

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

Date of decision:30.03.2015.

Narinder Singh

.....Petitioner

v.

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.S.S.Sodhi,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Malkiat Singh-respondent no.4 was selected as Lambardar of *Be-Chirag* Village Mohla by Collector Hoshiarpur vide order dated 30.11.2006(P-2). The said order was upheld by the Commissioner, Jalandhar Division, Jalandhar vide order dated 9.8.2007(P-3). Revision filed by the present petitioner -Narinder Singh was allowed by Financial Commissioner vide order dated 19.1.2011 (P-4) while setting aside the previous orders and appointing the petitioner as Lambardar of said Village. Respondent no.4-Malkiat Singh challenged the said order dated 19.1.2011(P-4) by filing CWP No.14775/2011 before this Court on the ground that Narinder Singh was a resident of adjoining Village Safdarpur Maheshara and Malkiat Singh was also a resident of Village Kairan but falling within the same Patwar Circle Bhusha, Tehsil Dasuya was more suitable and thus order dated 19.1.2011(P-4) liable to be set aside. This Court vide order dated 12.12.2013(P-5) upheld the

contention of Malkiat Singh and set aside order dated 19.1.2011(P-4) while remanding the case back to the Financial Commissioner to decide the matter afresh after taking report of Patwar Circle Bhusha. Subsequently impugned order dated 30.5.2014(P-7) has been passed by the revisional authority after obtaining report of the Patwar Circle and upheld the appointment of Malkiat Singh as Lambardar.

After hearing learned counsel for the petitioner this Court finds that no case for interference is made out.

It has been noticed that respondent no.4-Malkiat Singh is more experienced and mature than petitioner and has higher merit than the petitioner, apart from the fact that the petitioner is a resident of Village Safdarpur Maheshara which does not fall within the Patwar Circle of Village Mohla.

The argument raised by the learned counsel for petitioner that change of Patwar Circle is a subsequent development, is also untenable since the order dated 12.12.2013(P-5) was passed by this Court in the presence of counsel for the petitioner whereby a direction was issued to the learned Financial Commissioner to pass an order afresh in view of change of Patwar Circle.

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

30.03.2015.
joshi

(Jaswant Singh)
Judge