

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

Date of decision:06.08.2015.

Gurmail Singh

.....Petitioner

v.

District Collector,Sangrur and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Amar Ashok Pathak,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner-Gurmail Singh has filed the instant writ petition challenging the orders dated 14.6.2010(P-5), 15.9.2010 (P-6) and 7.1.2015 (P-8) passed by District Collector,Sangrur, Divisional Commissioner,Patiala and Financial Commissioner,Punjab respectively, whereby respondent no.4-Jaspal Singh was appointed as Lambardar of Village Lasoi,Tehsil Malerkotla,Distt.Sangrur by District Collector Sangrur and the appeal and revision against said appointment filed by petitioner were dismissed by Divisional Commissioner,Patiala and Financial Commissioner,Punjab respectively.

At the time of arguments, it is submitted by the learned counsel for the petitioner that respondent no.4 does not hold any land in Village Lasoi and as such he is not eligible for appointment as Lambardar and thus impugned orders Annxures P5,P-6 and P-8 are liable to be set aside.

After hearing the learned counsel and perusing the impugned orders, I find no merit in this submission and the same is outrightly rejected.

District Collector, Sangrur in his order dated 14.6.2010(P-5) has noticed that respondent no.4-Jaspal Singh owns 15 bighas of land besides owning land in Village Hazurgarh which is part of land of Village Lasoi and there is one Panchayat for both the Villages i.e. Lasoi and Hazurgarh.

Learned counsel further by referring to FIR No.60 dated 30.4.2013 under Sections 365,343,420,465,467,471,120-B IPC,PS Ahmedgarh (P-7) registered against respondent Jaspal Singh and others has tried to find fault with the appointment of respondent no.4 as Lambardar. However, even this submission lacks merit and is rejected. It is not disputed that the respondent no.4 was appointed as Lambardar vide order date 14.6.2010 and the FIR was registered in the year 2013. Thus at the relevant time there was no case against respondent no.4. It is also not disputed that till date respondent no.4 has not been convicted by any court of law to disqualify him from the post of Lambardar.

In view of the above, finding no merit in this writ petition the same is hereby dismissed.

06.08.2015.
joshi

(Jaswant Singh)
Judge