

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2879 OF 2017

Shri. Santosh Badrinarayan	}	
Mundada	}	Petitioner
versus		
The Collector, Dist. Palghar	}	
and Ors.	}	Respondents

Mr. Vivek V. Salunkhe for the petitioner.

Mr. B. V. Samant-AGP for State.

**CORAM :- S. C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

DATE :- FEBRUARY 21, 2018

P.C. :-

1. The petitioner has made an application seeking change of user. The application is traceable to section 44 of the Maharashtra Land Revenue Code, 1966. That confers a power in the competent authority, namely, the Revenue official concerned to decide an application. The section specifically names, by sub section (2), the Collector of a district. The petitioner has made an application traceable to section 44 requesting conversion of user. This application is stated to be pending.

2. We direct that the concerned Collector shall take a decision on this application as expeditiously as possible and in any event, within a period of two months from today.

3. We clarify that we have not expressed any opinion as to whether the subject land is forest land or otherwise. Equally, we have not expressed any opinion on the merits of the application and whether that should be granted or not is entirely left to the discretion of the Collector.

4. With the aforesaid directions, the writ petition is disposed of.

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)