

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

LPA No.1696 of 2016

Date of Decision :24.05.2017

Chaman Lal

....Appellant

Versus

Financial Commissioner (Appeals-1), Punjab
and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

....

Present: Mr. Sanjeev Pandit, Advocate
for the appellant.

....

MAHESH GROVER, J. (Oral)

This appeal is against the judgment of the learned Single Judge dated 29.04.2016 upholding the orders passed by the Collector and subsequent authorities in the choice of respondent No.4 as a Lambardar.

Learned counsel for the appellant contends that he was more meritorious, younger in age, had adequate land, was a resident of village and is better qualified than the selected candidate and, therefore, all the authorities including the learned Single Judge have gone wrong in this regard.

We have to examine the contention raised by the learned counsel for the appellant in view of the settled proposition of law that the choice of the Collector in the matter of

Lambardari has to be respected unless there is gross perversity reflected therefrom.

We have perused the record and at least one of the orders i.e. of the Collector notices that the Gram Panchayat had passed a resolution dated 28.03.2009 against the appellant for being in unauthorised occupation of some village land. Besides, he was not found in ownership of any land, the transfer having taken place in his favour on 02.06.2010, after the submission of the application. All these factors probably weighed with the District Collector to exercise his choice in favour of respondent No.4 and to the detriment of the appellant. When these pieces of material are viewed in the backdrop of the settled proposition of law as noticed above i.e. the choice of the Collector should be respected, which has also been approved by the learned Single judge, we would find no infirmity in the impugned order so as to warrant interference in this Letters Patent Appeal.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

24.05.2017
dss

(SHEKHER DHAWAN)
JUDGE

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