

LPA no.1426 of 2017 (O&M) 1

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

LPA no.1426 of 2017 (O&M)

Date of Decision : 08.08.2017

Sagar Singh

....Appellant(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr.Arvind Kashyap, Advocate for the appellant

MAHESH GROVER, J.(ORAL)

This appeal is directed against the judgment of the learned Single Judge dated 3.7.2017 upholding the choice of the Assistant Collector of respondent no.5 as the Lambardar of the village Dadwal, District Gurdaspur.

Learned Single Judge noticed that since the village Dadwal was a *Be-chirag* village, Lambardar necessarily has to be from a village in the vicinity. The respondent no.5 reside about 7 kms away and the learned counsel for the appellant contends that he would be better suited since he resides at a place which is closer to the village. Apart from this it is contended that appellant acquired the land in the concerned village though subsequent to the consideration.

After hearing learned counsel for the appellant, we are of the opinion that impugned judgment does not merit interference simply on the ground that the choice of the Assistant Collector has to be respected unless

some perversity is shown. Concededly appellant did not have land in the village on the date of consideration and merely because he is slightly closer in residence to the village Dadwal as compared to the residence of the respondent no.5, would be no ground to assume perversity in the choice of selection. Hence, instant appeal is hereby dismissed. However, in the given set of circumstances we deem it appropriate to waive off the costs of Rs.10,000/- imposed by the learned Single Judge.

(Mahesh Grover)
Judge

08.08.2017	
rekha	
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

(Raj Shekhar Attri)
Judge