

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 16622 of 2025**

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VIKRAM VIHABHAI SANKHAT & ORS.

Versus

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY & ORS.

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Appearance:

RONITH JOY(9560) for the Petitioner(s) No. 1,2,3,4

MS. HETAL PATEL, ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

MR. MAULIK NANAVATI FOR NANAVATI & CO.(7105) for the
Respondent(s) No. 1

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

and

HONOURABLE MR.JUSTICE D.N.RAY

Date : 08/12/2025

ORAL ORDER

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

By means of the present petition, the petitioners herein raise a serious environmental concern on account of illegal mining activities being conducted by the private respondent Nos. 4 to 6.

2. The contention in the writ petition is that the private respondent No.4 is holding a piece of land on the premise of lease granted by the District Geologist, Amreil though the environmental clearance has been refused by the State Environment Impact Assessment Authority (respondent No.1 herein). The contention is that the order dated 31.12.2024 has been passed against the private respondent No.4 herein rejecting the environment clearance

to the proposed Project under the EIA Notification 2006 with the caveat that Mining and Geology Department, Government of Gujarat shall ensure that the entire compensation be levied, if any, for illegal mining in strict compliance of the judgment of the Apex Court dated 2.8.2017 passed in **Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause v/s. Union of India & Ors.**, as outlined by the Ministry of Environment, Forest and Climate Change Office Memorandum dated 30.05.2018.

3. With regard to other two respondent Nos. 5 and 6, it is submitted that the respondent Nos. 5 and 6 had applied for obtaining environment clearance from State Environment Impact Assessment Authority in the year 2017 and 2015; respectively. The clearance was granted for block blacktrap mining in the land leased to them by the State Government in village Bhaxi, Taluka Rajula, District Amereli. However, on a complaint made by the villagers of the surrounding villages about the illegal mining activities being carried out by respondent Nos. 5 and 6, an order dated 11.12.2024 has been passed by the District Geologist restraining respondent Nos. 5 and 6 from carrying out any kind of blasting activity, though mining is permitted without carrying out blast. However, the respondents are continuing to indulge into mining/blasting activity inspite of categorical orders against them by the competent authority.

4. The contention is that even the Gujarat Pollution Control Board (GPCB) is required to take note of these illegal activities being carried out by the private respondents, inasmuch as, it results in serious environment pollution.

5. On the submissions made by the learned counsel appearing for the petitioners, permission is granted to implead the GPCB as respondent No.7 within the course of the day.
6. Notice of the present petition be served upon the panel counsel appearing for the GPCB within 24 hours.
7. Let the notice be issued to the respondent Nos. 4, 5 and 6 through speed post, returnable on 12.01.2026. Steps be taken within one week.
8. All the respondents shall file their response on affidavits on the next date fixed.
9. In the meantime, the respondent authorities are required to take appropriate measures to stop any illegal mining activities carried out by the private respondents herein.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

C.M. JOSHI