

CWP No.13237 of 2017

[1]

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

**CWP No.13237 of 2017
Date of decision:06.09.2017**

Anil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Mukesh Yadav, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

The petitioner has challenged the appointment of respondent no.5 to the post of Lambardar of village Rasulpur, Tehsil Kanina, District Mahendergarh. Both the recommending authorities recommended the name of respondent no.5 to the Collector who, vide his order dated 02.03.2015, found him more suitable than the other candidates and appointed him as Lambardar. The order of the Collector dated 02.03.2015 was challenged by the petitioner before the Divisional Commissioner without any success.

Counsel for the petitioner has submitted that the petitioner is a practicing advocate in the Courts at Kanina and is more capable and suitable for the post of Lambardar.

I have heard learned counsel for the petitioner and examined the available record.

It is now well settled that the choice of the Collector has to be respected until and unless there is perversity in his approach. The petitioner

has alleged that he is B.A.LL.B., 32 years of age, having 5 kanals of land, deposited ₹1,50,000/- in the small savings and is more meritorious than the candidate who has been appointed, who is elder in age and having 2 kanals of land. The Collector, however, found that the petitioner is an advocate, who remains busy in his profession in the Courts at Kanina and it is not possible for him to perform the duties of Lambardar, whereas respondent no.5 has been found to be a more suitable candidate because he has done more family planning cases and also donated his eyes, which fact has been appreciated by the Collector.

Thus, in the absence of any perversity in the approach of the Collector, no interference in this petition is called for and hence, the same is hereby dismissed.

September 06, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No