

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.38 OF 2014
IN
ARBITRATION APPEAL NO.32 OF 2014

Principal General Manager
BSNL & Anr.
In the matter between

..... Applicants

Principal General Manager
BSNL & Anr.

..... Appellants

V/s

M/s. Roshan Enterprises

..... Respondent

Ms. Neeta V. Masurkar for Appellant.
Mr. Makarand Panchakshari for Respondent.

CORAM : A.A. SAYED, J.

DATED : 20 FEBRUARY 2015

P.C.

It is an admitted position that the transactions are of the year 2004 and there is no agreement to refer to the dispute and differences between the parties to the Arbitration. Moreover, the Micro, Small Medium Enterprises Development Act, 2006 came into force only after the transactions, therefore, the remedy under section 18 of the said Act to refer the dispute to the Micro and Small Scale Enterprises Facilitation Council would not apply.

2 In the circumstances, there shall be a stay to the impugned order pending the hearing and disposal of the Appeal.

(A.A. SAYED, J.)