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

**CWP No.21480 of 2021
Date of Decision:26.10.2021**

M/S SUPER INDUSTRIAL CORPORATIONPetitioner

Vs

**THE CHAIRMAN, MICRO AND SMALL ENTERPRISES
FACILITATION COUNCIL AND ORSRespondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.RK Girdhar, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred the present petition for issuance of an appropriate writ in the nature of mandamus directing respondent No.1 to decide reference No.699 of 2017 dated 15.09.2017, as per parameters laid down in Section 18(5) of the Micro, Small and Medium Enterprises Development Act 2006.

Learned counsel for the petitioner submits that the petitioner filed the aforesaid reference under Section 18 of the aforesaid Act and as per provision of Section 18(5), the same has to be decided within 90 days. No decision has been taken so far, despite the reference being filed on 15.09.2017. Petitioner is a Government Contractor and has executed various work assignments allocated to it. Petitioner is registered as Category Small Micro with the Ministry of Micro, Small and Medium Enterprises under the aforesaid Act. Work of providing water supply to langer of Gurudwara Sahib and Langaes during Annul Shahidi Jor Mela at Fatehgarh Sahib was allotted to the

petitioner by respondent No.4. Despite the work having been done to the satisfaction of the respondents, balance payment has not been released in favour of the petitioner. Precisely for the grievance in question a legal notice has already been issued by the petitioner on 22.08.2017. On receiving no response, petitioner filed a reference under Section 18 of the aforesaid Act claiming balance principle and interest on the delayed payment. The State Government constituted a district level council and transferred the case before respondent No.1. Respondent No.4 has already filed reply to the reference and pleadings are complete after filing of rejoinder by the petitioner. The case is matured for arguments since 06.06.2019, even arguments were heard on 14.07.2021 but till date final order has not been passed.

Notice of motion.

On asking of the Court, Mr. Abhay Pal Singh Gill, AAG, Punjab accepts notice on behalf of the respondents.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon response from the respondents at this stage, as no order prejudicial to the interest of any party is being passed.

This petition is disposed of by requesting respondent No.1 to take realistic approach of the pending reference and try to dispose of the same at the earliest, preferably within a period of two months from the date of receipt of certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

26.10.2021
Amandeep

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No