

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.5 of 2017.**

Francis Anthony Fernandes & Anr ..Petitioners.

Vs

The Registrar Co-operative
Societies, Govt.of Goa. & (2) Ors.
..Respondents.

Shri C.A. Ferreira and Mr Ashwin Custa,
Advocates for the petitioners.

Mr. Deep Shirodkar, Additional Govt. Advocate
for the respondents.

CORAM :- C. V. BHADANG, J.

DATED : 7TH APRIL, 2017(2:30 p.m.)

THROUGH VIDEO CONFERENCING

P.C.: -

1) Submissions on behalf of the parties were heard in this petition on 17th January, 2017 and the judgment was reserved. Today the matter was fixed for clarification.

2) Heard Shri C.A. Ferreira, learned Advocate for the petitioners and Mr. Deep Shirodkar, Additional Govt. Advocate for the respondents. The

learned Additional Government Advocate, on instructions, from Ms. Meena Goltekar, Registrar Co-operative Societies, Panaji, Goa (respondent No.1) states that respondent No.1 shall withdraw the impugned order dated 30th November, 2016. It is further submitted that respondent No.1 shall decide the issue of disqualification of the petitioners afresh, after hearing the petitioners, in accordance with law.

2) The learned Counsel for the petitioners states that the petitioners shall file written submissions/arguments before the respondent No.1 on 17th April, 2017. The learned counsel for the petitioners further submits that the petitioners do not intend to advance any oral arguments and shall abide by their written submissions.

3) In such circumstances, the petition is disposed of by consent of parties in the following terms:

(i) The statement on behalf of the first

respondent that the impugned order dated 30th November, 2016 shall be withdrawn is accepted;

(ii) The first respondent shall decide the issue of disqualification afresh, as expeditiously as possible and latest by 30th April, 2017 in accordance with law;

(iii) The petitioners shall file their written submissions/arguments, before the respondent No.1, on or before 17th April, 2017.

(iv) In the meantime, the existing Board of Directors of the petitioners Society shall be entitled to manage the affairs of the Society, subject to condition that no financial decision shall be taken without the prior approval/consent of respondent No.1;

(v) This arrangement shall continue till 30th April, 2017 and shall be subject

to any further orders that may be passed
by Respondent No.1.

(vi) The rival contentions are left
open; and

(vii) In the circumstances, there shall
be no order as to costs.

(C. V. BHADANG, J)