

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

Sr. No.118

**Civil Writ Petition No.14785 of 2022
Date of Decision : July 14, 2022**

Amarjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Buta Singh Bairagi, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The 6th respondent was appointed as Lambardar by the Collector. The order was set aside in an appeal filed by the petitioner but the Appellate order has been reversed by the Financial Commissioner in revision filed by the 6th respondent. Thus, the present writ petition has been filed.

Learned counsel for the petitioner has submitted that the order of the Financial Commissioner is illegal as he has considered respondent No.6 as B.A. pass which is factually incorrect in view of letter dated 20.07.2020 issued by the O/o Director General of Military Training (Annexure P-5).

It is settled law that the choice of the Collector must be respected unless there is a perversity therein. A perusal of the order of the Collector shows that there is no perversity and thus, interference therewith by the Commissioner was not justified. The illegality has been corrected by

the Financial Commissioner by setting aside the Appellate Order. Thus, the order of the Financial Commissioner does not call for any interference.

The learned Financial Commissioner has also examined the merits and demerits of the respective candidates and has returned a finding that the 6th respondent was B.A. qualified. Although, comparison of the merits and demerits of the candidates was not within the domain of the Financial Commissioner, the finding that the 6th respondent was B.A. qualified cannot be said to be perverse as is evident from certificate (Annexure P-4) issued by the competent authority in accordance with instructions issued by the Govt. of India.

The writ petition has no merit and is dismissed.

July 14, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No