

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CWP No.6015 of 2017  
Date of decision:27.03.2017

Amar Singh

... Petitioner

Vs.

Financial Commissioner, Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

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

**AMIT RAWAL J. (Oral)**

Notice of motion.

Mr. Vikas Mehsempuri, Advocate accepts notice on behalf of  
the respondents.

The petitioner is aggrieved of the impugned orders dated  
23.01.2017 (Annexure P-7), 20.07.2016 (Annexure P-6) and 20.05.2016  
(Annexure P-5) rendered by respondents No.1, 2 and 3, respectively,  
whereby, respondent No.4 – Mandeep Singh has been appointed as  
Lambardar.

The contention of counsel for the petitioner is that case of the  
petitioner on falling of vacancy of Lambardar was recommended by the  
Assistant Collector but all the authorities have ignored the fact that the  
petitioner, no doubt being aged 61 years, owns 5 acres of land and had also  
rendered service in Merchant Navy for a period of 15 years, thus, he has  
more experience and can render better assistance to the villagers for

discharging the duties of Lambardar. Whereas, the private respondent is only 10+2, therefore, the degree of Bachelor of Technology issued by Punjab Technical University suffers from vice of suspicion. All these factors require redetermination and seeks remand of the matter by setting aside the impugned orders.

Mr. Vikas Mehsempuri, learned counsel appearing on behalf of the private respondent submits that the application (Annexure P2) is prior to the remand and after remand, fresh application has been submitted, whereas, second application is an indication of factum of having obtained diploma.

During the course of hearing, a copy of the certificate issued by Punjab Technical University bearing Roll No.1180782 and serial no.9122633 with bar code has been shown to this Court issued on 09.10.2015, whereby, private respondent is stated to have passed the examination held in the month of April, 2015 in first division. A copy of the same is taken on record. He, thus, urges this Court for dismissal of the writ petition.

I have heard learned counsel for the parties, appraised the paper book and of the view that private respondent is aged 26 years and as per the certificate aforementioned, he has degree of Bachelor of Technology. No doubt, the petitioner had been recommended by the Assistant Collector, who is the final authority and his order cannot be tinkered with until and unless, there is gross illegality and perversity. The private respondent being younger in age can discharge better duties for Lambardar. Thus, the orders under challenge are perfectly legal and justified.

No grounds is made out for interference in the impugned orders.

Accordingly, the writ petition stands dismissed.

(AMIT RAWAL)  
JUDGE

March 27, 2017  
savita

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |