

Justice Deepak Verma

Former Judge
Supreme Court of India

FOREWORD

The Micro, Small and Medium Enterprises (MSME) sector has long been recognised as the economic backbone of India, not merely for its contribution to GDP and employment, but for its central role in sustaining entrepreneurship, innovation and inclusive economic growth. Notwithstanding its undeniable importance, the MSME sector has historically remained susceptible to structural inequities, particularly delayed payments, unequal bargaining power, and procedural complexities that often render statutory protections illusory. It is in this context that the present work, *MSME Digest*, authored by Shri Mukesh Mohan Gupta, assumes profound legal and practical significance.

This Digest is far more than a mere compilation of judicial decisions. It is a carefully curated repository of judicial thought, reflecting the evolving jurisprudence of the Hon'ble Supreme Court of India and various High Courts on the interpretation and application of the Micro, Small and Medium Enterprises Development Act, 2006 and allied statutes. The author has undertaken the arduous task of bringing coherence to a body of law that is otherwise fragmented across reports, journals and databases, thereby rendering an invaluable service to the legal fraternity, policymakers and MSME stakeholders alike.

What distinguishes this work is its fidelity to legislative intent and constitutional values. The judgments collated in this Digest consistently underscore that the MSME Act is a beneficial legislation, enacted to protect a class of enterprises that are economically indispensable yet institutionally vulnerable. The Courts have repeatedly emphasised that remedies provided under this enactment must be interpreted purposively, so as to advance access to justice rather than frustrate it through technical or hyper-formalistic constructions. This Digest captures and presents that judicial ethos with commendable clarity, coherence, and precision.



The author's deep professional engagement with banking, finance, and MSME policy is manifest in the analytical rigour and structural clarity of this Digest. Each judicial decision has been systematically examined through its factual matrix, the legal issues arising therefrom, the ratio decidendi, and the attendant practical consequences. This structured approach enhances the utility of the work as a tool for legal research while also making it clear, accessible, and practical for MSME stakeholders, enabling them to understand their statutory rights and available remedies, an audience that is frequently overlooked in conventional law reports.

In an era where commercial disputes threaten to erode trust, liquidity, and sustainability within the MSME ecosystem, this Digest operates as a reliable legal compass and a normative guide. It reminds us that the rule of law must operate as an instrument of economic justice, ensuring that statutory protections translate into real and enforceable rights. The author's careful treatment of Facilitation Councils, arbitration mechanisms, and the role of judicial oversight reflects a balanced and nuanced vision that preserves commercial autonomy while steadfastly upholding legislative safeguards.

I commend Shri Mukesh Mohan Gupta for his scholarly diligence, perseverance and unwavering commitment to the MSME sector. This Digest is poised to become a standard reference for advocates, judges, arbitrators, chartered accountants, company secretaries, and administrators engaged with MSME-related disputes. More significantly, it carries the potential to empower countless small enterprises to assert their lawful claims with confidence, clarity, and procedural certainty.

It is my earnest hope that this work will make a meaningful contribution to the evolving jurisprudence under the MSME regime and, in doing so, strengthen the foundations of India's framework for economic justice and equitable commercial growth.



Justice Deepak Verma
Former Judge
Supreme Court of India