

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 17849 of 2025**

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M/S. ADANI POWER LTD. & ANR.
Versus
THE UNION OF INDIA & ANR.

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Appearance:

MR. KAMAL TRIVEDI, SR. ADVOCATE ASSISTED BY MR. PARITOSH GUPTA WITH ADVOCATES MR. VINAY VISHEN AND NISARG BHARDWAJ FOR GUPTA LAW ASSOCIATES(9818) for the Petitioner(s) No. 1,2
MR CB GUPTA(1685) for the Respondent(s) No. 2
MR PRADIP D BHATE(1523) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA
and
HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 19/02/2026

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)

1. Issue notice, returnable on 05.03.2026. Learned Senior Standing Counsel Mr. C.B. Gupta waives service of notice on behalf of respondent No.2.
2. Learned Senior Standing Counsel Mr. C.B. Gupta is unable to point out that the impugned decision dated 11.07.2017 has been taken without issuance of show-cause notice, which has been conveyed in the information under the Right to Information Act, 2005, on 20.05.2025. He has also submitted that the refund application of the petitioner was already returned. He has submitted that in case the petitioner makes fresh refund application, the same will be decided by the authorities.
3. We do not subscribe to the submissions advanced by

learned Senior Standing Counsel Mr. Gupta. We direct the respondents to take appropriate decision on the refund application, which has been returned by the respondent authorities by the next date of hearing.

4. List the matter on the top of the Board.

(A. S. SUPEHIA, J)

(PRANAV TRIVEDI,J)

SAJ GEORGE/DB/48