

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

124

Civil Writ Petition No.11141 of 2019
Date of Decision: April 30th, 2019

Surinder Kaur

...Petitioner

Versus

Financial Commissioner Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vikas Mehsempuri, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the order dated 10.05.2018 (Annexure P-5) passed by the Financial Commissioner (Revenue), Punjab, whereby the delay of 720 days in filing the revision petition has been condoned.

2. It is the contention of learned counsel for the petitioner that the only reason which has been given in the application for condonation of delay is that the records of the lower Court were misplaced by respondent No.4 and thereafter on finding the same, he has preferred the revision petition. He contends that alone should not be a ground for condoning the delay. His further assertion is that another candidate, who has challenged the appointment of petitioner, had approached the Financial Commissioner by filing ROR No.124 of 2014 titled as Resham Singh Versus Surinder Kaur, which revision petition stands dismissed on 20.01.2016 (Annexure P-2). He contends that after waiting for the decision on the earlier revision petition, the present revision petition has been preferred by respondent No.4 in the year 2016. He thus contends that the condonation of delay by the Financial Commissioner vide order

deserves to be set aside.

3. I have considered the submissions made by the counsel for the petitioner but keeping in view the fact that it is a discretionary relief which had to be granted by the Financial Commissioner and the Financial Commissioner has ample powers to call any of the records and exercise its jurisdiction, where if found some illegality/irregularity having been committed by the authorities below, the powers as exercised, cannot be faulted with. Further the delay has only been condoned and the matter has to be considered with regard to the appointment of the Lambardar on merits by the Financial Commissioner, which matter is still pending before the competent authority.

4. In view of the above, the present writ petition stands dismissed.

April 30th, 2019
Puneet

AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No