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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12932/2025, CM APPL. 52845/2025**

REDCON INDIA PVT LTD

.....Petitioner

Through: Mr. Praveen, Ms. Yakshi Kataria,
Adv.

versus

**MICRO SMALL ENTERPRISES FACILITATION COUNCIL,
SOUTH WEST DISTRICT GOVERNMENT OF NCT OF
DELHIND & ANR.**

.....Respondent

Through: Mr. Raghvendra Upadhyay (Panel
Counsel) along with Ms. Purnima
Jain, Adv.

Mr. Ahyush Acharjee, Mr. Nahush
Khera, Adv. for R2

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **26.08.2025**

CM APPL. 52846/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition has been filed against the Order/ Notice dated 29.11.2023 passed by the respondent no.1/ Micro & Small Enterprises Facilitation Council in MSEFC Case No. DL/10/S/SW/01495, instituted by the respondent no.2/ M/s Vaishnavi Infratech Services Private Limited under Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 (MSMED Act, 2006).
4. *Vide* the impugned Order/ Notice the respondent no.1 has allowed the reference application filed by the respondent no.2 and has made a reference



to the Delhi International Arbitration Centre for Arbitration (DIAC) in terms of Section 18(3) of the 2006 Act. It is the case of the petitioner that the matter has been referred to arbitration in violation of the statutory provisions of 2006 Act. It is contended that in the circumstances, the said reference order is liable to be set aside.

5. It transpires during the course of hearing that the petitioner has already participated in the arbitral proceedings, and pursuant thereto, has also filed a detailed 'Statement of Defence'. Also, an application under Section 16 of the Arbitration and Conciliation Act, 1996 (A&C Act), was filed by the petitioner raising the very same grounds which have been sought to be agitated in the present petition. The said application came to be dismissed by the learned arbitrator.

6. In the circumstances, this Court is not inclined to entertain the present petition, the same is consequently, dismissed. However, the petitioner shall be at liberty to avail appropriate remedies within the framework of the A&C Act, if aggrieved with the outcome of the ongoing arbitral exercise.

7. The petition is disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

AUGUST 26, 2025/uk