

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

Sr. No.123

**CWP-25580-2021 (O&M)
Date of decision : 16.12.2021**

Balwinder Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Akhilesh Vyas, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Respondent No.5 was appointed as Lambardar by the Deputy Commissioner. The appointment has been upheld by the Commissioner as well as the Financial Commissioner. Thus, the present writ petition has been filed.

Learned counsel for the petitioner has argued that the Courts below were in error in upholding the appointment of respondent No.5 as Lambardar as the petitioner is more meritorious. Thus, the impugned orders deserve to be set aside.

Having perused the record, I am of the opinion that the contention is mis-conceived. The Deputy Commissioner has appointed respondent No.5, primarily, based on the reports of the lower revenue officials. No perversity has been pointed out in the said order apart from saying that the comparative merits of the candidates were not examined. Examination of comparative merits of the candidates is inherent in the order. Perversity would exist, if, some relevant material on record had been ignored by him. No such material has been pointed out apart from saying that an FIR was pending against the said respondent. The said FIR is on account of

of the fifth respondent. Moreover, the record does not indicate that pendency of an FIR was raised before the Deputy Commissioner.

Thus, the Courts below were justified in upholding the order passed by him.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

16.12.2021
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No