

LPA no.2424 of 2016 (O&M) 1

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

LPA no.2424 of 2016 (O&M)

Date of Decision : 27.02.2017

Jagbir

....Appellant(s)

Versus

Financial Commissioner, Haryana and others

...Respondent(s)

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

Present : Mr.P.S.Jammu, Advocate for the appellant

MAHESH GROVER, J.(ORAL)

This appeal is directed against the judgment of the learned Single Judge dated 25.7.2016 upholding the selection of respondent no.4 as a Lambardar which is now being questioned by the appellant who contends that all the authorities below have gone wrong in reposing faith in respondent No.4, whereas he was meritorious and was having army background.

All the authorities have noticed that the wife of the appellant was drawing old age pension though not entitled to it and on being discovered she had foregone this benefit. The merits of respondent No.4 were evaluated to note that he had got his wife operated for family planning; he had made financial contribution for the developmental activities of the village and he was also involved in the religious and social activities. Apart from this, his name was recommended by the Assistant Collector IInd Grade as well as the Sub-Divisional Officer, Rewari. Noticing all this the learned Single Judge approved the decision of the authorities appointing respondent

No.4 as Lambardar with which we have no reason to differ with in the absence of any material which could persuade us to take a contrary view.

It is stated that the said respondent is involved in a criminal offence. We would not take cognizance of this plea at this stage for lack of material and for the reason that on the date of consideration no such proceedings were pending against him. If he is involved in the criminal activities subsequently, the authorities would be enable to take cognizance of this fact.

That apart the appeal is also barred by a delay of 40 days which we do not intend to condone in the instant case.

Appeal dismissed.

(Mahesh Grover)
Judge

27.02.2017

dss/rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No

(Shekher Dhawan)
Judge