

114

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

CWP No. 2886 of 2022
Date of Decision: 15.03.2022

Synergy Metals Pvt. Ltd.

-Petitioner

Versus

The State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kshitij Sharma, Advocate,
for the petitioner.

Mr. Sehajbir Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that despite a DO letter written by learned Senior D.A.G., Punjab on 15.02.2022 itself, no response has been received from the concerned quarter.

Grievance of the petitioner is that reference under Section 18 of Micro Small and Medium Enterprises Development Act, 2006 for recovery of amount of interest for delayed payment is pending before the Facilitation Council since May, 2016 and the same has not been decided so far.

Prayer is for disposal of the aforesaid reference in a time bound manner in accordance with rules and regulatory framework as well as in the light of law laid down by the Delhi High Court in **BSA Citi Couriers Pvt. Ltd. vs Union of India and others, 2021 SCC Online Delhi 3357.**

On 15.02.2022, following order was passed:-

“Learned State counsel to get necessary instructions as to why the matter is pending for such a long time and if possible it be disposed of expeditiously and information in that regard be given to this Court by the next date of hearing fixed as 15.3.2022.”

15.02.2022

P. Singh

**(H.S. MADAAN)
JUDGE”**

In view of statement made by learned State counsel, it appears that respondent No.2 has not acted in furtherance of DO letter issued by learned Senior D.A.G., Punjab in the context of order dated 15.02.2022 passed by this Court.

Keeping in view the nature of prayer made in the present petition, no formal response is required to be taken from respondent No.2 except to direct respondent No.2 to decide the pending reference strictly in accordance with law within a period of one month. This is so in view of the period of 90 days prescribed under the Act which has already lapsed.

The circumstances arising out of pandemic COVID-19 cannot be over looked, therefore, further period of one month is granted in order to enable respondent No.2 to act in accordance with law and pass appropriate order on the pending reference dated 04.05.2016.

With these observations, this writ petition is disposed of.

15.03.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No