

CWP-26356-2014 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-26356-2014 (O&M)

Date of Decision: 9th January, 2019

Harbhajan Singh

...Petitioner

Versus

Financial Commissioner, Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vineet Chaudhary, Advocate, for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

Mr. A.S.Virk, Advocate, for respondent No.4.

AUGUSTINE GEORGE MAS IH, J. (ORAL)

CM-16341-CWP-2017

Annexures P-5 to P-7 are taken on record, subject to all just exceptions.

Application stands disposed of.

CWP-26356-2014

This writ petition has been filed by the petitioner challenging the order dated 15.05.2013 (Annexure P-2) passed by the Commissioner, Ambala Division, Ambala – respondent No.2, vide which, the matter has been remanded to the Court of Collector, Yamuna Nagar, for fresh decision on the applications of the petitioner as well as respondent No.4 and consider their candidatures by giving them an opportunity of leading their respective evidence and on hearing them, and further challenge has been posed to the order dated 24.09.2014 (Annexure P-3) passed by the Financial Commissioner, Haryana – respondent No.1, vide which, order dated

15.05.2013 has been affirmed but with a modification and a direction to the Collector, Yamuna Nagar – respondent No.3 to discard the applications of the petitioner as well as respondent No.4, if the allegations are found true.

I have considered by the submissions made by the learned counsel for the parties and have gone through the impugned orders but do not find myself inclined to interfere with the same.

The apprehension of the counsel for the petitioner that the application of respondent No.4 had to be forth-rightly rejected by the Collector and initiation of fresh process for filling up the post of Lambardar of village Ram Kheri is misconceived.

The order clearly indicates that the applications of the candidates i.e. petitioner and respondent No.4 have to be firstly considered for the post of Lambardar and if they are not found to be eligible for appointment to the post of Lambardar at the relevant time, when the applications were received or at the time of their consideration initially, the fresh process is to be initiated for filling up the post of Lambardar. The order as passed by the Financial Commissioner, Haryana is not only just and equitable but also in accordance with the facts and circumstances prevalent in the matter, which does not call for any interference of this Court.

The writ petition, therefore, stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

9th January, 2019
Harish

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