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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5694/2021 & CM APPL. 17791/2021

NK KAPUR AND COMPANY PVT. LTD. Petitioner

Through Mr. Ankur Mahindro, Adv.

versus

MICRO AND SMALL ENTERPRISES FACILITATION COUNCIL
& ANR. Respondents

Through Mr. Santosh Kumar Tripathi, SC,
GNCTD with Mr. Aditya P Khanna &
Mr. Shashank Tiwari, Advs. for R-2.
Ms. Soumyajit, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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01.06.2021

CM APPL. 17792/2021 & CM APPL. 17793/2021

1. Exemptions allowed, subject to all just exceptions.
2. The notarized affidavit and requisite Court fee to be filed within two weeks of the Court resuming physical hearing.
3. The applications stand disposed of.

W.P.(C) 5694/2021

4. The present petition has been filed by a company registered as a micro industry under the Micro, Small and Medium Enterprises Development Act, 2006 (hereinafter referred to as 'the Act') primarily raising a grievance that the petitioner's applications for recovery of delayed payment preferred before the respondent no.1 are not being taken up for consideration despite

multiple representations and attempts. The petitioner has claimed that between February and April 2021, during its visits to the premises of the respondent no.1, it was informed that the MSME Samaadhan–Delayed Payment Monitoring System was malfunctioning, being overburdened with applications, and that the respondent was still processing applications for delayed payments filed in 2017-18. It is the petitioner’s case that this is in complete contravention to the mandate of the Act.

5. Keeping in view the nature of the reliefs sought in the writ petition, it is deemed appropriate to first call for a Status Report from both the respondents setting out their pendency and the current time frame of processing applications. The said Status Report will clearly set out the vintage of the applications, the number of applications which are being disposed of every month and the reasons for the delay in processing the applications, if any. The respondents to file this status report before the next date.

6. A copy of this order be sent to the respondent no.1 for compliance.

7. List on 25.08.2021.

REKHA PALLI, J

JUNE 1, 2021

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