

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2245 of 2025**

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PATEL BHARATKUMAR KESHAVLAL

Versus

MR. GUPTA, ASSET MAANGER & ORS.

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Appearance:

MR FB BRAHMBHATT(1016) for the Petitioner(s) No. 1

MR KUNAN B NAIK(3210) for the Respondent(s) No. 1,2

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CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR.JUSTICE D.N.RAY

Date : 14/08/2025

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. The petitioner herein is aggrieved by the inaction on the part of the ONGC in properly compensating him for the damage caused to his agricultural land, on account of release of chemical water into the petitioner's land because of faulty pipelines laid down by the ONGC.

2. It is submitted that the chemical water spread over the lands in question due to the pipe leakage, as the ONGC pipelines are running adjacent to the agricultural field of the petitioner.

3. A categorical statement has been made that the pipelines of ONGC are laid on the eastern side at a distance of

30 mts from the field of the petitioner and during monsoon season, in the year 2020, because of the pipe leakage, the chemical waste water got stored in the field of the petitioner, which had caused huge loss of fertility of the agricultural land. On a complaint made by the petitioner to the concerned engineer, the petitioner was threatened.

4. The respondent Corporation, vide letter dated 10.06.2020, gave a casual reply that there was no damage to the field of the petitioner and fertility of the land cannot be said to have been affected. Again on the agitation made by the petitioner, the ONGC made a soil test of the lands in question, namely survey Nos. 431/1, 431 / 2 and 431 / 3 in their laboratory and gave the results that there was no damage. However, the petitioner on his own, got soil test done at the Agricultural University, Anand for Survey No.431 and it was transpired that the land in question is damaged and became unfertile because of the higher PH value. The report of the Agricultural University, Anand is appended as Annexure 'D' to the writ petition.

5. The petitioner, thereafter, kept on writing letters to the concerned authorities of the ONGC but no heed had been paid. The submission is that two incidents of chemical waste water leakage had occurred in the year 2020 and 2021 but there has been no corrective steps on the part of the ONGC nor any compensation is paid to the petitioner for permanent damage caused to the land in question.

6. Taking note of the above, we require the learned counsel for the petitioner to make corrections in the description of array of parties by deleting the officers impleaded by name and impleading correct description of the officers of the ONGC by moving a proper impleadment application. The Collector, Mehsana shall also be impleaded as respondent in the writ petition.

7. The matter be posted on **28.08.2025**.

8. Mr.Kunan B. Naik, the learned advocate appearing for the respondent ONGC shall complete his instructions.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

SAHIL S. RANGER

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: SAHIL SAMIULLA RANGER(HC01898), PRIVATE SECRETARY, at High Court of Gujarat on 14/08/2025 17:28:34