

(111) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.2390 of 2017 (O&M)
in CWP No.22975 of 2017
Date of decision: 25.04.2018

Jaswinder Singh

..... Appellant

Versus

The Financial Commissioner (Revenue), Punjab
and others

.... Respondents

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

Present: Mr. Beant Singh Seemar, Advocate for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 07.11.2017 dismissing the writ petition has been impugned by filing the present intra-court appeal.

The issue raised in the petition was regarding appointment of Lambardar of Village Mawa, Tehsil Anandpur, District Rupnagar. The appellant was recommended to be appointed as Lambardar by the Collector, however, the Divisional Commissioner set aside that order. Even, The Financial Commissioner upheld the order passed by the Divisional Commissioner. The appellant met with the same fate before the learned Singh Bench as the writ petition filed by him was also dismissed.

The contention raised is that the appellant being the choice of the Collector, the same should not have been disturbed unless there were

compelling circumstances. Further plea raised is regarding age of Karam Chand who has been appointed as Lambardar as compared to the appellant as he stated to be about 72 years of age whereas the appellant was 45 years of age.

After hearing learned counsel for the appellant, we do not find any merit in the submissions made. It has come on record that the appellant is running a shop at Nurpur Bedi. Though it is claimed that the said shop is near the Tehsil, yet it would mean that the appellant will not be available in the village on regular basis and it may cause hindrance in discharge of his duties which have been envisaged in Rule 20 of the Punjab Land Revenue Rules, as have been referred to by the learned Single Judge in the order impugned. Further, it has been considered by the learned Single Judge that Karam Chand who has been appointed as Lambardar may be of 70 years of age but he is an Ex-serviceman, having good health and he is living in the village, hence, will be available for discharge of his duties in the village.

For the reasons mentioned above, we do not find any merit in the present appeal. The same is, accordingly, dismissed.

(Rajesh Bindal)
Judge

25.04.2018
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(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.