

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 10221 of 2025****With****R/SPECIAL CIVIL APPLICATION NO. 10308 of 2025**

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COMMODITY ALPHA PRIVATE LIMITED THROUGH HARSH LILADHAR GARG

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR. VAIBHAV K. JAJOO(14241) for the Petitioner(s) No. 1

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

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CORAM:HONOURABLE MR. JUSTICE A.S. SUPEHIA***and******HONOURABLE MR. JUSTICE PRANAV TRIVEDI*****Date : 18/12/2025****ORAL ORDER*****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)***

Learned Assistant Government Pleader Mr. Harshvardhan Sharma on instructions submitted that since the respondents are desirous to engage learned Advocate General in the matter, he requests for some time.

At this stage learned advocate Mr. Vaibhav Jajoo for the petitioner submitted that as recorded in the order dated 12.11.2025 he did not press the issue of limitation and since Larger Bench is not to be constituted, the petitioner may be allowed to raise the issue of limitation by placing reliance on the decision of this Court. Thus, in view of this development, we accede to the request of learned advocate Mr. Jajoo and the observation made in the order dated 12.11.2025 to the extent of not pressing the issue of limitation by learned advocate Mr. Jajoo is hereby recalled. However, it will be open for the learned advocate for the petitioner to press the issue of limitation at the time of hearing of the writ petition.

At this stage, learned advocate Mr. Jajoo prays for interim relief against the order of recovery. Learned Assistant Government Pleader Mr. Harshvardhan Sharma on instructions has submitted that presently the respondent department is not desirous of initiating any recovery proceedings.

List the matters on **29.01.2026**.

(A. S. SUPEHIA, J)

(PRANAV TRIVEDI, J)

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