

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

**CWP-19220-2021**

**Date of Decision: 24.09.2021**

**Pawandeep Singh**

**....Petitioner**

**VS**

**Financial Commissioner (Appeals) Punjab and others**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

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

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**SUDHIR MITTAL, J. (Oral)**

The petitioner was a candidate for the post of Lambardar, however, the Collector appointed respondent No.4 as such after examining the merits and de-merits of the concerned candidates. In appeal filed by the petitioner, the learned Divisional Commissioner Patiala Division set aside the order of the Collector by re-examining the merits and de-merits. Further, revision filed by respondent No.4 has succeeded.

The learned Financial Commissioner has held that in the appointment of a Lambardar, the choice of the District Collector should not normally be interfered with unless the same is shown to be perverse.

Learned counsel for the petitioner has submitted that respondent No.4 carries on business at a far away place. To support his argument, he has placed on record, photographs as Annexure P-7. Thus, it has been submitted that he is not available in the village and the learned Financial Commissioner was in error in rejecting the argument.

It is settled law that the choice of the Collector is not to be interfered with unless and until, the same is found to be perverse. Having gone through the order of the Collector, I do not find any perversity in the said order nor any has

been pointed out apart from saying that he failed to take into consideration

the fact that respondent No.4 is not available in the village. This argument is sought to be butteresed with the help of the photographs. The photographs do not progress the case of the petitioner as these only show that there is some business entity under the name and style 'Lambardar Tour and Travel'. Whether respondent No.4 is linked with that entity or not is not established. Assuming that the said business entity has been set up by respondent No.4, it does not automatically lead to the conclusion that he is not available in the village.

In view of the above reasons, I do not find any error in the order of the learned Financial Commissioner. Thus, the writ petition has no merit and is dismissed.

( SUDHIR MITTAL )  
JUDGE

24.09.2021  
Poonam Negi

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