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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-37761-2025

Date of decision: 16.01.2026

M/S WEBTECH ENGINEERING PVT. LTD.

...Petitioner(s)

VERSUS

**DISTRICT LEVEL MICRO AND SMALL FACILITATION COUNCIL
AND ANR.**

...Respondent(s)

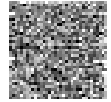
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Palak Dev, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned report dated 02.03.2019 (Annexure P-4) purported to be an award passed by the Sole Arbitrator in claim petition filed by respondent No.2 before the Haryana MSEFC Council, with a further prayer to stay the proceedings in Execution Petition No.1073 of 2022 filed by respondent No.2 before the learned Additional District Judge, Faridabad as the impugned order dated 02.03.2019 is not an award but merely a report/recording of compromise by the Sole Arbitrator.

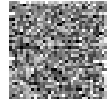
2. Learned counsel for the petitioner submitted that by way of the impugned order/award dated 02.03.2019 (Annexure P-4), an order has been passed by the Sole Arbitrator, who is a retired District and Sessions Judge and



he was not competent to pass the award. She further submitted that no proceedings under the MSMED Act, 2006 could have been initiated or resorted to because the respondents were not registered under the MSMED Act, 2006 at the relevant time, although later on they were registered in Delhi, whereas the subject matter pertains to Faridabad and therefore, the impugned order, which is stated to be an award, is without the authority of law and is liable to be set aside. She also submitted that after the passing of the aforesaid order/award, the petitioner has already paid an amount of Rs.16,19,000/- to the respondents and despite this, the respondents have filed execution for more amount, which is not permissible under the law.

3. I have heard the learned counsel for the petitioner.

4. During the course of arguments, a specific query was raised to the learned counsel for the petitioner as to whether after the passing of the aforesaid order/award dated 02.03.2019 (Annexure P-4), the petitioner assailed the same by filing objections under Section 34 of the Arbitration and Conciliation Act, 1996 or availed any other remedy in the last six years, to which she submitted that no objections under Section 34 of the Arbitration and Conciliation Act, 1996 have been filed, nor has any other remedy been availed but the petitioner has been contesting the execution application before the learned Executing Court. A perusal of the aforesaid order, which is stated to be in the nature of an award passed by the Sole Arbitrator, who is a retired District and Sessions Judge, would show that it has been so specifically mentioned that on the basis of the compromise and joint statement of the parties, the Sole Arbitrator passed the award by specifically stating that "I hereby pass an award" and thereafter,



the formalities pertaining to the stamp paper, registration etc. have also been complied with. Although a perusal of the last paragraph of the aforesaid order/award would show that it is observed that the original award has been retained by the Sole Arbitrator and placed on the case file and the complete file has been returned to the Haryana Micro and Small Enterprises Facilitation Council, Haryana for records after due compliance, but the said order/award clearly suggests that the Sole Arbitrator, who is a retired District and Sessions Judge, passed the same with the consent of both the parties and after recording their statements. The petitioner did not avail any remedy against the aforesaid order/award for the last more than six years and now when the petitioner is facing execution proceedings, he has filed the present writ petition under Article 226 of the Constitution of India to challenge the aforesaid order/award, despite the fact that after the passing of the aforesaid order/award (Annexure P-4), an amount of Rs.16,19,000/- had already been paid by the petitioner to the respondents.

5. Therefore, this Court is of the considered view that the present petition is devoid of any merit and no such petition could be filed by the petitioner after a lapse of more than six years.

6. Consequently, the present Civil Writ Petition is dismissed.

16.01.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No