

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO.12452 of 2026

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M/S. KISAN KI DUKAN
Versus
STATE OF GUJARAT & ORS.

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Appearance:
JURIS LEGAL PRACTITIONERS for the Petitioner.
MS KRISHNA DESAI, AGP for the Respondents.

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 03/09/2026
ORAL ORDER

1. The present writ petition has been filed praying for the following reliefs :-

“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 decide and conclude the arbitration proceedings (*initiated under Section 18(2) of the MSMED Act, 2006*) in the Reference Case of the Petitioner, being DP No.4017 (*annexed at Annexure D*) within a period of 90 days, and further be pleased to direct the Respondent No.2 & 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 Rules, 2017 by uploading the complete proceedings and records of the petitioner's matter bearing DP No.4017 (*annexed at Annexure D*) on the designated web portal."

2. It is submitted by the learned counsel for the petitioner that the petitioner filed the arbitration case before the respondent No.1 Council on 19.10.2022. Learned counsel for the petitioner submits that thereafter, the said case came to be transferred to the respondent No.3 - Micro & Small Enterprises Facilitation Council, Ahmedabad. He further submits that thereafter, the same is still pending adjudication.

3. Learned Assistant Government Pleader appearing on behalf of respondent Nos.2 & 3 submits, on instructions of Shri Munjal N. Dave, Member Secretary, MSEFC, Joint Commissioner of Industries & General Manager, D/C Ahmedabad, that the said arbitration case shall be decided expeditiously and in any case within a period of one year, to which the learned counsel for the petitioner has no objection.

4. In view of the aforesaid observations, it is directed that the respondent No.3 - Micro & Small Enterprises Facilitation Council, Ahmedabad shall decide the Arbitration Case of the petitioner as expeditiously as possible, preferably within a period of ONE YEAR.

5. It is made clear that this Court has not gone into the

merits of the case and no observation is made thereon.

6. With the aforesaid observations, the present Special Civil Application stands disposed of. Direct Service is permitted.

(NIRZAR S. DESAI,J)

SAVARIYA