

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

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PATEL BHARATKUMAR KESHAVLAL
Versus
MANAGING DIRECTOR, & ORS.

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Appearance:

MR TEJAS P SATTA(3149) for the Petitioner(s) No. 1
MR KUNAN B NAIK(3210) for the Respondent(s) No. 1,2
NANAVATI & CO.(7105) for the Respondent(s) No. 5

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**
and
HONOURABLE MR. JUSTICE D.N. RAY

Date : 07/09/2026

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

1. A copy of the report dated 01.04.2026 of Sardar Vallabhbhai National Institute of Technology, Surat submitted to the Regional Officer, GPCB , Mehsana, Gujarat is also on record.

2. Mr. Kunan B. Naik, learned advocate for the respondents no. 1 and 2 has sent a leave note.

3. The petitioner herein is aggrieved that his agricultural land has been destroyed due to leakage in the pipeline of the ONGC located on eastern side at a distance of 30 meters from the field of the petitioner.

4. When the matter was argued on 24.12.2025, this court has issued direction to the GPCB to carry out the inspection of the land in question at the cost of ONGC and to submit an inspection report and the test reports of three parameters namely toxicity, fertility and geo-technical study of the soil along with the affidavit of the GPCB dated 10.04.2026. It is stated that the samples of soil from different locations within the field of the petitioner were collected by the GPCB and the agencies. The samples were collected in presence of the petitioner as well as representative of the Corporation. Fertility, toxicity and geo-technical study of the collected soil samples were performed and report of such analysis is appended as Annexure R-1. The contention is that the expert namely Anand Agricultural University, Anand has found that the soil fertility in the land of the petitioner is slightly poor but is still suitable for cultivation. The soil fertility of the land of the petitioner is largely similar to the soil fertility of the adjoining farm lands, which are under agriculture usage.

5. The GPCB has not found any unusual rise in the toxicity parameters of the soil, except in samples of soil collected from one corner of the field. The soil from the said

localized area, admeasuring approximately 400 sq. mtrs, showed traces of crude oil contamination between 0.5 mtrs. and 1.0 mtrs. depth and requires removal and replacement of the affected soil with good quality soil.

6. The geo-technical study and soil quality analysis conducted by SVNIT (an institute) delivered an opinion that soil at two locations within the field of the petitioner is different from the remaining area of the agricultural field. At one location, brick bats were encountered at a depth of 0.5 to 1.0 mtrs. and at the second location, crude oil contamination was observed at a depth ranging from 0.5 mtrs. to 1.0 mtrs. in an area of about 400 sq. mtrs., which is located near the side of the ONGC well. It is sought to be contended that the contamination noticed in a small area of the land of the petitioner is limited in its effect and does not adversely alter or materially affect the quality of the soil in the remaining area of land. The damage to the soil is localized and not spread across the entire filed and the same can be corrected by replacing the soil of the area completely with good quality soil. The remaining agricultural land is comparable to adjoining agricultural fields and does not

show deterioration in fertility, toxicity or geo-technical characteristics.

7. In light of this affidavit of GPCB, Mr. Kunan B. Naik, appearing for the respondent - ONGC is directed to file a reply within a period of two weeks from today.

Put up on 28.09.2026.

(SUNITA AGARWAL, CJ)

VARSHA DESAI

(D.N.RAY,J)

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: VARSHABEN VAGHAJIBHAI DESAI(HC01393), PRIVATE SECRETARY, at High Court of Gujarat on 11/09/2026 11:06:18