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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-11563-CWP-2021 in/and
CWP-2779-2021**

Date of Decision: 22.11.2021

M/S NBCC (INDIA) LTD.

.....Petitioner

Vs

**HARYANA MICRO AND SMALL ENTERPRISES FACILITATION
COUNCIL AND ORS .**

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Rajat Khanna, Advocate for the petitioner.

Mr.Vivek Chauhan, Addl.A.G.Haryana.

Mr.Arun William, Advocate for respondent No.2.

Ms.Gehna Vaishnavi, Advocate for respondent No.4.

RAJ MOHAN SINGH, J.(Oral)

CM-11563-CWP-2021

This is an application for placing on record the written statement/short reply on behalf of respondent No.4.

For the reasons mentioned in the application, the same is allowed. Written statement/ short reply on behalf of respondent No.4 is taken on record.

CWP-2779-2021

Learned counsel for respondent No.2, at the very outset, submits that respondent No.2 seeks to withdraw from the main proceedings initiated under MSME Act in order to

lodge appropriate proceedings before appropriate forum. Learned counsel also places reliance upon the communication dated 12.11.2021 issued by the Assistant General Manager (HMSEFC) for Chairman HMSEFC-cum-Director General of MSME, Haryana, wherein it has been noticed that since the matter is subjudice before the High Court, therefore, the Council is not within its rights to entertain any such request at this stage. Liberty may be sought from the High Court to withdraw the case in order to avoid any legal complication in future.

Learned counsel for the petitioner submits that in case respondent No.2 seeks to withdraw from the main proceedings under MSME Act, he shall withdraw the present petition forthwith.

Learned counsel for the petitioner further submits that in view of letter dated 12.11.2021, he may be permitted to withdraw this petition subject to the undertaking of respondent No.2 as noticed in the aforesaid letter.

Dismissed as withdrawn.

**(RAJ MOHAN SINGH)
JUDGE**

22.11.2021
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No