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

CWP-12397-2017

Date of decision : 31.05.2017

Balbir Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

AMIT RAWAL, J. (ORAL)

Ms. Amandeep Soni, learned counsel appearing on behalf of the petitioner submits that it is a case of a second remand for filling up the post of Lambardar, whereas in the first round of litigation, the petitioner had been appointed as Lambardar by the Collector and affirmed by the Commissioner. Though the Financial Commissioner remanded the matter and on remand, the petitioner was also appointed as Lambardar, but the Commissioner, in an appeal preferred by the private respondent, remanded the matter, which was assailed before the Financial Commissioner, who had sought the record, but in the meantime, the Collector has continued with the proceedings and appointed the private respondent as Lambardar.

This Court confronted with Ms. Soni, as it would be a futile and farcical exercise in pursuing the remedy/matter before the Financial Commissioner as fresh cause of action has accrued owing to the passing of

the order of Collector, in essence, the order of the Collector appointing the private respondent as Lambardar is required to be challenged.

Faced with the aforementioned situation, Ms. Amandeep Soni, learned counsel appearing on behalf of the petitioner seeks liberty of this Court to enable her client to challenge the aforementioned order in accordance with law.

Ordered accordingly.

Disposed of in the aforementioned terms.

31.05.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No