

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1189 OF 2018

RAMNATH RAGLO GAUDE AND 4 ORS., ... Petitioners

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 5 ORS., ... Respondents

Mr. Shashikant Narayan Joshi, Advocate for the petitioner.
Mr. Bhat Sameera Satish, Advocate for the petitioner.
Ms. Priyanka Kamat, Advocate for respondent nos. 1 & 2.
Mr. Mahesh Amonkar, Advocate for respondent no. 3, 4, 5 & 6.

Coram:- M. S. SONAK &
PRITHVIRAJ K. CHAVAN, JJ.

Date:- 18th February 2019

P.C.:

In this petition, the petitioners have prayed for the following reliefs:-

"a) To issue appropriate Writ, Order or Direction in the nature of Mandamus to the Registrar of Co-operative Societies to dissolve the present Board of Directors, appoint an Administrator, with further Direction to finalise the list of voters, order reservation of seats for SC, ST and Women and conduct fresh elections in accordance with Law.

b) During the pendency of the present petition, issue appropriate directions to the Registrar of Co-operative Societies,

appoint an Administrator or Board of Administrators, so as to ensure that the society runs smoothly for the benefit of the members/shareholders.

c) Issue appropriate Orders, restraining Shri Kanta S. Gaonkar and the other 2 Board Members namely, Shri Vishwas Narayan Gaonkar and Shri Babu Kondo Zore from taking any major policy and financial decisions till the hearing and disposal of the present petition."

2. Admittedly, upon institution of this petition, respondent nos.1 and 2 by their order dated 29.01.2019 have appointed Shri Sagun Wadkar as Administrator to manage the affairs of the society in question. The order dated 29.01.2019 also requires the Administrator to take steps for holding free and fair election of the vacant seat of Board of Directors.

3. Ms. Priyanka Kamat and Mr. Mahesh Amonkar, the learned counsel appearing for the respective respondents state that such steps are being taken and even the provisional list of voters has been published.

4. Accordingly, the reliefs applied for in this petition stands substantially worked out. This position is accepted by all the learned counsel appearing for the respective parties. However,

learned counsel Mr. Joshi, prayed that some time limit may be prescribed for holding elections, so that there is no delay.

5. Accordingly, we direct the Administrator to complete the election process as expeditiously as possible, in any case within three months from today. We have already directed that the Administrator shall only take routine day to day decisions and not any major financial or policy decision concerning the affairs of the society.

6. This petition is, therefore, disposed of, on the aforesaid terms. There shall be no orders as to cost.

7. All concerned to act on the basis of an authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

M. S. SONAK, J.

MF/-