

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

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LPA No.677 of 2021

Date of Decision: August 13th, 2021

Sukhwinder Singh

...Appellant

Versus

Financial Commissioner (Revenue), Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Harchand Singh Batth, Advocate
for the appellant.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Present appeal has been preferred against the order dated 07.07.2021 passed by the learned Single Judge.

A perusal of the said order would show that only one issue was raised before the learned Single Judge that a single appeal has been preferred against the order of the Commissioner before the Financial Commissioner, whereas two appeals were disposed of by the Commissioner vide order dated 05.02.2021. It was asserted that since only one appeal against the order dated 05.02.2021 of the Commissioner has been preferred, one of the orders because there was disposal of two separate appeals by two separate persons, which order had not been challenged, would have the effect of operation and even if the appeal before the Financial Commissioner is accepted, still no effective relief could have been granted to the private respondent.

This aspect which was raised before the learned Single Judge has been rightly dealt by the learned Single Judge by observing that while passing the order dated 05.02.2021, the Commissioner in the two appeals which were

preferred, only allowed one appeal and the appeal of the other person i.e. Charanjit Singh-respondent No.5 was dismissed. The appeal of the petitioner was the one which was accepted setting aside the appointment of respondent No.4 as the Lambardar and obviously since only one appeal was allowed, respondent No.4 was only aggrieved by the said order, wherein the appeal of the petitioner had been accepted and thus, respondent No.4 has rightly preferred one appeal before the Financial Commissioner.

The order as passed by the learned Single Judge being based upon proper appreciation of the facts and on perusal of the order dated 05.02.2021 passed by the Commissioner, we do not find any ground to interfere with the same.

The appeal, being devoid of merit, stands dismissed.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

August 13th, 2021
Puneet

**(ASHOK KUMAR VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No