

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

LPA No.2038 of 2016 (O&M) in
CWP No.12175 of 2016
Date of Decision:- 15.01.2018.

Vijay Kumar

...Appellant

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B.S. WALIA**

Present:- Mr. Mandeep K. Saajan, Advocate
for the appellant.

Rajesh Bindal, J.

Aggrieved against the order of dismissing the writ petition, passed by the learned Single Judge, where the issue was regarding appointment of *Lambardar* of village Dullewala, the appellant has filed the present intra court appeal.

2. The contentions raised are that candidature of the appellant has been wrongly rejected. Rule 15 of Punjab Land Revenue Act, 1887 (for short 'the Act') does not require that the candidate for the post of *Lambardar* had to be a resident of the same village and further he was acquitted in the criminal case registered against him.

3. After hearing the learned counsel for the appellant, we do not find any error in the order passed by the learned Single Judge. The criminal case registered against the appellant was disposed of by this Court vide order dated 08.11.2012, passed in Criminal Misc.

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No.M-31480 of 2012, as the matter in dispute was compromised. It was not a case of acquittal. The FIR was registered under Sections 452, 336, 427, 348, 188 of the Indian Penal Code and Section 25-54-59 of the Arms Act. Further, it is not in dispute that the appellant is residing in Ferozepur City. As per report submitted by learned Sub Divisional Magistrate, Ferozepur, the residential address of the appellant is 'Bharat Nagar, Ferozepur City' and a gas connection is also installed at the same address. Once, the appellant wants to be appointed as a *Lambardar* of village, he should always be available in the same village for serving the residents.

4. While concurring with the view expressed by the learned Single Judge, we do not find any merit in the present appeal. The same is dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

15.01.2018
rajesh.k.khurana

Whether speaking /reasoned : Yes / No
Whether Reportable : Yes / No