

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

**CWP No.3142 of 2017
Date of decision:20.02.2017**

Ranjit Kaur

... Petitioner

Vs.

Financial Commissioner, Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Parvinder Singh, Advocate, for the petitioner.

Mr. B.S.Seemar, Advocate, for the caveator/respondent No.4.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the impugned orders dated 08.05.2015 (Annexure P-3) and 10.11.2016 (Annexure P-6) passed by the Commissioner and Financial Commissioner respectively, whereby, the order of the Collector appointing her as Lambardar of the village, has been set aside.

Mr. Parvinder Singh, learned counsel appearing on behalf of the petitioner submits that the reason noticed by the authorities below is that the petitioner is not having land holding in the village Sujjon, much less having a Permanent Resident of Canada. Whereas, on the contrary, the private respondent is a member of Block Health Monitoring Committee. All these factors could not have been looked into. In fact, the petitioner has the land holding in the village aforesaid which is not noticed by the authorities below. The recommendation of the Assistant Collector and Sub-Divisional Magistrate cannot be tinkered with, in view of the settled law and therefore,

the orders under challenge are liable to be set aside.

Notice of motion.

Mr. B.S.Seemar, Advocate accepts notice on behalf of caveator/respondent No.4 and submits that the petitioner concealed the factum of having submitted an application for Permanent Resident, much less she is a Green Card holder of USA and therefore, she would not be available for Lambardari. He further submits that she does not have any land holding in the village.

I have heard learned counsel for the parties, appraised the paper book and of the view that a person, who while applying for such post did not disclose the factum of having submitted an application for Permanent Resident indulged into concealment of fact, cannot be appointed as Lambardar of the village. The factum of Permanent Resident of USA is also not denied. Her demeanor while submitting an application has already been seen and therefore, can always be under question for discharging the duties of Lambardar.

In my view, the orders under challenge are perfectly legal and justified. No ground for interference is made out.

Accordingly, the writ petition stands dismissed.

(AMIT RAWAL)
JUDGE

February 20, 2017

savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No