

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 603 OF 2017

THE NATIONAL EDUCATIONAL SOCIETY,
THR. ITS PRESIDENT, MR. LEROY A.
MENEZES AND ANR.,

... Petitioners

Versus

STATE REGISTRAR, INSPECTOR GENERAL
OF SOCIETIES AND 2 ORS.,

... Respondents

Shri Arjun F. Naik, Advocate for the Petitioners.
Shri Deep Shirodkar, Additional Government Advocate for the
Respondents No.1 & 2.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 10th July, 2017

P.C.:

Heard the learned Counsel for the parties.

2. During the course of the hearing, it was pointed out by the learned Additional Government Advocate for the respondents no.1 & 2 that in the meanwhile the petitioners have already filed a substantive suit in the Court of the learned District Judge, South Goa, Margao wherein all the contentions raised in the above petition have been addressed by the petitioners.

3. The learned Counsel appearing for the petitioners points out that though such suit has been filed there are other grounds raised in the above petition for which the petitioners would have

to amend the suit as the impugned order was passed after the filing of the suit.

4. Considering that a substantive suit is pending before the competent Court, we find that invoking our jurisdiction under Article 227 of the Constitution is not at all justified. Keeping all the contentions of the petitioner open, we dispose off the petition. Needless to say, the suit filed by the petitioners shall be examined by the learned Judge on its own merits in accordance with law. The petitioners, if so advised, to file an application for amendment of the suit, which the learned Judge shall dispose on its own merits. The petition stands disposed off in the above terms.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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