

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 904 OF 2016

ICICI BANK LTD., REP. THR. ITS POA
MR. RAMCHANDRA K. MANE.,

... Petitioner

Versus

THE GOA MICRO AND SMALL
ENTERPRISES FACILITATION COUNCIL
AND ANR.,

... Respondents

Mr. Nigel Da Costa Frias with Ms. Samiha Rodrigues, Advocates for the Petitioner.

Mr. S. Lotlikar, Advocate General with Mr. Pravin Phaldessai, Additional Government Advocate for Respondent No. 1.

Mr. Sudin Usgaonkar, Senior Advocate with Ms. Vinita Palyekar, Advocate for Respondent No. 2.

Coram:- C. V. BHADANG, J.

Date:- 17th October, 2016

P.C:

Heard Mr. Nigel Costa Frias, the learned Counsel for the petitioner, the learned Advocate General for the respondent no. 1 and Mr. Usgaonkar, the learned Senior Counsel for the respondent no. 2, who is the sole contesting respondent.

2. By consent of the parties, the petition is disposed of as under:

(a) The impugned order dated 12.09.2016, is hereby set aside.

(b) The respondent no. 1 shall conduct the Conciliation proceedings in terms of Section 18(2) of the Micro, Small and Medium Enterprises Development Act, 2006 (the Act, for short), in which the petitioner shall be entitled to file a reply, within a period of two weeks from today.

- (c) The learned Counsel for the petitioner, on instructions, undertakes that no further time for filing the reply, shall be claimed. The statement is accepted.
- (d) In the event of failure of the Conciliation proceedings, the respondent no. 1 shall conduct the Arbitration proceedings in terms of Section 18(3) of the Act.
- (e) The petitioner and the respondent no. 2 to appear before the respondent no. 1 on 02.11.2016.
- (f) Rival contentions of the parties are left open.
- (g) The petition is disposed of in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J.

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