

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.1166 of 2017
Date of Decision.24.01.2017

PardeepPetitioner
Vs

The Financial Commissioner Revenue and othersRespondents

Present: Mr. Deepak Kundu, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner is aggrieved of the impugned orders whereby the private respondent No.6-Mange Ram has been appointed as Lambardar.

Learned counsel for the petitioner submits that the petitioner has more educational qualification being an Advocate practicing in District Court. He also stated that the petitioner is a social person and has taken huge interest in the Pulse Polio campaign and undergone training relating to Nehru Yuva Sanghtan, Rewari, Sport and Youth from the Government of India and has also worked for plantation in his own village and nearby villages. He has participated in the blood donation and taken huge interest in the religious activities. All these facts did not weigh in the mind of the authorities and the order appointing Mange Ram as Lambardar is, thus, erroneous.

There were many candidates but the petitioner is the most suitable person for such post. These facts have not been noticed by the authorities below and therefore, the orders under challenge are liable to be set aside.

I have heard learned counsel for the petitioner and appraised the paper book. Mange Ram, who has been appointed as Lambardar, produced

26 witnesses in his favour and education certificate, ratio card,

commendation letter, donation receipt, registration of vehicle, donation for Goshala (cow shelter) and for blind children, blood donation certificate, commendation certificate, family planning, PACL certificate given by Headmaster, jamabandi and mutation of village Dakhora and Nangal, receipt of amount of donation for girls etc. All these factors weighed in the mind of the authorities and particularly, the Assistant Collector Grade II, resulting into his appointment.

The petitioner, who is an Advocate, would not be available for rendering assistance to the local villagers as a Lambardar, as the profession of an Advocate is at higher pedestal than of a Lambardar. It is a respectful profession where people has higher regard for such a noble profession. He cannot be available as he would be engaged in pursuing his matters in the Court. Assuming for the argument's sake that he is conducting cross-examination that may continue for full day and in the meantime, his presence is required for attestation of document for the purpose of registration, it would not be possible for him to be available for the purpose of attestation. In this backdrop of the matter, the authorities below approved the appointment of private respondent as Lambardar.

For the reasons aforementioned, I do not intend to differ with the recommendation approved by the authorities below, much less, the case does not fall within the scope of judicial review. No ground for interference is made out. The writ petition stands dismissed.

(AMIT RAWAL)
JUDGE

January 24, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No