

CWP No.14579 of 2017

[1]

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

**CWP No.14579 of 2017
Date of decision:26.07.2017**

Suresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Shilak Ram Hooda, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The post of Lambardar of General category of village Fatehpur, Tehsil and District Sonapat became available on the death of Krishan Lal Lambardar. Applications were invited from the eligible candidates after following the due procedure and two applicants, namely, the petitioner and respondent no.5 were there in contest. The Tehsildar recommended the name of the petitioner, whereas the SDO(C), Sonapat recommended the name of respondent no.5. The Collector, after considering *inter-se* merits of both the candidates, appointed respondent no.5 as Lambardar, finding him more suitable. His order dated 21.12.2011 was challenged by the petitioner in appeal, which was dismissed by the Divisional Commissioner on 24.01.2014 and the order of the Divisional Commissioner was further upheld in revision by the Financial Commissioner vide his order dated 23.08.2016. Hence, the present petition has been filed impugning all the orders passed by the revenue authorities.

Counsel for the petitioner has submitted that respondent no.5 is in unauthorized possession of the panchayat land. However, he has fairly conceded that so far, there is no decision in this regard except for an application having been filed by the petitioner under Section 7 of the Punjab Village Common Lands (Regulations) Act, 1961. He has also submitted that respondent no.5 was a defaulter. This aspect has also been considered by the authorities concerned and unanimously appointed respondent no.5 as Lambardar.

No other point has been raised.

In view thereof, I do not find any merit in the present petition for the purpose of interference by this Court and hence, the same is hereby dismissed, though without any order as to costs.

July 26, 2017
vinod*

(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No