



110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3200-2025 (O&M)
Date of Decision :14.07.2025

M/s Kanuj Home Textiles Exim ...Petitioner

Versus

M/s Pahwa Impex Pvt LtdRespondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sukesh Kumar Jindal, Advocate for the petitioner.

TRIBHUVAN DAHIYA, J. (ORAL)

CM no.12227-CII of 2025

Application is allowed and the short/zimni orders passed by Additional District Judge, Karnal, are taken on record as Annexure P-6, subject to all just exceptions.

CR-3200-2025

The petition has been filed, *inter alia*, seeking a direction to Additional District Judge, Karnal, to decide the petitioner's application under Section 19 of the Micro, Small and Medium Enterprises Development Act, 2006, (MSMED Act), dated 03.10.2022, in case no.ARB/15/2021 titled *M/s Pahwa Impex Pvt. Ltd. v. M/s Kanuj Home Enterprises Exim*, in a time bound manner.

2. Learned counsel contends that arbitral award, dated 09.01.2020, was passed in the petitioner's favour, against which the respondent filed objections under Section 34 of the Arbitration and Conciliation Act, 1996, and notice was issued to the petitioner herein on 02.11.2021. On appearance, it



filed an application, dated 03.10.2022, seeking directions to the respondent-judgment-debtor to deposit seventy five per cent of the decretal amount as per the mandate of Section 19 of MSMED Act, 2006. Notice of the application was issued to the respondent and reply to the application on its behalf was also filed on 18.09.2023. However, despite lapse of more than two years, the application has not been decided, though without compliance of the requirements of Section 19, the objection petition itself cannot be entertained. Reference has also been made to the last order dated 29.05.2025, whereby the matter has been adjourned for arguments.

3. As the directions being issued are not to the prejudice of any of the parties, service of notice on the respondent is hereby dispensed with.

4. Keeping in view the fact that petitioner's application seeking compliance of provisions of Section 19 of MSMED Act by the objector (respondent herein) has not been decided even after a lapse of more than two and half years, it is deemed appropriate to direct the learned Additional District Judge, Karnal, to finally decide the application, dated 03.10.2022, within a period of four weeks.

5. Disposed of in the aforesaid terms.

July 14, 2025

ps

**(TRIBHUVAN DAHIYA)
JUDGE**

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*