

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WA No.597 of 2019**

***Superintending Engineer,  
Electrical Engineer, Ganjam***

***Appellant***

Mr.S.C. Dash, Advocate

***-versus-***

***Telengana Micro and Small  
Enterprises Facilitation Council  
and another***

***Respondents***

**CORAM:  
THE CHIEF JUSTICE  
JUSTICE CHITTARANJAN DASH**

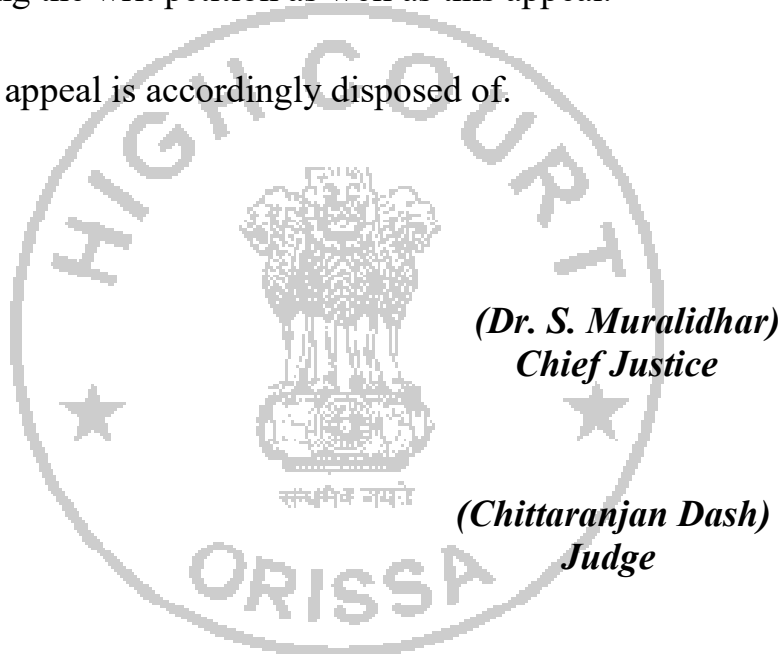
**ORDER  
22.09.2022**

**Order No.**

02. 1. The challenge in the present writ appeal is to an order dated 17<sup>th</sup> September, 2019 passed by the learned Single Judge rejecting the W.P.(C) No.14937 of 2019 on the ground that the Appellant has an efficacious statutory remedy by way of an appeal under Section 19 of the Micro, Small and Medium Enterprises Development Act, 2006 (MSME Act) against the award passed in the matter by the Telengana Micro and Small Enterprises Facilitation Council in terms of the MSME Act.
2. Learned Single Judge has, in fact, referred to the decision of the Supreme Court of India in ***Goodyear India Limited v. Norton Intech Rubbers (P) Ltd. and others, 2012 (2) CTC 829.***
3. Having heard the learned counsel for the Appellant, the Court is unable to find any ground to interfere with the impugned order of

the learned Single Judge. Indeed all the points urged by the Appellant in the writ petition can be urged in the under Section 19 of the MSME Act before the appellate forum. Leaving it open to the Appellant to urge all such points in accordance with law, the Court declines to interfere with the impugned order of the learned Single Judge. If the appeal is filed not later than a month from today, then the appellate authority will while considering the question of delay take into account the period during which the Appellant was pursuing the writ petition as well as this appeal.

5. The appeal is accordingly disposed of.



**(Dr. S. Muralidhar)**  
**Chief Justice**

**(Chittaranjan Dash)**  
**Judge**