



LPA-797-2021

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**LPA-797-2021 (O&M)
RESERVED ON:16.07.2026
PRONOUNCED ON:23.07.2026
UPLOADED ON: 27.07.2026**

SUKHBIR SINGH

... Appellant

VERSUS

**FINANCIAL COMMISSIONER (REVENUE), PUNJAB AND
OTHERS**

....Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

**Present: Mr. Anmol Partap Singh Mann, Advocate
for the appellant.**

**Mr. Navneet Singh, Addl. A.G., Punjab
for respondents No.1 to 3.**

**Mr. Vinay Bajaj, Advocate
for respondent No.4.**

SUVIR SEHGAL, J.

1. This intra-Court appeal has been filed under Clause X of the Letters Patent impugning judgement dated 03.03.2020 passed by the learned Single Judge, whereby a writ petition filed by Darshan Singh, respondent No.4 herein, was allowed and the order dated 15.04.2014 (Annexure P-3) passed by the Financial Commissioner, Faridkot, was set aside.

2. The dispute in the present appeal pertains to the appointment of



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Bathinda, appointed Darshan Singh as the Lambardar, which was challenged by the appellant in an appeal. Appeal was dismissed by the Commissioner vide judgement dated 16.01.2013 (Annexure P-2). Appellant thereafter filed a revision petition before the Financial Commissioner, which has been accepted vide order dated 15.04.2014 (Annexure P-3). The impugned orders were set aside and the case was remanded to the District Collector for a fresh decision in the light of the directions given in the aforesaid order. Darshan Singh filed a writ petition assailing the order of the Financial Commissioner, which has been accepted by judgement impugned herein and the order passed by the Financial Commissioner has been set aside.

3. Mr. Anmol Partap Singh Mann, counsel for the appellant has contended that the appellant, who is 36 years of age, has to be given preference over Darshan Singh, who is more than 65 years and is a retired police official. He asserts that the appellant possesses experience, having served as 'Sarbrah Lambardar', when his father was a Lambardar. By making a reference to the comparative chart produced in the grounds of appeal, he urges that the appellant is higher qualified than respondent No. 4 and has to be given a preference for appointment as a Lambardar. Reliance has been placed by him upon judgments of Hon'ble the Supreme Court of India in **Mahavir Singh Vs. Khiali Ram and others, (2009) 3 SCC 439** and **Ishwar Singh Vs. Satbir Singh and others, (2009) 9 SCC 392** and judgments of Single Benches of this Court in **Rattan Singh Vs. Financial Commissioner Haryana and others, 2020 (1) PLR 263** and **Major Singh Vs Financial Commissioner and others, 2009 (3) RCR (Civil) 816.**



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4. Opposing him, counsel for responder No.4 has urged that merely because respondent No.4 is elder in age, cannot be a ground for ignoring him. He has drawn strength from the observations in **Daya Ram Vs. Bhagwan and others, 2015 (4) RCR (Civil) 929** as well as in **Rati Ram Vs. Financial Commissioner, Haryana and others, 2013 (2) RCR (Civil) 552**. He asserts that advanced age of respondent No. 4 does not mean that he is incapable of performing the duties of a Lambardar. It is also his argument that the choice of the Collector in the appointment of a Lambardar cannot be interfered with and has to be given priority.

5. We have considered the rival arguments addressed by counsel for parties as well as examined the documents referred to by them.

6. It is settled legal position that the choice of the Collector is paramount and should not routinely be discarded. It is equally essential that all the relevant factors are equally balanced under Rule 15 of the Punjab Land Revenue Rules and are duly considered before a person is appointed as a Lambardar.

7. By making a reference to Rule 15 *ibid*, Hon'ble the Supreme Court in **Mahavir Singh's case (supra)** observed that the hereditary claims, property possessed by the candidate, services rendered by him or his family to the State, his personal influence, character, ability and freedom from indebtedness are relevant factors to be taken into consideration in the appointment of a Lambardar. Age, experience in the work of Lambardari and educational qualifications are some of the other factors which are relevant for this purpose. In **Bhag Singh vs. Financial Commissioner**



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(Revenue), Haryana, 2001(1) RCR (Civil) 9, a Division Bench of this Court held that when the merits of the contestant parties are found to be more or less equal, rules provide that preference has to be given to hereditary claims.

8. In Major Singh's case (supra), it was observed that even though one of the candidates had a criminal case, though he was later acquitted, which may not be a disqualification, but it is a relevant factor to be considered, to be taken into account while considering the comparative merit of the candidates. As the appointee had functioned as a Sarbrah Lambardar for about 10 years and was younger in age as compared to a person who was of advanced age, this Court held that a person with experience in Lambardari should be appointed. A similar view has been expressed by this Court in Amandeep Singh Vs. State of Punjab and others, 2011 (4) SCT 18.

9. In Ishwar Singh Vs. Satbir Singh and others, (2009)9 SCC 392, Apex Court has observed that a Lambardar is the village headman and his main job is collection of land revenue. He is paid fixed remuneration as well as some commission. The criteria for appointment to the post of Lambardar, *inter alia* includes educational qualification, age, experience in working of Lambardari, land and property, character, ability and freedom from indebtedness.

10. The facts of the present case have to be examined in the light of the above-noted legal position. Vide the impugned judgement, the learned Single Judge has not considered the comparative merits and demerits of the candidates in the light of the above observations. The Court has merely proceeded on the ground that it was improper for the Financial



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Commissioner to have interfered with the order passed by the Collector. The Financial Commissioner in order dated 15.04.2014 (Annexure P-3), took into notice all the relevant factors and came to the conclusion that the decision made by the Collector required re-consideration. Accordingly, he set aside the orders passed by the Collector and the Commissioner and remitted the matter to the District Collector, Bathinda, for a fresh decision. Learned Single Judge has clearly erred in interfering with the order of the Financial Commissioner and imposing its view by restoring the order of the District Collector, without undertaking any discussion on the comparative merits, or eligibility of either of the candidates. Therefore, this Court has no other option except to interfere with the order passed by the learned Single Judge, which cannot be sustained.

11. For the foregoing reasons, the present Letters Patent Appeal is allowed. The judgement of the learned Single Judge is set aside. As a consequence, selection of respondent No.4 is also set aside and the order dated 15.04.2014 (Annexure P-3) passed by the Financial Commissioner is restored.

12. As a necessary consequence, selection proceedings are remanded to the District Collector, Bathinda with a direction to the parties to appear before him on 25.08.2026 for a fresh determination and for a fresh adjudication of their eligibility for appointment of Lambardar. District Collector shall give the opportunity of hearing to both the candidates before taking a final decision.

13. Appeal is disposed of.

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14. Pending application(s), if any, shall also stand(s) disposed of accordingly.

(SUVIR SEHGAL)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

23.07.2026
Rimpal

Whether speaking/reasoned : Yes
Whether reportable : Yes