

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

LPA No.527 of 2017 (O&M)

Date of Decision : 21.04.2017

Surinderpal

....Appellant

Versus

Financial Commissioner (Revenue), Punjab
and others

....Respondents

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

....

Present: Mr. Naveen Batra, Advocate
for the appellant.

.....

MAHESH GROVER, J. (Oral)

CM No.1070-LPA of 2017

For the reasons mentioned in the application, delay of 50
days in filing the appeal is condoned.

LPA No.527 of 2017

This appeal is directed against the judgment of the learned
Single Judge dated 09.01.2017 remanding the matter back to the
Financial Commissioner for consideration afresh regarding
appointment of Lambardar. While doing so the learned Single Judge
noticed that a crucial fact relevant to the controversy regarding the
selected candidate having relinquished his claim to the process was
not considered. Although another factor of the selected candidate
being in unauthorised possession of land has also been mentioned but
the learned counsel for the appellant contends that this has adequately
been dealt with. Be that as it may, it is not disputed that the

relinquishment of the claim of respondent No.4 though on record was not dealt with by the Financial Commissioner. Since the matter has been remanded back for the aforesaid reasons, we also do not find any reason to interfere particularly when the parties to the dispute would have ample opportunities to address their claims and when no prejudice is manifested from the fresh process.

Appeal stands disposed of.

(MAHESH GROVER)

JUDGE

21.04.2017

dss

(SHEKHER DHAWAN)

JUDGE

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