

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No.2602 of 2024 <u>Hon'ble Pankaj Purohit, J.</u> Mr. M.S. Tyagi, learned Senior Advocate assisted by Mr. Siddhartha Sah, learned counsel for the petitioner.</p> <p>2. Mr. Yogesh Chandra Tiwari, learned Standing Counsel for the State.</p> <p>3. By means of this writ petition, the petitioner has challenged a Government Letter dated 21.06.2024 and an order dated 11.07.2024, passed by learned Assistant Collector, Ist Class, Doiwala, Dehradun, whereby the order of exchange of the property in-question has been set aside as well as the order dated 08.07.2024 issued by learned SDM, Doiwala, Dehradun.</p> <p>4. It is case of the petitioner that the petitioner is a tenure holder of Village-Mazri Grant, Dehradun Tehsil-Doiwala. Being tenure holder of the said village, he entered into an exchange with due permission from respondent-State with Gram Sabha in respect of the property in-question and accordingly the exchange order was passed on 03.03.2022.</p> <p>5. Two villagers of Village-Mazri Grant, feeling aggrieved by the order of exchange filed a Revision No.36 of 2021-22 in the Board of Revenue and that revision was subsequently dismissed by the said Board on 27.04.2022.</p> <p>6. It is submitted by learned Senior Advocate that despite dismissal of the revision, a review was filed by the revisionist before the Board of Revenue, which is numbered as 32 of 2022-23, which is still pending consideration. But suddenly the learned Assistant Collector, Ist Class, Doiwala, Dehradun strangely without any legal provision has withdrawn the order of exchange by impugned order dated 11.07.2024 (annexure no.31).</p>

7. Now, it is feeling aggrieved the aforesaid illegal exercise of power by the learned Assistant Collector, Ist Class, Doiwala, Dehradun, the petitioner is before this Court.
8. Learned State counsel prays for and is granted six weeks' time for filing counter affidavit.
9. Two weeks' time thereafter is granted to learned counsel for the petitioner for filing rejoinder affidavit.
10. List this case on 18.12.2024.
11. In the meantime, petitioner shall not be evicted from the property in-question.
12. Stay Application (IA No.1 of 2024) stands disposed-off accordingly.

(Pankaj Purohit, J.)
25.09.2024

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