

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

**C.W.P. No.5563 of 2017
Date of Decision:14.07.2017**

Kewal Singh

.....Petitioner

Vs.

**The Financial Commissioner (Appeals), Punjab
and others**

.....Respondents

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

Present:- Mr. Sunny K. Singla, Advocate for the petitioner.

Mr. Vivek Gupta, Advocate for respondent No.4.

Rakesh Kumar Jain, J. (Oral)

CM No.8536 of 2017

This application is filed for placing on record report of the
Tehsildar as Annexure P.1.

Application is allowed. Report is taken on record.

CWP No.5563 of 2017

This petition is filed in order to challenge the appointment of
respondent No.4 to the post of Lambardar of Village Kalas, Tehsil Raikot
District Ludhiana. The choice of the Collector is respondent No.4 which
has been upheld by Commissioner and Financial Commissioner
respectively.

Counsel for the petitioner has submitted that the only issue
against respondent no.4 is that he is in unauthorised occupation of the
panchayat land. He has referred to khasra Nos.1107 and 1473 but
documents placed on record by him of the report of the Tehsildar says that

Khasra Nos.1107 and 1473 neither belongs to panchayat nor to provincial government rather it is recorded as mustra malkan, therefore, the petitioner has been unable to prove that respondent No.4 has encroached upon the panchayat land. In view thereof, I do not find merit in this petition.

Dismissed.

July 14, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No