

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2520 OF 2026

Param Offshore Services Pvt Ltd ..Petitioner

Versus

Supreme Hydro Engineering Pvt Ltd and Anr ...Respondents

Mr. Tejas Mahamuni, for the Petitioner.

Mr. Niket Dalal, with Shravani Musande, i/b Himanshu Vidhani, for
the Respondents.

CORAM: N. J. JAMADAR, J.

DATE : 23rd FEBRUARY 2026

ORAL ORDER:

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order passed by the learned District Judge-6,Thane, on 5th December 2025, whereby the learned District Judge, directed that the Application under Section 34 of the Arbitration and Conciliation Act, 1996 (“the Arbitration Act”), against an Award by the Micro and Small Enterprises Facilitation Council (“MSEFC”) and the Application preferred by the Respondents for waiver of the pre-deposit under Section of 19 of the Micro, Small and Medium Enterprises Development Act, 2006, (MSME Act, 2006), shall be heard and directed together.

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3. The Petitioner is aggrieved by the direction to hear and decide the Application under Section 34 of the Arbitration Act, as well as the Application for waiver together, as it may amount to circumventing the statutory mandate contained in Section 19 of the MSME Act, 2016.

4. The proper course would be to hear and decide the Application for waiver (Exhibit “4”), in the first instance, and, thereafter, depending on the outcome of the said Application, hear and decide the Application under Section 34 of the Arbitration Act.

5. The Petition thus stands disposed with a request to the learned District Judge, Thane to hear and decide the Application for waiver (Exhibit “4”), in the first instance.

6. The Court is informed, the Application is listed tomorrow.

Let the parties appear before the Court tomorrow. The learned District Judge is requested to make an endeavour to hear and decide the Application for waiver (Exhibit “4”) as expeditiously as possible.

7. Petition disposed.

[N. J. JAMADAR, J.]