

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1040 OF 2016

1. Shri Francis Anthony Fernandes
son of Damiao Fernandes,
aged 48 years
Director, Mandovi Fisherman Marketing
Co-operative Society Ltd.,
Indian National,
r/o. H. No. 1605/A.,
Orda, Candolim,
Bardez, Goa,
Pin 403 515.

2. Shri Francis D' Souza
Son of Roldao D' Souza,
aged 43 years,
Vice-Chairman of Mandovi Fisherman Marketing
Co-operative Society Ltd.,
Indian National,
r/o. H. No. 1020, Fursa Vado,
Zuari, Goa Velha-Goa,
Pin 403 108. ... Appellants

Versus

1. The Registrar of Co-operative Societies
Government of Goa,
Sahakar Sankul, 4th and 5th Floor,
EDC Complex,
Patto, Panaji,
Goa, 403001.

2. State of Goa,
Through Chief Secretary,
Secretariat,
Porvorim
Bardez, Goa,
Pin 403 521. ... Respondents

Mr. C. A. Ferreira and Mr. Jason Fernandes, Advocates for the Appellants.

Mr. Amogh Prabhudessai, Addl. Government Advocate for the Respondent nos. 1 and 2.

Coram:- M. S. SONAK, J.
Date:- 31st October, 2016

ORAL JUDGMENT

Heard Mr. C. A. Ferreira, learned Counsel appearing for the Petitioners and Mr. Amogh Prabhudessai, learned Addl. Government Advocate, appearing for the Respondent nos. 1 and 2.

2. Rule. With the consent and at the request of the learned Counsel for the parties, Rule is made returnable forthwith.

3. This Petition impugns Order dated 27.10.2016 made by the Registrar of Co-operative Societies, to the extent it denies to the Petitioners copies of documents listed at (a) and (g) in the reply dated 26.10.2016, submitted by the Petitioners in response to the show cause notice issued to them proposing action under Section 61 of the Co-operative Societies Act, 2001, (for short, 'said Act').

4. There is no necessity to adjudicate this matter on merits since Mr. Amogh Prabhudessai, the learned Addl. Government Advocate, on basis of instructions from Mr. Rupesh Korde, the Assistant Registrar of Co-operative Societies, makes a statement that the documents at (a) and (g) as aforesaid, will be furnished to the learned Counsel appearing for the Petitioners today itself or in any case latest by 11.00 a.m. on 01.11.2016. The statement is accepted. In terms of the statement, the Respondents are directed to furnish

the said documents to Mr. Jason Fernandes, learned Counsel, who now appears for the Petitioners.

5. In view of the aforesaid, the reliefs applied for in the present Petition stand worked out. This Petition is accordingly disposed of.

6. Rule is disposed of in the aforesaid terms.

7. The Petitioners, by themselves or through their learned Counsel, will appear before the Respondent no. 1 on 10.11.2016 at 3.30 p.m. for further proceedings in the matter.

8. All concerned to act on basis of the authenticated copy of this Order.

M. S. SONAK, J

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