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

+ **W.P.(C) 13030/2023 and CM APPL. 51481/2023**

**SADBHAV INFRASTRUCTURE PROJECT LTD** .....Petitioner

Through: Mr Pradhuman Gohil, Ms Ranu  
Purohit, Ms Taniya Bansal  
Advocates.

versus

**VCS ENTERPRISES PVT LTD & ORS.** .....Respondents

Through: Mr. Davinder N. Grover, Ms. Vijay  
Laxmi Grover, Mr. Gursimran Singh  
Rekhi and Mr. Nakul Nagar,  
Advocates for R-1.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**ORDER**

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**18.03.2026**

1. In view of the decision passed by the Supreme Court in the case of *NBCC (India) Ltd. vs. The State of West Bengal & Ors.*,<sup>1</sup> the issue of prior registration of entities under the Micro, Small and Medium Enterprises Development Act, 2006 ('*MSME Act*') is no more *res integra*. The Supreme Court in the said decision has held that the Micro and Small Industries shall be entitled to invoke the provisions of the MSME Act notwithstanding the date of its registration as MSME.

2. In view thereof, nothing more remains to be adjudicated as the

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<sup>1</sup> 2025 INSC 54/ Civil Appeal No.3705/2024



controversy involved herein stands covered by the aforesaid decision. Accordingly, the instant petition stands disposed of.

3. The petitioner, however, shall be at liberty to raise all other legal issues in accordance with law before the concerned forum.
4. All rights and contentions of the parties are left open.

**PURUSHAINdra KUMAR KAURAV, J**

**MARCH 18, 2026**

*Nc*