

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7184 of 2026**

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

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Appearance:

JURIS LEGAL PRACTITIONERS(17818) for the Petitioner(s) No. 1
MR HENIL SHAH, ADDL. GOVERNMENT PLEADER for the Respondent(s)
No. 1
NOTICE SERVED for the Respondent(s) No. 2,3

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 06/07/2026

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. 4018 (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. 4018 (annexed at Annexure Dj 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.”

2. It is submitted by the learned counsel for the petitioner that the petitioner filed the arbitration case before the respondent No.2 Council on 21.11.2022. 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 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.

Anuj

(NIRZAR S. DESAI,J)