

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION No. 394 OF 2017

The Edenwoods Co-operative Housing Society Ltd.,
A Society registered under the
Goa Co-operative Societies Act,
Having its registered office at
Satismowado, Near Asha Mahal,
Post Office Caranzalem,
Taleigao, Goa.

... Petitioner

Versus

1. The Registrar,
The office of Registrar of Co-operative Societies,
Government of Goa,
Panaji – Goa.
2. State of Goa,
Through its Chief Secretary,
Secretariat, Porvorim, Goa.
3. M/s Thalys Homes and Estates
A registered Partnership firm having
its principal place of business at
Gharse Towers, St. Inez,
Panaji Goa.

... Respondents

Mr. Premanand A. Kholkar, Advocate for the petitioner.

Mr. Dattaprasad Lawande, Advocate General with Ms. Purna Bhandari,
Additional Government Advocate for respondent no. 1 and 2.

Coram:- F. M. REIS &

NUTAN D. SARDESSAI, JJ.

Date: 31st July, 2017.

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

Heard Mr. P. A. Kholkar, learned Counsel appearing for the petitioner
and Mr. Dattaprasad Lawande, Advocate General for the respondent no. 1
and 2.

2. Rule. Heard forthwith with the consent of the learned Counsel. Learned Counsel appearing for the respondent no. 1 and 2 waives service.

3. The grievance of the petitioner is that the condition imposed at the time of registration of the respondent no. 1 to the effect that the subject land would be conveyed in favour of the Society has not been complied with.

4. During the course of the hearing, Mr. Dattaprasad Lawande, learned Advocate General appearing for the respondent no. 1 states that based on the representation filed by the petitioner necessary show cause notice will be issued within two weeks from today and, subsequently, after hearing the concerned parties, dispose of such show cause notices within six months thereafter. In view of the said statement of the learned Advocate General appearing for respondent no. 1, nothing survives in the above petition. Accepting such statement of the learned Advocate General, the petition is disposed of. Needless to say, all contentions of the parties and of the private respondent are left open to be decided on its own merits, in accordance with law. Rule stands disposed of, accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

msr.