

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

**CWP No.10232 of 2017
Date of decision:12.05.2017**

Sunil Kumar

... Petitioner

Vs.

Financial Commissioner, Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Jai Vir Yadav, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the impugned orders dated 27.10.2016 (Annexure P-2) and 27.03.2017 (Annexure P-4), whereby, the appeal preferred by the un-selected candidates had been accepted by the Commissioner on the premise that the Collector while dealing with the applications of all the candidates including the petitioner has not given any finding as to how the aforementioned candidates were not eligible. However, the revision petition preferred against the same has been dismissed by the Financial Commissioner. The order of the Collector is reasonable and should not have been tinkered with until and unless it suffers from illegality and perversity and thus, urges this Court for setting aside the orders under challenge.

I have heard learned counsel for the petitioner and appraised the paper book.

No doubt, the Collector had noted down the arguments of the respective parties but while assigning the reasons has only considered the candidature of the petitioner in the order dated 02.09.2015. The relevant portion of the finding reads as under:-

“After perusal of the file and hearing the counsel for claimants I have come to the conclusion that the claimant Sunil Kumar is more suitable and eligible than other claimants. This claimant has contributed towards Small Saving Schemes, Family Welfare Scheme and is permanent resident of village Staundi and is B.A pass, social person, the claimant is not in illegal possession of any government and Panchayat land, his character is good. The Assistant Collector Iind Grade-cum-Naib Tehsildar, Gharaunda has also recommended his name being appointed as Lambardar. Thus, Shri Sunil Kumar son of Sh. Balwan Singh is hereby appointed as Lambardar of village Staundi, Tehsil Gharaunda, Distt. Karnal of general category against the vacant post of Sh. Ram Kishan Lambardar since deceased. File be consigned to record room after due compliance.”

This is what precisely has been noticed by the Commissioner and the order of the Collector is bereft of the reasoning with regard to non-qualification or non-consideration of the un-selected candidates.

In my view, no harm and prejudice would be caused to the petitioner by the remand order .

No ground is made out for interference in the impugned orders.
Accordingly, the writ petition is dismissed.

(AMIT RAWAL)
JUDGE

May 12, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No