

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 17 OF 2018

IN

WRIT PETITION NO. 767 OF 2017

GANPAT SANGODKAR.,

... Applicant

Versus

THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, PANAJI AND
ANR.,

... Respondents

Mr. Premanand Anand Kholkar, Advocate for the Applicant.

Mr. Gaurish N. Agni, Advocate for Respondent No. 2.

Mr. Abhay Nachinolkar, Advocate for Respondent Nos. 11 and
18 in Writ Petition No. 767/2017.

Coram:- C. V. BHADANG, J.

Date:- 21st October, 2019

P.C.

Heard the learned Counsel for the parties.

2. This is an application for stay of the impugned order dated 14.06.2017, passed by the Assistant Registrar of Co-operative Societies, restraining the respondent no. 2 from proceeding with the allotment of plots, which according to the petitioner, is in violation of the order of the Registrar's Nominee dated 24.03.2004.

3. Insofar as the first prayer is concerned, the impugned order dated 14.06.2017, is one of the dismissal of the execution application filed by the petitioner. Such an order is not amenable to be stayed.

In as much as the second relief is concerned, the Assistant Registrar of Co-operative Societies has found that the plots as demarcated, have been allotted to all the 35 members of the Society, which is confirmed by the Village Panchayat by their resolution dated 30.12.1997 and has found that nothing survives in the enquiry proceedings. The validity of the said order can be gone into in the main petition.

4. The Civil Application is accordingly disposed off.

C. V. BHADANG, J.

EV