

**CWP-34819-2024 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****(107)****CWP-34819-2024 (O&M)
Date of decision:- 08.12.2025****M/s Tarlok Kumar Mess Contractor****... Petitioner****Versus****Micro and Small Enterprises Facilitation Council, Jalandhar and others****... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Pankaj Gupta, Advocate
for the petitioner.

Mr. Siddharth Sandhu, Assistant Advocate General, Punjab

***********SUVIR SEHGAL, J. (ORAL)**

1. On a verbal request made by counsel for the petitioner, date of hearing of the main petition is advanced to today and it is ordered to be taken on Board.

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2. Prayer in the application (CM-18315-CWP-2025), which is supported with an affidavit of the petitioner, is for withdrawal of the writ petition with liberty to challenge award dated 27.11.2024, Annexure P-12, passed by the Facilitation Council under the provisions of MSMED Act.

3. Counsel for the petitioner states that award dated 27.11.2024, Annexure P-12, was assailed by filing the present writ petition, which was instituted on 19.12.2024 and by order dated 10.01.2025, this Court issued

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notice to the respondents, who are contesting the petition. Counsel submits that remedy available to petitioner is of filing objections under Section 34 of Arbitration and Conciliation Act, 1996 (for short “Act of 1996”), which could be filed within 120 days. Placing reliance upon the judgments of the Supreme Court in *M/s Consolidated Engineering Enterprises Versus Principal Secretary, Irrigation Department, (2008) 7 SCC 169* as well as *Kisan Mouldings Limited Versus Micro and Small Enterprises Facilitation Council (MSEFC) Konkan Thane and another, 2024 SCC OnLine Bom 3094*, counsel contends that petitioner is entitled to the benefit of Section 14 of the Limitation Act, 1963 and period spent before this Court is liable to be excluded.

4. On request made by counsel for the petitioner, he is permitted to withdraw this writ petition with liberty to take appropriate remedy available to it under the Act of 1996. Liberty is also given to the petitioner to move an appropriate application under Section 14 of the Limitation Act, 1963 in view of the submissions made by him as recorded above.

5. Dismissed as withdrawn with liberty as aforesaid.

(SUVIR SEHGAL)
JUDGE

08.12.2025

Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No