

ITEM NO.11

COURT NO.16

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 14698/2026

[Arising out of impugned judgment and orders dated 08-09-2016 in WP No. 47454/2016 (GM-RES), 15-07-2016 in WP No. 38614/2016(GM RES), 19-09-2016 in WP No. 49509/2016(GM RES), 15-07-2016 in WP No. 37779/2016(GM RES), 15-07-2016 in WP No. 37684/2016(GM-RES), 16-09-2016 in WP No. 48507/2016(GM-RES), 15-07-2025 in WP No. 47454/2016, 15-07-2025 in WP No. 38614/2016, 15-07-2025 in WP No. 49509/2016, 15-07-2025 in WP No. 37779/2016, 15-07-2025 in WP No. 37684/2016 & 15-07-2025 in WP No. 48507/2016 passed by the High Court of Karnataka at Bengaluru]

M/S. SMAAT INDIA PRIVATE LIMITED

Petitioner(s)

VERSUS

THE EXECUTIVE ENGINEER & ANR. ETC.

Respondent(s)

IA No. 123713/2026 - C/DELAY IN FILING, IA No. 123716/2026 - C/DELAY IN REFILING / CURING THE DEFECTS, IA No. 123712/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 30-04-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Ms. Anitha Shenoy, Sr. Adv.
Mr. Sravan Kumar Karanam, AOR
Mr. Kumar Abhishek, Adv.
Ms. Sadhana Madhavan, Adv.
Ms. Kavana Rao, Adv.
Ms. G. Sushmita, Adv.
Mr. Santosh Kumar Yadav, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Ms. Anitha Shenoy, learned Senior Counsel for the petitioner.
2. Initially, since a series of orders are challenged, there is gross delay in some of the matters, however, against the

last order dated 15.07.2025 there is a delay of only 148 days. Considering the nature of the orders, we propose to condone the delay. Ordered accordingly.

3. Learned Senior Counsel for the petitioner submits that the petitioner herein (who is respondent before the High Court) is holding awards totaling about to the tune of Rupees Nine Crores. These are small or medium industries. Learned Senior Counsel for the petitioner submits that the respondents herein filed writ petitions and obtained interim orders of stay. Learned Senior Counsel for the petitioner has a two fold contention, 1) the writ petitions were not maintainable, 2) alternatively and in any event the 75% deposit of the amount awarded ought to have been made, if the awards are to be challenged.

4. Learned Senior Counsel for the petitioner submits that adjournments have been taken on the ground that a reference on the issue of maintenance of the writ petitions against Micro, Small and Medium Enterprises (for short, 'MSME') awards passed by the facilitation Council is pending in *Tamil Nadu Cements Corporation Limited vs. Micro and Small Enterprises Facilitation Council*, reported in (2025) 4 SCC 1. Learned Senior Counsel for the petitioner submits that it is well settled that mere pendency of a reference will not mean that a binding judgment which is holding the feel need not be followed.

5. We grant liberty to the petitioner herein to make an appropriate application to the High Court setting out their

contention and praying for appropriate orders. The High Court may consider such an application, if filed, on merits independently and uninfluenced by any of the observations made in this order.

6. The Special Leave Petitions are disposed of in the above terms.

7. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)