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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25383-2016

Date of decision : 07.04.2017

Hari Singh

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Aman Dhir, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

The petitioner has approached this Court for issuance of a writ in the nature of *mandamus* directing the respondent(s) to take action in pursuance to the inquiry report dated 04.08.2016 (Annexure P-4), whereby it has been held that the private respondent(s) is 8th plus.

It is a conceded position on record that in pursuance to the process initiated for appointment of the Lambardar, the petitioner and the private respondent No.3 applied for such post. The Collector vide order dated 08.04.2008 appointed the petitioner as Lambardar. The private respondent No.3 challenged the order dated 08.04.2008 by filing an appeal before the Commissioner, who vide order dated 30.10.2008 allowed the appeal and set aside the appointment of the petitioner. The order dated 30.10.2008 of the Commissioner, appointing respondent No.3 as Lambardar, has been affirmed by the Financial Commissioner and also by this Court, in essence, the appointment of respondent No.3 in the year 2008

has been upheld by this Court. The petitioner feeling disgruntled had approached the authorities since 2014 for taking an action against the respondent No.3 for furnishing a false certificate of 10+2, whereas the inquiry report dated 04.08.2016, according to Mr. Aman Dhir, reveals to be 8th plus and therefore, prays for taking an appropriate action in pursuance to the representation dated 21.09.2016 (Annexure P-5).

I have heard the learned counsel for the petitioner and appraised the paper book and of the view that once the eligibility criteria/qualification for the post of Lambardar is 8th plus, furnishing of the other documents would be inconsequential, though, it would have a little far-reaching consequence, but the fact remains that the private respondent had been appointed as Lambardar and working since 2008. There has been no report with regard to his conduct, in essence, his work, so far, has been found to be impeccable. The present case is of a settlement of personal grudges/ego and this Court cannot be made a gateway for such purposes.

Keeping in view the aforementioned facts, I do not find any illegality and perversity in the impugned order under challenge, much less, no ground is made out for interference and accordingly, the present writ petition is dismissed.

07.04.2017

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**