

parties submit that the issue raised in this petition is similar to the issue which was the subject matter of Writ Petition No. 3695 of 2014 which has been disposed of by an order dated 3.7.2015. It is pointed out that the case of the Petitioner finds reference in Annexure-III in the report of the One Man Committee. This annexure deals with the cases where illegal or irregular orders came to be passed, as opposed to the cases involving fake, fabricated or forged documents.

4. In view of this, this petition can also be disposed of by issuing directions similar to those issued in the order dated 3.7.2015 passed while disposing of Writ Petition No. 3695 of 2014.

5. The learned AGP, however, submits that in this case the Petitioner is the subsequent purchaser, and therefore, the issue arises as to whether such a petitioner is entitled to file an application for change of user.

6. Since the directions are to be issued to the appropriate authorities to only consider the Petitioner's application, the issue now raised by the learned AGP can also be kept open for determination by the said authority. Accordingly, for the reasons set out in the order 3.7.2015 passed in Writ Petition No. 3695 of 2014, this petition is

disposed of with the following directions:

- (a) The impugned communication dated 27th August, 2015 (Exhibit N to the petition) is hereby set aside;
- (b) The District Collector or any other Revenue Officer, who is empowered to consider the application for grant of non-agricultural use, is directed to decide the Application made by the Petitioner in accordance with law;
- (c) It is made clear that the Application shall not be rejected on the ground that the Special Leave Petitions are pending before the Apex Court as well as on the ground that the said land is included in the Annexure-III consisting of 45 cases in report of the One Man Committee;
- (d) It is made clear that this Court has not made any adjudication on the merits of the order passed under the ULC Act in relation to the said land of the Petitioner;
- (e) The Application made by the Petitioner shall be decided in accordance with law as expeditiously as possible and preferably within a period of three months from today;
- (f) The issue as to the maintainability of the Application at

the behest of the Petitioner i.e. subsequent purchaser is kept open for determination of the District Collector or any other Revenue Officer, who shall decide the application for change of user.

- (g) The rule is partly made absolute on above terms;
- (h) The District Collector of Pune to act upon an authenticated copy of this order.

Sd/-
[M. S. SONAK, J.]

Vinayak Halemath