

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 438 OF 2017

1. Mohammed Husain Sheikh
Major in age,
r/o GRB Colony, BLDG. No. C,
Flat F-3, Headland Sada,
Vasco da Gama,
Goa.
2. Babulal R. Nadaf,
Major in age,
r/o. H. no. 224 (5),
behind PWD Quarters,
Katem Baina,
Vasco da Gama,
Goa 403 802.
3. Afzal Khan,
Major in age,
r/o. H. No. 220, behind Shaffi Masjid,
Katem, Baina,
Vasco da Gama,
Goa.

... Petitioners

V e r s u s

1. State of Goa,
Through its Chief Secretary,
Secretariat Porvorim,
Goa.
2. The District Registrar,
(South Goa) Inspector General of Societies,
Having office at 2nd floor,
D-Wing,
Osia Commercial Complex,
Margao, Goa. 403 601.
3. Jamatul Maulimin Shaffi Masjid Society,
Shaffi Masjid,
Katemj-Baina,
Vasco da Gama, Goa.

4. Shaikh Farooq Kampa,
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco da Gama, Goa.
5. Yakoob Ibrahim,
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.
6. Kasim Haji Ali Budu,
Major of age,
R/o. H. No. 116,
Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.
7. M. A. Rashid,
Major in age,
r/o. H./ No. 178,
Katem-Baina,
Vasco-Da-Gama, Goa.
8. Hassan Ali Budu,
Major in age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.
9. Hussain Abdul Rehman Potkar,
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.
10. Shaik Kassim,
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.
11. Shaik Suleman,
Major of age,

r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.

12. Shaikh Ibrahim,
Major of age,
r/o. H. No. 10,
Katem-Baina,
Vasco-Da-Gama, Goa.

13. Abdul Kadar Haji Ali Budu,
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.

14. Shaik Yusuf Shaik Hussain
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.

15. Shaik Yacub Shaik Hussain
Major of age,
r/o. Near Shaffi Masjid,
Katem-Baina,
Vasco-Da-Gama, Goa.

..... Respondents

Mr. Ethelwald Olimpio Mendes, Advocate for the Petitioners.

Mr. D. Lawande, Advocate General with Mr. Salvador Santosh Rebello,
Advocate for the Respondent nos. 1 and 2.

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

Date : **27th June, 2017**

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

Heard Shri E. O. Mendes, learned Counsel appearing for the
Petitioners and Mr. Lawande, learned Advocate General appearing for the

Respondent nos. 1 and 2.

2. Rule. Heard forthwith with the consent of the learned Counsel. Learned Counsel appearing for the Respondents waives service.

3. The grievance of the Petitioners in the above Petition is that a renewal of the subject Society has been issued despite of earlier directions issued by the Registrar and the State Government that the affairs of the subject Society would have to be inquired into by a registered Chartered Accountant before issuance of such renewal. Learned Counsel pointed out that as the renewal has now been granted, the Petitioners apprehend that such inquiry may not be conducted as directed by the State Registrar.

4. Mr. Lawande, learned Advocate General, appearing for the Respondent nos. 1 and 2, however submits that notwithstanding the renewal of the subject Society, the inquiry with regard to the affairs to the extent as directed in the Order dated 03.10.2013 and the Government decision dated 31.10.2014 shall be initiated and taken to a logical conclusion in accordance with law.

5. Mr. E. O. Mendes, learned Counsel appearing for the Petitioners, however submits that the Petitioners be allowed to assist such inquiry. Liberty to the Petitioners, if so advised, to file an appropriate

application to that effect before the appropriate forum constituted by the State Government which shall be examined on its own merits in accordance with law.

6. The Petition stands disposed of accepting the said statement of the learned Advocate General to complete the inquiry as mentioned in the said Order dated 03.10.2013 and Government decision dated 31.10.2014 in accordance with law.

7. Rule stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

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