

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

Date of decision:08.05.2015.

Sohan Lal

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Ravinder Malik,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner-Sohan Lal, an unsuccessful aspirant for the post of Lambardar (General Category) of Village Tajakpur, Tehsil Jagadhari, District Yamuna Nagar has filed the instant writ petition wherein challenge has been laid to the order dated 25.5.2011(P-1) passed by respondent no.3/ Collector-cum- Deputy Commissioner Yamuna Nagar whereby respondent no.4 Sanjiv Kumar was appointed as Lambardar. Further challenge is to the order dated 23.1.2013(P-2) passed by respondent no.2/Commissioner,Ambala Division,Ambala whereby appeal of the petitioner was dismissed and further challenge is to the order dated 29.10.2013(P-3) passed by respondent no.1/Financial Commissioner(Revenue)Haryana whereby revision filed by the petitioner was dismissed.

It is contended by the learned counsel for the petitioner that

two criminal cases were registered against respondent no.4-Sanjiv Kumar during the proceedings for appointment to the post of Lambardar, yet petitioner's candidature has been rejected inter alia on the ground that petitioner was involved in a criminal case vide FIR No.116 dated 15.5.2010 under Sections 148,149,452,427,323,325,506, PS Sadar,Yamuna Nagar. It is thus sought to be projected that petitioner has been discriminated while considering his candidature for the post of Lambardar.

After hearing the learned counsel and perusing the impugned orders, in my opinion, there is no illegality or perversity in the impugned orders and hence the present writ petition is liable to be dismissed.

It has been held by the authorities below that both the candidates were Matriculate. While 117 residents of village supported the candidature of petitioner for the post of Lambardar, 212 villagers supported the case of the selected candidate-respondent no.4-Sanjiv Kumar. Besides, Sanjiv Kumar was son of deceased Lambarda Jag Ram and had experience of Lambardari work.

As regards registration of criminal cases against respondent no.4, both cases i.e. FIR No.87 dated 31.8.2012, PS Buria,Distt.Yamuna Nagar and FIR No.151 dated 31.8.2012, PS Yamuna Nagar were registered against him after his selection to the office of Lambardar. On the other hand there already existed a criminal case viz. FIR No.116 dated 15.5.2010 under Sections

148,149,452,427,323,325,506, PS Sadar,Yamuna Nagar on the date when petitioner's candidature was considered. Thus, it cannot be said that petitioner has been discriminated on the ground that there existed a criminal case registered against him.

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

08.05.2015.
joshi

(Jaswant Singh)
Judge