

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2440 of 2021**

Candid Guard Services 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 492007, District Raipur, Chhattisgarh --- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Commerce and Industries, Mantralaya, Sector - 19 Kotara Bhantha, Naya Raipur 492101., District : Raipur, Chhattisgarh
 2. Micro And Small Enterprises Facilitation Council (MSEFC) Chhattisgarh Through Directorate Of Industries, Udyog Bhawan, Ring Road No. 1, Telibandha, Raipur 492001, District : Raipur, Chhattisgarh
 3. Central University of Jharkhand through its Registrar, Ratu Lohardaga Road, District Ranchi, Brambe, Jharkhand 835205, District : Ranchi, Jharkhand
- **Respondents**

For the Petitioners	: Mr. Nirnay Gupta, Advocate
For the State	: Mr. Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****22.06.2021**

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 20.07.2019

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 July 2019 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**