



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.80/2019

M/s Atlanta Limited, Mumbai through its Authorized Signatory
Shri Dr. Suryabhan Ganpat Ingle

...Versus...

M/s Elcon Engineers, Nagpur through its Proprietor Vishnukumar Rambhauji
Motghare and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A.A. Naik, Senior Advocate a/b Mr. R.S. Kalangiware, Advocate for petitioner
Mr. N.A. Lalwani, Advocate for respondent No.1

**CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.**

DATE : 03/03/2025

1. The issue whether the Members of the Micro and Small Enterprises Facilitation Council (MSEFC) Nagpur, who undertake conciliation proceedings upon failure, can themselves act as Arbitrators, of the Arbitral Tribunal, in terms of Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 r/w Section 80 of the Arbitration and Conciliation Act, 1996 has now been referred to the larger Bench in *Tamil Nadu Cements Corporation Limited Vs. Micro and Small Enterprises Facilitation Council and another*, 2025 *SCC OnLine SC 127*, on account of which, issue **Rule**.

2. The parties are at liberty to mention the matter upon decision of the aforesaid reference.

3. Interim order dated 07/01/2019 to continue.

CIVIL APPLICATION (CAW) NO.680/2021

1. Heard.
2. For the reasons stated in the application, the same is allowed in terms of prayer clause (i). No order as to costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)