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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 60 OF 2015

Shri G. S. Desai,
of major age,
Indian National,
having office at C-S 40,
2nd Floor, Alfran Plaza,
Panaji Goa.

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Petitioner

V e r s u s

1. Assistant Registrar of
Co-operative Societies,
Government of Goa,
North Zone, 1st Floor,
Complainant Complex Building,
Morod, Mapusa,
Bardez Goa.
2. Registrar of Co-operative Societies,
Government of Goa,
4th and 5th Floor, Sahakar Sankul,
E.D.C. Complex, Patto, Panaji Goa.
3. Navodaya Co-operative Housing Society Ltd.,
having office at Ground Floor Stilt,
Below Block 'C',
Goa Housing Board Complex,
Near Sanjay School, Porvorim Goa.
4. Shri V. B. Devidas,
having office at Office of
Asst. Registrar of Co-operative Societies,
North Zone, 1st Floor,
Government Building Complex,
Morod, Mapusa, Bardez Goa.
5. Shri Sachin Tendulkar,
Secretary,
Resident of HFG – 34,
Navodaya Co-Operative
Housing Society Ltd.,
Goa Housing Board Complex,

Near Sanjay School, Porvorim Goa.

6. Mr. Sahadev Mandrekar,
Treasurer,
Resident of HBS – 12,
Navodaya Co-Operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.
7. Mr. Ramchandra J. Shenai,
Committee Member,
Resident of HCF – 16, Navodaya
Co-operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.
8. Mr. Praveen M. Naik,
Committee Member,
Resident of HKS-66,
Navodaya Co-Operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.
9. Ms. Veronica E. D'Silva,
Committee Member,
Resident of HJF – 58,
Navodaya Co-Operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.
10. Ms. Carmelina F. D'Cunha,
Committee Member,
Resident of HJG-55,
Navodaya Co-Operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.
11. Mr. Frank Torcato,
Committee Member,
Resident of HAF – 03,

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Navodaya Co-Operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa.

Respondent nos. 5 to 11
all major age.

12. Ms. Sneha S. Talkar,
of major age,
r/o HCG-14,
Navodaya Co-operative Housing Society Ltd.,
Goa Housing Board Complex,
Near Sanjay School,
Porvorim Goa. ... Respondents

Mr. Shivan Desai, Advocate for the petitioner.

Mr. E. Afonso, Government Advocate for respondent nos. 1 and 2.

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

Date :- 3rd February, 2015

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. Shivan Desai, learned counsel appearing for the petitioner and Mr. E. Afonso, learned Government Advocate appearing for the respondent nos. 1 and 2.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. Mr. E. Afonso, learned Government Advocate waives

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service on behalf of the respondent nos. 1 and 2.

4. The short grievance raised by the petitioner in the above Writ Petition is essentially to quash and set aside the order dated 20.11.2014 disqualifying the petitioner as the member of Managing Committee of the concerned society as well as the order dated 18.12.2014 appointing the Auditor as a Returning Officer to conduct election of the concerned society.

5. During the course of the hearing of the above petition, Mr. Afonso, learned Government Advocate appearing for the respondent nos. 1 and 2 upon instructions has pointed out that the respondent no.1 withdraws the order dated 20.11.2014 as well as the order dated 18.12.2014 and shall proceed with the show cause notice issued by the respondent no.1 after hearing the petitioner and other concerned parties in accordance with law.

6. In view of the above, the said orders dated 20.11.2014 and 18.12.2014 are quashed and set aside as being withdrawn by the respondent no.1. Needless to say that the respondent no.1 is at liberty to proceed with the show cause notice after hearing the parties in accordance with law. The petitioner is also at liberty to file his reply to the show cause notice within three weeks from

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today. Rule stands disposed of in above terms.

7. The petition stands disposed of accordingly.

K. L. WADANE, J

F. M. REIS, J

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