

GOVERNMENT of BIHAR
Micro and Small Enterprises Facilitation Council
Under MSMED Act, 2006
Directorate of Industries
2nd Floor, New Secretariat, Patna- 800 015

Reference No.- 08/2018

M/s Shrawasthi Agrotech Pvt. Ltd., 306, 307 3rd Floor, Verma Centre, Boring
Road Crossing, Patna-800001

Versus

M/s Petarwar Gramin Poultry Sales Co-Operative Society Managing Committee,
, New Metro Market, Near Jharkhand Gramin Bank, Petarwar, Bokaro,
Jharkhand-829121

Date of hearing: 22nd May, 2019

Quorum: 1. Sri Pankaj Kumar Singh, Director of Industries, Bihar, Patna- Chairman
2. Sri Surendra Kumar, Deputy Secretary, Law Department, Bihar, Patna.- Member
3. Sri Bipul Kumar, Manager, State Level Bankers Committee Member
4. Sri S.K. Patwari, Bihar Chamber of Commerce & Ind.- Member
5. Sri Nisheeth Jaiswal, Bihar Industries Association- Member

For Applicant (s): Mr. Rakesh Prasad

For Respondent (s): Mr. Anirudh Thakur, Advocate.

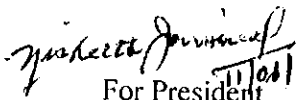
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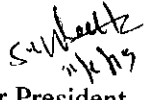
The instant case was taken up by the Micro and Small Enterprises Facilitation Council (hereinafter referred to as "Council").

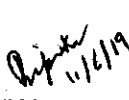
M/s Shrawasthi Agrotech Pvt. Ltd., 3rd Floor, 306, 307 Verma Centre, Boring Road Crossing, Patna-800001 has filed a complaint under Section 18 of the Micro, Small and Medium Enterprises Development (MSMED) Act, 2006 before the Micro and Small Enterprises Facilitation Council, Bihar, Patna for a direction to ensure payment of Principal amount Rs. 3,03,143/- (Rupees Three Lakh Three Thousand One Hundred Forty Three) only for the Goods supplied to M/s Petarwar Gramin Poultry Sales Co-Operative Society, Bokaro, Jharkhand plus interest of Rs. 12,19,188/- totalling Rs. 15,22,331/- (Rupees Fifteen Lakh Twenty Two Thousand Three Hundred Thirty One) as per section 16 of the MSMED Act.


Copy of the complaint was forwarded to the Respondent Buyer by the applicant; however a copy of the same was also sent vide this Council Letter No. 4261 dated 03rd December, 2018.


The Opposite Party vide his letter dated 27-12-2018 has not denied the claim of the applicant but demanded copy of Udyog Aadhaar Memorandum and Registration Certificate of Registrar of Company which is not relevant. The Opposite Party should have denied the claim of the applicant or controvert the claim. However, the Council directed the Applicant to file their claim in duplicate within fifteen days before the Council duly certified by the Chartered Accountant and supported by the affidavit. After receipt of the claim the Council Secretariat shall send the copy to the Opposite Party. The Opposite Party was directed to send their response within fifteen days of receipt of the claim.


For President
Bihar Industries
Association, Patna
Member


For President
Bihar Chamber of
Commerce, Patna
Member


Manager,
SLBC, SBI
Bihar, Patna
Member


Deputy Secretary
Law Department
Bihar, Patna
Member


Director of
Industries, Bihar
Chairperson
MSEFC, Bihar

Memo No.-2/DI/ FC-16-05/2017- 2263..... Patna, dated 14.6.19

CC: Members of MSEFC- Deputy Secretary, Law Department, Bihar, Patna/Manager, SLBC, SBI, Gandhi Maidan, Bihar, Patna/President, Bihar Chamber of Commerce and Industries, Khemchand Choudhary Marg, Patna/ President, Bihar Industries Association, Sinha Library Road, Patna for information.

CC: PA to the Director of Industries, Bihar, Patna for information.

CC: I. T. Manager, Industries Department, Bihar, Patna for information and necessary action.

Speed/Reg. Post

Joint Director of Industries
Bihar, Patna

Memo No.-2/DI/ FC-16-05/2017- 2263..... Patna, dated 14.6.19

CC: Shri Rakesh Prasad M/s Shrawasthi Agrotech Pvt. Ltd., 306, 307 3rd Floor, Verma Centre, Boring Road Crossing, Patna-800001

CC: M/s Petarwar Gramin Poultry Sales Co-Operative Society Managing Committee, Head. – Dr. Deepak Prasad Sinha, New Metro Market, Near Jharkhand Gramin Bank, Petarwar, Bokaro, Jharkhand-829121

Joint Director of Industries
Bihar, Patna