

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2461 of 2021**

Candid Guard Service Pvt. Ltd E/55, Sector-7, New Rajendra Nagar,
Raipur Chhattisgarh 492001, Through Major Pravin Singh Aged About
49 Years S/o Late Shri S.P. Singh E-55, Sector -7, New Rajendra
Nagar, Raipur Chhattisgarh 492007

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of
Commerce And Industries, Mantralaya, Sector-19, Kotarabhantha,
Naya Raipur Chhattisgarh 492101
2. Micro And Small Enterprises Facilitation Council (MSEFC)
Chhattisgarh Through Directorate Of Industries, Udyog Bhawan, Ring
Road No. 01, Telibandha Raipur Chhattisgarh 492001
3. Central Bank Of India Through Its Manager, Zonal Office First Floor,
Block-C, Bombay Market, GE Road, Raipur Chhattisgarh 492001

--- Respondents

For the Petitioner	: Mr. Nirnay Gupta, Advocate
For the State	: Mr. Siddharth Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****23.06.2021**

1. Learned counsel for the petitioner submits that the petitioner is registered under the MSME Act, 2006. Since the petitioner was not paid certain amount of dues by the Central University of Jharkhand, Ranchi, as such, they approached the MSE Facilitation Council under section 18 of the Act. He submits that section 18 sub-section (5) mandates that any reference so made shall be decided within a period of 90 days from the date of making such reference. He would also submit that the petitioner made a reference on 8/01/2020 and till date the same is pending, therefore, the entire object of the MSME Act, 2006 is defeated and respondent no.2 may be directed to decide

the reference within a stipulated time.

2. A perusal of section 18 sub-section (5) of the Act, 2006 shows that it mandates that if the reference is made, it requires to be decided within a period of 90 days from the date of reference. It appears that the reference so made in January, 2020 is still pending since then. Considering the prayer made and after perusal of Section 18(5) of the Act and further taking note of the facts prevailing as of now, it is directed that the Council shall decide the application preferred by the petitioner u/s 18(5) of the Act 2006 within a period of six months from the date of service of this order.
3. With the above observation, this writ petition stands disposed of.

Sd/-

**GOUTAM BHADURI
JUDGE**