

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 3854 of 2022 (O&M)
Date of Decision: 28.02.2022

M/s BCL Secure Premises Pvt. Ltd.

.....Petitioner

versus

Directorate of Micro, Small and Medium Enterprises, Haryana and others
.....Respondents

CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

Present : Mr. Arjun Syal, Advocate,
Ms. Manjira Dasgupta, Advocate and
Mr. Jagjot Singh, Advocate, for the petitioner.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

The petitioner has filed this petition for issuance of a writ in the nature of mandamus to declare Rules 6 and 7 of the Haryana Micro and Small Enterprises Facilitation Council Rules, 2021 as *ultra-vires* the provisions of the Micro Small and Medium Enterprises Development Act, 2006.

Learned counsel for the petitioner submits that the petitioner has already submitted a representation dated 03.01.2022 (Annexure P-10) and legal notice dated 28.01.2022 (Annexure P-11) before the respondent-authorities directing them to pronounce the award as the Arbitrator has already submitted the same to the authorities.

Learned Additional Advocate General appearing for the respondent-State of Haryana, on advance copy and on instructions submits that the respondent-authorities will consider and decide the aforesaid representation and legal notice (Annexures P-10 and P-11) submitted by the petitioner expeditiously preferably within a period of six weeks in accordance with law and communicate the order to the petitioner.

In view of the aforesaid statement made by learned Additional Advocate General, Haryana and taking the same on record, the petition filed by the petitioner stands disposed of. It is made clear that this Court has not expressed any opinion on the issue of validity of the provisions of Rules 6 and 7 of the Haryana Micro and Small Enterprises Facilitation Council Rules, 2021 and the issue is left open to be considered and decided in an appropriate case.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

28.02.2022

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√