

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). 56798/2025

[Arising out of impugned final judgment and order dated 11-07-2025 in CWP No. 6498/2021 11-07-2025 in ARB C No. 72/2021 passed by the High Court of Himachal Pradesh at Shimla]

M/S MEDIPOL PHARMACEUTICALS INDIA PVT LTD

Petitioner(s)

VERSUS

THE BIHAR MEDICAL SERVICES AND INFRASTRUCTURE CORPORATION LIMITED &
ORS.Respondent(s)

IA No. 315274/2025 - CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 315268/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 315270/2025 - EXEMPTION FROM FILING O.T.

IA No. 315266/2025 - PERMISSION TO FILE LENGTHY LIST OF DATES

Date : 17-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr Shadan Farasat, Sr. Adv.

Mr Abhishek Babbar, Adv.

Ms Poonam Atey, Adv.

Priyam Tiwari, Adv.

Mr Harshit Anand, Adv.

Mr Samman Vardhan Gautam, Adv.

Ms Khushi Sharma, Adv.

Ms Anshika Priyadarshini, Adv.

Mr. Birendra Kumar Mishra, AOR

For Respondent(s) :

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

1. Delay condoned.

2. The submission of the learned counsel
for the petitioner is that High Court

clearly exceeded its jurisdiction by entertaining a direct challenge to the award particularly when there was a statutory remedy available under the provisions of the Micro, Small and Medium Enterprises Development Act, 2006 (for short "MSME Act, 2006") read with Section 34 of the Arbitration and Conciliation Act, 1996. Reliance is placed on a decision of this Court in *India Glycols Ltd. and Anr. Vs. Micro and Small Enterprises Facilitation Council, Medchal-Malkajgiri and Ors.*¹

3. Issue notice, returnable on 27.01.2026.

4. In the meantime, the direction to appoint a fresh arbitrator as contained in paragraph 61 of the impugned order shall remain stayed.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)