

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

**125**

**CIVIL WRIT PETITION NO.31779 OF 2019  
DATE OF DECISION: NOVEMBER 22, 2019**

Palwinder Singh

.....Petitioner

**VERSUS**

Financial Commissioner, Revenue(Appeals), Punjab, Chandigarh and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Manish Kumar Singla, Advocate,  
for the petitioner.

Mr. T.P.S.Chawla, DAG, Punjab,  
for the State-respondent Nos.1 to 3.

Mr. Amandeep Saini, Advocate,  
for respondent No.4.

\*\*\*\*\*

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Learned counsel for the petitioner states that the order dated 03.08.2018 (Annexure P-3) passed by the Commissioner, Rupnagar Division, Rupnagar, is an one line order, where no reason whatsoever has been given for setting-aside the order passed by the Collector, Shahid Bhagat Singh Nagar, appointing the petitioner as Lambardar of Village Chandpur Rurki, Tehsil Balachaur, District Shahid Bhagat Singh Nagar.

Counsel for respondent No.4, in the light of the above, is unable to point out any reason for coming to a conclusion by the Commissioner that the order passed by him is reasoned one. He, however, states that the Financial Commissioner has passed a detailed order.

Be that as it may, the first order, which was initially passed by the Collector was under challenge before the Commissioner, Rupnagar Division, Rupnagar. The order passed by the Commissioner, Rupnagar Division, Rupnagar, dated 03.08.2018 (Annexure P-3) is a non-speaking order and, therefore, the said order is not sustainable as it is a first appeal and the Appellate Authority is required to give reasons for coming to a particular conclusion. The order passed by the Financial Commissioner cannot supplement the order which has been passed by the Appellate Authority.

Faced with this situation, learned counsel for respondent No.4 prays that the case be remanded back to the Commissioner, Rupnagar Division, Rupnagar, by setting-aside the order dated 03.08.2018 (Annexure P-3).

In the light of the above, order dated 03.08.2018 (Annexure P-3) passed by the Commissioner, Rupnagar Division, Rupnagar, is hereby set-aside and as a consequence thereof, order dated 19.08.2019 (Annexure P-5) passed by the Financial Commissioner (Appeals), Punjab, is also set-aside. The parties are directed to appear before the Commissioner, Rupnagar Division, Rupnagar, on **12.12.2019**, who shall make an endeavour to decide the appeal at an early date.

With the above observations, the writ petition stands disposed of.

**November 22, 2019**  
**khurmi**

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**

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