

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 94 OF 2024

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Ms Kailas Engineering System

... Petitioner

Vs.

Micro And Small Enterprises,
Facilitation Council

.. Respondent

Mr. Aseem Naphade a/w. *Rishab Tiwari i/b Vivekanand Vinod Krishnan,*
for Petitioners.

Ms. Shilpa G. Talhar, AGP, *for Respondent No. 1.*

Mr. Sanjay D. Bangar, *Member Secretary, MSEFC.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : July 3, 2025

Order :

1. This matter has been pending before the Micro and Small Enterprises Facilitation Council, Mumbai (MSEFC) since 2022. This Contempt Petition has been filed alleging contempt of the order dated October 4, 2023, by which a Learned Single Judge of this Court called for the record and proceedings in the matter from the MSEFC, to be placed with the registry. Thereafter, by an order dated February 13, 2025, this Bench directed that the matter must proceed to arbitration pursuant to Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006. Till date, there is no sign of the arbitration have been commenced.

2. Today, in the forenoon, an official of the MSEFC asked for the matter be stood over beyond the lunch recess to enable the Learned AGP to make submissions to the Court. He indicated that the arbitration is actually underway and the next date of hearing is scheduled for July 7, 2025.

3. However, in the post-lunch session, Learned Counsel for the Petitioner submits that conciliation proceedings have been carried on forever in the matter and even the next date of hearing is meant to conduct conciliation proceedings and formal arbitration is yet to commence. Learned AGP on behalf of the MSEFC submits that arbitration would be commenced forthwith and that Respondent No. 1 shall be advised that conciliation cannot carry on at this pace and for such length.

4. In these circumstances, the Learned AGP, on instructions, confirms that the hearing scheduled for July 7, 2025, is a hearing for arbitration proceedings. Consequently, taking such assurance on board, the matter is stood over to ***July 17, 2025***, on which date an update shall be sought from the Respondent No. 1.

5. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]