

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

Sr. No.116

CWP No.303 of 2020 (O&M)

DATE OF DECISION: February 17, 2020

MANPHOOL

..PETITIONER

VERSUS

**FINANCIAL COMMISSIONER (REVENUE) HARYANA AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Kartar Singh Malik-I, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-789-CWP-2020

This application has been filed for impleading the LR's of respondent No.4-Suraj Bhan.

This is a lambardari matter. The right for being appointed is personal in nature and cannot vest in the legal heirs.

Thus, the application is misconceived and is dismissed.

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The Collector appointed respondent No.4 as Lambardar. Appeal and revision filed by the petitioner were dismissed and thus, the present writ petition has been filed.

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2. Learned counsel for the petitioner submits that the petitioner is more meritorious. He has greater land holding and he is more educated. Thus, the Collector erred in appointing respondent No.4 as Lambardar and the Appellate and Revisional Authorities erred in law in upholding the said order.

3. The petitioner has filed an application for impleading the legal heirs of respondent No.4, which has been dismissed by order of even date. Thus, admittedly, respondent No.4 has passed away during the pendency of the writ petition. On the death of an incumbent Lambardar, fresh process for appointment of a new Lambardar has to be initiated. No directions can be issued for appointment of the petitioner as a Lambardar merely because his writ petition was pending.

For the aforementioned reasons, the writ petition is dismissed.

February 17, 2020

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No