

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

**CWP No.11861 of 2017
Date of Decision.26.05.2017**

Daljit Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

Present: Ms. Amandeep Soni, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

-. -

AMIT RAWAL J.(ORAL)

The petitioner is aggrieved of the impugned order whereby his appointment as Lambardar working since 1986 has been set aside, primarily on the ground that he is permanent resident of Canada.

Ms. Amandeep Soni, learned counsel appearing on behalf of the petitioner submits that the private respondent has acted as whistle blower, as none of the residents of the village, has come forward regarding the non-availability of the petitioner for the purpose of discharging duties of the Headman/Lambardar. He has voter ID card and Indian Passport. All these factors leads to irresistible conclusion that petitioner is basically resident of India holding Indian Passport but had been visiting Canada to stay with the children who were settled over there. All these aspects have not been taken into consideration by the authorities and therefore, initiation of fresh process of Lambardar is not called for and liable to be set aside.

I have heard learned counsel for the petitioner and appraised the paper book. Copy of the passport and at page 22 of the paper book is the Visa issued by United States of America w.e.f. 26.10.2011 to 24.10.2021 and with annotation of Permanent Resident in Canada. On the

aforementioned annotation caused against the petitioner that he is Permanent Resident of Canda, Visa of American Agency has been issued to the petitioner. Even issuing post name is also mentioned as Vancouver. The aforementioned document is the clincher that the petitioner is not permanent resident of India/place where he had been appointed as Lambardar, therefore, the residents of the village definitely having a difficulty in pursuing their works/needs owing to non-availability which the Headman is required to discharge.

The order giving direction to initiate process of filling up the vacant post of Lambardar is perfectly legal and justified and no ground for interference is made out. The writ petition is dismissed.

(AMIT RAWAL)
JUDGE

May 26, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No