

117 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-115-2021(O&M)

Date of decision: 08.01.2021

Balbir Singh

.....Petitioner

Versus

Financial Commissioner, Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Sandeep Punchhi, Advocate for the petitioner

**ANIL KSHETARPAL, J. (ORAL)**

Since the office of headman (Lambardar), of the village, became vacant on account of death of the previous headman, applications were invited for appointment of a substitute. In response, 12 applications were received. After completing the procedure, the Deputy Commissioner appointed Yadwinder Singh. Three appeals filed before the Commissioner were dismissed on 15.11.2012. The petitioner filed a revision petition under Section 16 of the Punjab Land Revenue Act, before the Financial Commissioner, Punjab, in which notice was issued to the respondent - Yadwinder Singh. After having entered appearance, Yadwinder Singh made a statement that he does not wish to contest the revision petition as he is not keeping good health. Learned counsel, for the petitioner, has informed that his separate statement was also recorded to the effect that he does not wish to continue in the office of Headman.

Keeping in view the aforesaid facts, the Financial Commissioner dismissed the revision petition.

The petitioner filed an application for review which has also been dismissed.

Learned counsel, for the petitioner, contends that the learned Financial Commissioner erred in dismissing the revision petition as the petitioner was entitled to be appointed once Yadwinder Singh has decided to relinquish/vacate the office of the Headman of the village.

This Court has considered the submission. The initial selection is required to be made by the Deputy Commissioner. In such circumstances, once the candidate selected by the Deputy Commissioner has decided to leave, therefore, the authorities are required to issue fresh advertisement.

Keeping in view the aforesaid facts, the writ petition is disposed of by directing the respondents to initiate fresh proceedings for inviting applications for the post of Headman (Lambardar). Needless to observe that the petitioner shall also be entitled to apply afresh.

**08.01.2021**

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**(ANIL KSHETARPAL)****JUDGE**

Whether speaking/reasoned      Yes / No

Whether Reportable      Yes / No