



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.112 OF 2026

FILOMENA CO-OPERATIVE HOUSING
SOCIETY LTD., THR. ITS HON.
SECRETARY, MURALI T. NAIK

... PETITIONER

Versus

STATE OF GOA, THR. SECRETARY AND 3
ORS

... RESPONDENTS

Mr. Shivraj Gaonkar, Advocate for the Petitioner.

Mr. Geetesh Shetye, Additional Government Advocate for Respondent
Nos. 1, 2 and 3.

Mr. Savio Misquita, Advocate for the Respondent No.4.

CORAM:- VALMIKI MENEZES, J.

DATED :- 12th February, 2026

ORAL ORDER:

1. Registry to waive office objections and register the matter.
2. The Petitioner has impugned Order dated 17.04.2025 passed by the Assistant Registrar of Cooperative Societies by which the Petitioners objections to an application filed by the Respondent No.4, to the effect that there was no dispute for reference under Section 83 of the Goa Co-operative Societies Act, came to be dismissed. The second Order under challenge is an Order of 02.05.2025 passed by the Assistant Registrar, referring the dispute to the Nominee and as a consequence of the first Order.

3. During the course of hearing this Petition, the main contention raised by the Petitioner was that the dispute filed by one Celina Tellis, claiming to be a Member of the Petitioner Cooperative Society, was filed through her Attorney, one Oswald Fernandes. It was the Petitioner's case that the Power of Attorney placed on record under which the Attorney claims to have filed the complaint, did not specifically empower him to raise disputes, and as such, his agency did not travel to the extent of to file a complaint on behalf of his Principal. The Respondent No.1 has now filed an affidavit dated 16.12.2025 under which she has ratified the acts of her Attorney, Oswald Fernandes, in raising the dispute and she stands by the application filed by her Attorney. In this view of the matter, the challenge in this Petition would be rendered infructuous. Accordingly, the Petition will have to be dismissed as infructuous.

4. Considering that the reference of the dispute has been now made to the Nominee of the Registrar, and no notices have been issued by the Nominee, this may be because the time period of two months specified for the Nominee to complete the inquiry and pass an Order/Award had expired, the Petitioner and the Respondent No.4 shall now appear before the Registrar's Nominee, Advocate Mr. Arun Anant Naik, on 20.02.2026 at 04:40 PM and waive service of notice on them. The time specified for disposal of the Suit in two months as stated in the Order of 02.05.2025 shall now be reckoned from the date

of the first appearance before the Nominee. The Nominee shall proceed to dispose of the dispute after hearing the parties.

5. All contentions, including the contention that the applicant's dispute has been filed by the Attorney who was not authorised to represent the complainant, are kept open and shall be decided by the Nominee on their own merits.

The Petition stands disposed of.

VALMIKI MENEZES, J.