
its President Cdr. Amrit Pal Singh (Retd.),
having office at Mangor Hill,
Vasco-da-Gama, Goa.

2. AMRITPAL SINGH,
major of age, Indian National,
President of the Managing Committee
of the Respondent No.3,
Retired Government Servant,
r/at 202, D-Block,
Jai Ram Nagar, Dabolim, Goa.

3. GURSHARAN SINGH,
major of age, Indian National,
Secretary of the Managing Committee
of the Respondent No.3,
in service, r/of 1st Floor,
Dream House, Behind NSD,
Dabolim, Goa.

4. RASHPAL SINGH,
major of age, Indian National,
Cashier/Treasurer of the
Managing Committee of the
Respondent No.3,
Retd. Government Servant,
r/o. 302, Mangor Hill Valley,
Mangor Hill, Vasco-da-Gama, Goa.

5. PARAMJIT SING,
major of age, Indian National,
Member of the
Managing Committee of the

Respondent No.3, in service,
r/o. 14-E, Varnapuri,
Mangor Hil, Vasco-da-Gama, Goa.
(deleted).

5. GURDIP SINGH,
major of age, Indian National,
Sevadar of the Managing Committee
of the Respondent No.3,
Retd. Government Servant,
r/o. 1st Floor, Mangor Hill Valley,
near Gurudwara, Vasco-da-Gama, Goa.

6. MALKIAT SINGH,
major of age, Indian National,
Member of the Managing Committee
of the Respondent No.3,
Retd. Government Servant,
r/o. 501, Mangor Hill Valley,
Mangor Hill, Vasco-da-Gama, Goa.

7. J.S. GREWAL,
major of age, Indian National,
Member of the Managing Committee
of the Respondent No.3,
Self Employed, r/o. F-1/2,
1st Floor, Shivsagar Apartments,
Mangor Hill, Vasco-da-Gama, Goa.

..... Petitioners.

V/s.

1. THE INSPECTOR GENERAL
OF SOCIETIES, Office of the
Inspector General of Societies,
Osia Commercial Complex,
2nd Floor, "D" Wing, Salcete, Margao, Goa.

2. SHRI TEJINDER SINGH,
major of age, r/o. 4-A,
Amar Apartments,
Behind Sea Scan Maritime Academy,

Airport Road, Chicalim, 403 711.

3. SHRI NARINDER SINGH,
major of age, r/o. S-1,
Nersons Building, Vadem,
Vasco-da-Gama, Goa.

..... Respondents.

Shri V.A. Lawande and Ms. Gauri Poi, Advocates for the petitioners.

Shri A. N. S. Nadkarni, Advocate General with Ms. P. Bhandari,
Additional Govt. Advocate for respondent No.1.

Shri Nitin Sardessai, Senior Advocate with Shri Deep Shirodkar,
Advocate for respondents No.2 and 3.

**CORAM :- F.M. REIS &
K.L. WADANE, JJ.**

Date : - 13th January, 2015.

ORAL JUDGMENT : (PER F.M. REIS, J.)

Heard Shri V.A. Lawande, learned Counsel appearing for the petitioners, Shri A. N. S. Nadkarni, learned Advocate General appearing for respondent No.1 and Shri Nitin Sardessai, learned Senior Counsel appearing for respondents No.2 and 3.

2. Rule. Rule made returnable forthwith. Heard by consent.

3. The above petition, inter alia, challenges an order passed by the District Registrar, (South Goa), at Margao dated 30.12.2014 in

proceedings No.206/1968/1/2014, pursuant to the directions issued by this Court vide order dated 19/11/2014 passed in Writ Petition No. 620/2014.

4. We have extensively heard the learned Counsel appearing for the respective parties. Upon hearing the learned Counsel and without going through the merits of the rival contentions, we find it appropriate to dispose of this writ petition by giving liberty to the petitioners to file an appropriate application before the learned District Registrar, producing all the relevant documents in support of their contentions with regard to the list of members which was ordered to be finalised by this Court by the said order dated 19/11/2014. The petitioners shall file such an application on or before Monday, 19th January, 2015, before the District Registrar, South Goa, Margao. The learned District Registrar shall thereafter examine the application, after hearing the respondents No.2 and 3. Parties are directed appear before the learned District Registrar on Tuesday, 20th January, 2015 at 10.00 a.m. The learned District Registrar, after hearing the parties, shall decide the said application without being influenced by the observations made in the impugned order dated 30/12/2014, as expeditiously as possible, and in any event within four weeks from the

date of filing of such an application and examine whether the list of members prepared by the impugned order dated 30/12/2014 requires modification. All the contentions of both the parties, on merits, are left open.

5. At this stage, there was a dispute with regard to the maintenance of the Register of Records of the resolutions passed by the Managing Committee. To clear any apprehension, Shri Lawande, learned Counsel appearing for the petitioners, upon instructions, has produced the original Record Book of such resolutions which is in the form of a register. The said register shall be kept in the custody of the learned Registrar (Judicial) of this Court. Liberty to the respondent No.1 to collect the record/register from the learned Registrar (Judicial) in case he so requires while deciding the controversy between the parties. The election process shall thereafter to be completed in terms of the Order dated 19th November, 2014 passed by this Court in Writ Petition No.620/2014.

6. In the meanwhile, until the election process is complete, the Managing Committee of the Society shall not take any major decision with regard to the affairs of the said Society.

7. Rule stands disposed of accordingly. No order as to costs.

K.L. WADANE, J.

F.M. REIS, J.

ssm.