

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

LPA No.2264 of 2017 (O&M)

Date of Decision : 30.11.2017

Khazan Singh

....Appellant

Versus

State of Haryana and others

....Respondents

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

....

**Present : Mr.Randeep Singh, Advocate
for appellant.**

.....

MAHESH GROVER, J. (Oral)

This appeal is directed against the judgment of the learned Single Judge dated 18.09.2017 approving the choice of the Collector appointing respondent No.4 as Lambardar. The Financial Commissioner had upset this order while dealing with the issue on the ground that the said respondent did not have land which is one of the requisites. The learned Single Judge noticed the relative merits of both the candidates and finding no exceptional reason to tilt the balance in favour of the appellant accepted the choice of the Collector and we would endorse this view in view of the settled proposition of law that the choice of the Collector in the appointment of a Lambardar should ordinarily be accepted unless some perversity is shown. Being almost similar in merit and finding no perversity in the approach of the Collector, there would be no occasion for us to interfere with the findings recorded by the learned Single Judge.

However, delay of 40 days in filing the instant appeal is condoned for the reasons mentioned in the application under Section 5 of the Limitation Act.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

30.11.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

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