

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

LPA No. 721 of 2015

DATE OF DECISION : 11.05.2015

Balinder Singh

.... APPELLANT

Versus

Financial Commissioner, Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Vineet Chaudhary, Advocate,
for the appellant.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 07.04.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 5475 of 2015) filed by the appellant challenging the orders passed by the revenue authorities appointing Jagjit Singh (respondent No.4 herein) as Lambardar of village Langer Chhanni, District Ambala, has been dismissed.

We have heard learned counsel for the appellant and have gone through the order passed by the learned Single Judge, as well as the orders passed by the revenue authorities.

The Collector, while appointing respondent No.4 as Lambardar of the village, had considered the comparative merits and de-merits of all

the candidates. In our opinion, after appreciating all the material available on record, the Collector vide order dated 31.03.2010 (Annexure P-1) had rightly appointed respondent No.4 as Lambardar of the village. The said order was upheld by the Commissioner and the Financial Commissioner vide orders dated 31.08.2010 and 27.01.2015 (Annexures P-3 and P-5). The writ petition filed by the appellant challenging the aforesaid orders of the revenue authorities has also been dismissed by the learned Single Judge. It is well settled that choice of the Collector in the matter of appointment of Lambardar can be disturbed only when the order passed in this regard is totally perverse or against the provisions of the Revenue Act. That is not the position in the instant case.

The appellant claims himself to be more meritorious than respondent No.4 on the ground that he (aged about 35 years) is slightly younger to respondent No.4 (aged about 55 years); and that he owns 88 kanals 2 marlas of agricultural land, whereas respondent No.4 owns 31 kanals 9 marlas of agricultural land. In our opinion, these facts were duly considered by the Collector and the other revenue authorities in appeal and revision. On these grounds, at this stage of the LPA, these facts cannot be given any weight.

Learned counsel for the appellant argued that at one point of time, respondent No.4 was involved in a criminal case under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

However, it is an admitted fact that the FIR in the said criminal case registered against respondent No.4 was quashed on the basis of compromise between the parties.

Keeping in view all the aforesaid facts, we do not find any force in the instant appeal and in our opinion, no interference is required in the order passed by the learned Single Judge, upholding the orders passed by the revenue authorities.

No merit. Dismissed.

**(SATISH KUMAR MITTAL)
JUDGE**

May 11, 2015
ndj

**(HARINDER SINGH SIDHU)
JUDGE**