

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 628 OF 2015

RAMCHANDRA G. N. MULE AND 11 ORS., ... Petitioners
Versus
STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 4 ORS., ... Respondents

Mr. N. Sardesai, Senior Advocate with Mr. D. Shirodkar, Advocate
for the petitioners.
Mr. V. Rodrigues, Addl. Government Advocate for the respondents.

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

Date:- 19th August, 2015

ORAL ORDER

Heard Mr. N. Sardesai, learned Senior Counsel appearing
for the petitioners and Mr. V. Rodrigues, learned Addl. Government
Advocate appearing for the respondents.

2. Upon hearing the learned counsel appearing for the
respective parties, as rightly pointed out by Mr. Rodrigues, learned
Addl. Government Advocate appearing for the respondents the
challenge in the above petition is essentially to the show cause notice
dated 31.07.2015. As the petitioners would be entitled to file a reply
to such show cause notice and the respondent no.2 will decide such
show cause notice independently in accordance with law after
hearing the petitioners, we find that the question of interfering in the
above petition or examining the validity of the provisions challenged

in the above petition at this stage would not be justified. As such, we dispose of the above petition by permitting the petitioners to file their reply to the show cause notice on 25.08.2015 when the matter is stated to be posted before the respondent no.2 and the respondent no.2 shall proceed to dispose of the show cause notice after hearing the petitioners on merits in accordance with law within two weeks thereafter.

3. Mr. Sardesai, learned Senior Counsel appearing for the petitioners points out that the petitioners may be protected in case any adverse order is passed against the petitioners that such order shall not be implemented by the respondent no.2 for a period of two weeks subject to the respondents not taking any major financial or other decision with regard to the concerned society. The petitioners stand accordingly protected for a period of two weeks from the date of passing such order by the respondent no.2 on such terms in case any adverse order is passed by the respondent no.2 against the petitioners. All contentions of both the parties on merits are left open.

4. The petition stands disposed of accordingly.

K. L. WADANE, J.

F. M. REIS, J.

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