

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

**CWP-8061-2021 (O&M)
Date of Decision:08.04.2021**

Gagandeep @ Gaganjit Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. G.S. Jossan, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Pleadings on record would indicate that Lambardar of Village Patharlian, Tehsil and District Hoshiarpur died on 13.02.2013. On 11.07.2017, Collector, Hoshiarpur appointed the petitioner herein as Lambardar. In an appeal preferred by respondent No.4 herein, namely, Onkar Singh, the Commissioner remanded the case back to the Collector for fresh decision and after hearing the candidates. Petitioner then filed a revision petition before the Financial Commissioner and who vide order dated 14.12.2020 has upheld the order dated 30.04.2018 passed by the Commissioner, Jalandhar Division, Jalandhar.

It is against such factual backdrop that the instant writ petition has been filed assailing the orders dated 14.12.2020 and 30.04.2018 (Annexures P-1 and P-2) passed by the Commissioner as also the Financial Commissioner, State of Punjab.

Counsel has been heard at length and pleadings on record have been perused.

Suffice it to observe that the order of remand has been passed on the following observations:

“Respondent is doing the business of Financer and running a Dastar Academy. It will be difficult for the respondent to attend the work of villagers after leaving his business. Similarly, the availability of the appellant in the village on permanent basis also needs to be looked into by the Collector.”

The respondent referred to herein above is the petitioner herein.

In the considered view of this Court, the reasoning adopted by the Commissioner, Jalandhar Division, Jalandhar while remanding the matter to the Collector and the same having found favour even by the Financial Commissioner, cannot be stated to be irrelevant.

As such, while declining to intervene at this stage, writ petition is disposed of with a direction to the District Collector, Hoshiarpur to decide the matter pursuant to the remand order after hearing the candidates concerned and in accordance with law expeditiously and in any case within a period of eight weeks from today.

Disposed of.

It is clarified that this Court has not examined the issue on merits.

08.04.2021

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |