

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 531 OF 2019

PREMANAND R. WADKAR ... Petitioner

Versus

THE STATE OF GOA, REP. THR. CHIEF
SECRETARY AND 13 ORS. ... Respondents

Mr. Vivek Angelo Rodrigues and Mr. V. Naik, Advocate for
the petitioner.

Mr. D.J. Pangam, Advocate General with Mr. Pravin N.
Faldessai, Additional Government Advocate for
respondents No.1 to 4.

Mr. A.V. Pavithran, Advocate for respondent No.5.

Mr. G. Panandikar, Advocate for respondent No.6 to 14.

**Coram:- S. C. GUPTE &
NUTAN D. SARDESSAI, JJ.**

Date :- 9th July 2019

P.C.:

This petition makes a grievance about respondent
No.2 sitting over a complaint made by the petitioner, who
is a Director of respondent No.5- Society, for action
against the Directors of the company, who are arrayed as
respondents to the petition. The complaint seeks action

against these respondents under Section 68(3) of The Goa Co-operative Societies Act, 2001. It is submitted that despite directions passed by the State Government under sub-section (1) of Section 68 in respect of class of societies to which respondent No.5- Society belongs, loans were sanctioned by the respondents - Directors in favour of themselves and their children. It is submitted that for such non-compliance with the directions of the Government, the Registrar is bound to remove the Directors from the board of the respondent-society and declare them to be disqualified, under sub-section(3) of Section 68. It is submitted that the complaint was made on behalf of the petitioner as far back on 27/12/2017 but despite this complaint and a reminder issued on 04/06/2019, no process for disqualification of the Directors has been initiated by respondent No.2- Registrar of Co-operative Societies.

2. Learned Advocate General who appears for respondents No.1 to 4 makes a statement on behalf of respondent No.3

before whom this complaint is pending, that the complaint shall be disposed of in accordance with law and after hearing the parties including the petitioner herein within a period of three months from today. The statement is accepted. Respondent No.3 to accordingly keep to the timeline assured by learned Advocate General.

3. The petition is disposed of in the above terms. It is made clear that all rights and contentions of the parties on merits concerning the complaint are kept open.

NUTAN D. SARDESSAI, J.

S. C. GUPTE, J.

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