

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY SIXTH DAY OF APRIL  
TWO THOUSAND AND TWENTY FOUR

**:PRESENT:**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI  
WRIT PETITION NO: 11193 OF 2024**

**Between:**

SRP Minerals Pvt. Ltd, A company registered under the Companies Act 2013,  
Having its Regd. office at Villa No.305, Breezy Farms and Resorts, Surangal  
Village, Moinabad, Ranga Reddy District, Telangana.

**...Petitioner**

**AND**

1. Union of India, Represented by Secretary, Ministry of Law and Justice,  
(Department of Legal Affairs) Shastri Bhawan, New Delhi-1
2. Medium and Small Enterprises Facilitation Council (MSEFC) S27-28,  
Integrated District Offices Complex, Raigiri, Bhongir, Telangana – 508116.
3. Justice R.S. Chauhan (Retired), D-31, 2nd Floor, Nizamuddin East, New Delhi  
– 110013.
4. M/s. Sai Teja Constructions, A registered Partnership Firm Having its office at  
8-3-977/4, Plot No.5, First Floor, Srinagar Colony, Hyderabad – 500073.
5. International Arbitration and Mediation Centre, 21<sup>st</sup> and 22<sup>nd</sup> Floor, V K  
Towers, Financial District, Gachibowli, Hyderabad, Telangana – 500032.

**...Respondents**

WHEREAS the Petitioner above named through its Advocate  
M/s. KESHAV BHOOPAL presented this Petition under Article 226 of the  
Constitution of India praying that in the circumstances stated in the affidavit filed  
therewith, the High Court may be pleased to issue an appropriate Writ, Order or  
Direction, more particularly one in the nature of Writ of Mandamus to set aside the  
Arbitration proceedings bearing Arbitration Case no.RSC/0026/2024 referred by  
Respondent No.2 to Respondent No.5 vide Letter bearing Lr.No.20734/MSEFC/2023  
dt: 22.07.2023 pursuant to Application No.UDYAM-TS-02-0020734/S/0000, by  
declaring the said reference made by Respondent No.2 as arbitrary and illegal.

AND WHEREAS the High Court upon perusing the petition and  
affidavit filed herein and upon hearing the arguments of Mr. Avinash Desai Senior  
Counsel representing M/s. KESHAV BHOOPAL Advocate for the Petitioner and  
Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India accepts notice  
on behalf of respondent No.1, directed issue notice to the Respondent Nos.2 to 4,  
herein to show cause as to why this WRIT PETITION should not be admitted.

**You viz:**

1. Medium and Small Enterprises Facilitation Council (MSEFC) S27-28, Integrated District Offices Complex, Raigiri, Bhongir, Telangana – 508116.
2. Justice R.S. Chauhan (Retired), D-31, 2nd Floor, Nizamuddin East, New Delhi – 110013.
3. M/s. Sai Teja Constructions, A registered Partnership Firm Having its office at 8-3-977/4, Plot No.5, First Floor, Srinagar Colony, Hyderabad – 500073.
4. International Arbitration and Mediation Centre, 21<sup>st</sup> and 22<sup>nd</sup> Floor, V K Towers, Financial District, Gachibowli, Hyderabad, Telangana.– 500032.

are directed to show cause on or before 10-06-2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 1 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in the Arbitration Case No.RSC/0026/2024, where in the Respondent No.3 is the Arbitrator during the pendency; ~~pending disposal~~ of WP.No.11193 of 2024, on the file of the High Court.

**THE COURT MADE THE FOLLOWING ORDER:**

**Mr. Avinash Desai, learned Senior Counsel representing Mr. Keshav Bhoopal, learned counsel for the petitioner.**

Learned Senior Counsel for the petitioner submits that the dispute is a works contract and therefore, the same could have been resolved only in accordance with provisions of Arbitration and Conciliation Act, 1996 and not under the provisions of Micro, Small and Medium Enterprises Development Act, 2006. Alternatively it is further submitted that only Micro and Small Enterprise Facilitation Council could have referred the dispute for adjudication to the arbitration and the action taken by respondent No.5 is procedural *ultra vires*.

In view of aforesaid submission, issue notice to respondent Nos.2 to 5.

Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India accepts notice on behalf of respondent No.1.

In the meanwhile, further proceedings in Arbitration Case No.RSE/0026/2024, pending before the Arbitrator, shall remain stayed till next date of hearing.

List in week commencing 10.06.2024.

**SD/- P.CH.NAGABHUSHAMBA**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Ministry of Law and Justice, (Department of Legal Affairs) Shastri Bhawan, Union of India, New Delhi-1 (**by RPAD**).
2. Medium and Small Enterprises Facilitation Council (MSEFC) S27-28, Integrated District Offices Complex, Raigiri, Bhongir, Telangana – 508116.
3. Justice R.S. Chauhan (Retired), D-31, 2nd Floor, Nizamuddin East, New Delhi – 110013.
4. M/s. Sai Teja Constructions, A registered Partnership Firm Having its office at 8-3-977/4, Plot No.5, First Floor, Srinagar Colony, Hyderabad – 500073.
5. International Arbitration and Mediation Centre, 21<sup>st</sup> and 22<sup>nd</sup> Floor, V K Towers, Financial District, Gachibowli, Hyderabad, Telangana – 500032 (**RR 2 to 5 by RPAD along with a copy of petition and affidavit**).
6. One CC to M/s. KESHAV BHOOPAL, Advocate [OPUC].
7. One CC to SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate [OPUC].
8. Two spare copies  
ZEE

**HIGH COURT**

**HCJ & JAKJ**

**DATED:26/04/2024**

**LIST ON 10.06.2024**

**NOTICE BEFORE ADMISSION**

**WP.No.11193 of 2024**

**INTERIM STAY**

