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

+ **W.P.(C) 10895/2024**

MNV INDUSTRIES LTD

.....Petitioner

Through: Mr. Javed Ahmad, Advocate.

versus

THE CHAIRMAN MICRO AND SMALL ENTERPRISES
FACILITATION COUNCIL AND ANR & ANR.

.....Respondents

Through: Ms. Vaishali Gupta, Panel Counsel

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+ **W.P.(C) 11799/2024**

MNV INDUSTRIES LTD

.....Petitioner

Through: Mr. Javed Ahmad, Advocate.

versus

THE CHAIRMAN MICRO AND SMALL ENTERPRISES
FACILITATION COUNCIL AND ANR

.....Respondents

Through: Ms. Vaishali Gupta, Panel Counsel

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+ **W.P.(C) 11838/2024**

MNV INDUSTRIES LTD

.....Petitioner

Through: Mr. Javed Ahmad, Advocate.

versus

THE CHAIRMAN MICRO AND SMALL ENTERPRISES
FACILITATION COUNCIL AND ANR

.....Respondents

Through: Ms. Vaishali Gupta, Panel Counsel



CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER
% 21.04.2026

1. The sole grievance raised by the petitioner is with respect to the rejection of its applications on the ground that the date of work/bills is anterior than the date of registration.
2. The aforesaid position has already been authoritatively adjudicated by the Supreme Court in the case of **NBCC (INNDIA) LTD. V. THE STATE OF WEST BENGAL & ORS.**¹. The Supreme Court in paragraph no.5 has framed the following question:-

*“5. **Issue for our consideration:** The question of law for our consideration is whether an MSME cannot make a reference to the Facilitation Council for dispute resolution under Section 18 of the Act if it is not registered under Section 8 of the Act before the execution of the contract with the buyer.”*

3. The aforesaid question has been answered in paragraph no.15 thereof, which reads as under:-

“15. Having considered the definition of the expression ‘supplier’, and also having considered the classification of enterprises into micro, small and medium with respect to each of which there is a separate legal regime to be suggested by the Advisory Committee and notified by the Central and State Governments, and in view of the discretion specifically vested with the micro and small enterprises for filing a memorandum under Section 8 of the Act, the submission that the Facilitation Council cannot entertain a reference under Section 18 if the enterprise is not registered under Section 8 must be rejected.”

4. In view of the aforesaid, the impugned order(s) are set aside.
5. The matters are directed to be reconsidered by the respondents strictly



in accordance with law.

6. With the aforesaid observations, the instant petitions stand disposed of.

7. All rights and contentions of the parties are left open.

PURUSHAINdra KUMAR KAURAV, J

APRIL 21, 2026

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¹ 2025 INSC 54