

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 6336 of 2026

FOR APPROVAL AND SIGNATURE:

HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK Sd/-

Approved for Reporting	Yes	No
		No

M/S. PRATAP INDUSTRIES THROUGH VITTHALDAS KALYANJI DATTANI
Versus
STATE OF GUJARAT & ORS.

Appearance:

JURIS LEGAL PRACTITIONERS(17818) for the Petitioner(s) No. 1

MR HARSHAD O JOSHI(11428) for the Petitioner(s) No. 1

MS DIXA PANDYA AGP for the Respondent(s) No. 1

CORAM: HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK

Date : 01/05/2026

ORAL JUDGMENT

1. Draft amendment is allowed. Amendment to be carried out forthwith.

2. **Rule** returnable forthwith. Ms. Dixa Pandya, learned AGP waives service of notice of rule for and on behalf of the respondent. With the consent of the learned counsel appearing for the respective parties, the present petition is taken up for final hearing today.

3. Present petition is filed by the petitioner under Articles 14, 19 and 226 of the Constitution of India r/w the

provision under the Micro, Small and Medium Enterprise Development Act, 2006 seeking below mentioned relief/s

"8(A) YOUR LORDSHIPS may be pleased to admit and allow this petition;

(B) YOUR LORDSHIPS may be pleased to issue a writ of Mandamus or any other appropriate writ, order, or direction by directing Respondents herein to initiate conciliation proceedings (initiated under Section 18(2) of the MSMED Act, 2006) in the Reference Case of the Petitioner, being DP No.4996 (Annexed at Annexure E) within a period of 30 days, and further be pleased to direct the Respondent Nos. 2 and 3 herein to comply with the provisions of the MSMED Act, 2006.

(C) YOUR LORDSHIPS may be pleased to direct respondent No.3 to forthwith comply with Rule 9(C) of the Gujarat MSME Council Rule, 2017 by uploading the complete proceedings and records of the petitioner's matter bearing DP No.4996 (annexed at Annexure E) on the designated web portal.

(D) Be pleased to grant any other relief/s as may be deemed fit and proper, in the interest of justice."

4. Heard learned counsels appearing for both the sides and perused the record of the petition.

5. Learned counsel for the petitioner requests that the conciliation proceedings (initiated under Section 18(2) of the MSMED Act, 2006) in Reference Case of the petitioner being DP No.4996 is pending before the concerned respondent. He further requests that this Court may give appropriate direction to the concerned respondent authority to decide the said application.

6. On the other hand, learned AGP submits that if the conciliation proceedings (initiated under Section 18(2) of the MSMED Act, 2006) in Reference Case of the petitioner being DP No.4996 is pending before the concerned respondent authority, then the same shall be decided within some reasonable time.

7. In view of the above submissions and considering the peculiar facts of the case, the concerned respondent authority is hereby directed to decide the conciliation proceedings (initiated under Section 18(2) of the MSMED Act, 2006) in Reference Case of the petitioner being DP No.4996, in accordance with law within period of three months from the date of receipt of copy of present order.

8. With above directions, the petition stands disposed of. Rule is made absolute to the aforesaid extent.

Sd/-
(HEMANT M. PRACHCHHAK,J)

SURESH SOLANKI