

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

**CWP No.18947 of 2014
Date of Decision: 04.07.2017**

Avtar Singh

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Kehar Singh Hissowal, Advocate,
for the petitioner.

Ms.Deepali Puri, Addl. A.G., Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed in order to challenge the concurrent finding recorded by the revenue authorities in the matter of appointment of the Village Headman/Lambardar of village Badhni Kalan, Tehsil Nihal Singh Wala, District Moga.

Learned counsel for the petitioner has submitted that the petitioner is more meritorious than the private respondent, who has been appointed and there are allegations of fraud made by the villagers against the candidate appointed.

I have heard learned counsel for the parties and after examining the record, am of the considered opinion that for the purpose of assailing the appointing of Lambardar, the petitioner has to set up a strong case based upon the violation of the rules under which the Lambardar is appointed or has to point out perversity in the order of the Collector. It is also well settled that the choice of the Collector has to be respected until and unless the

petitioner, who is challenging the appointment, bring before the Court the evidence which has been wrongly appreciated or the evidence which has not been appreciated at the time of appointment by the Collector. In the absence of any perversity in the order of the Collector, the Court cannot interfere in the selection of the candidate, under the Punjab Land Revenue (Lambardari) Rules, 1908, for the post of appointment of Lambardar.

Dismissed.

04.07.2017
Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*