

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.28192 of 2017
Date of Decision: 12.12.2017

Kesar Singh

. . . . Petitioner

Vs.

State of Punjab and others

. . . .Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Rajiv Kataria, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

The post of Lambardar of Village Pandtan, Tehsil Rajpura, District Patiala, fell vacant after the death of Lambardar Atma Ram (SC). The Collector, on the basis of the recommendation of the Naib Tehsildar and Tehsildar, Rajpura, appointed the petitioner to the post of Lambardar vide his order dated 15.2.2011. The said order, however, was set aside by the Divisional Commissioner, Patiala, in the appeal filed by respondent No.5 and the matter was remanded back to the District Collector, Patiala. After the remand, the District Collector, Patiala, vide his order dated 17.9.2014, found respondent No.5 more suitable than the petitioner being more educated and thus appointed him to the said post. The appeal filed by the petitioner before the Commissioner, Patiala Division, Patiala was dismissed on 20.12.2016 on the ground that there is no perversity in the order of the Collector and his choice has to be respected. Similarly, the revision filed by the petitioner before the Financial Commissioner was also dismissed on 11.9.2017 and hence, the present petition has been filed.

Though, the learned counsel for the petitioner has vehemently argued that the Collector, Commissioner and Financial Commissioner has committed a patent error in appointing respondent No.5 to the post of Lambardar but he could not point out any significant reason for the purpose of interference by this Court in the concurrent finding recorded by all the revenue authorities nor could point out any perversity in the order of the Collector. Hence, the present petition is found to be without any merit and the same is hereby dismissed.

12.12.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

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