

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

Sr. No.130

Civil Writ Petition No.15747 of 2022

Date of Decision : July 22, 2022

Dharampal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikram Singh, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner was appointed as village Lambardar in the year 1998. Subsequently, a criminal case was registered against him under Sections 420, 467 & 468 IPC and he was convicted and sentenced to undergo RI for a period of three years by the trial Court. In appeal, the sentence was reduced to probation but the conviction was upheld. On a complaint made, the petitioner was dismissed from the post of Lambardar by the Collector vide order dated 03.01.2019. Appeal and revision thereagainst have failed and thus, the present writ petition has been filed.

Learned counsel for the petitioner has submitted that Rule 16 (1)(a) of the Punjab Land Revenue Rules, 1887 provides for dismissal, if the Lambardar has been sentenced to imprisonment for one year or upwards or any heavier sentence. The petitioner was released on probation and thus, the order of removal is unsustainable in law.

The argument cannot be accepted because Rule 16(1)(f) provides for dismissal even on account of conviction in a case involving moral turpitude. The petitioner has been convicted in a case of cheating and forgery and the same involves moral turpitude. Thus, the authorities below were justified in dismissing the petitioner.

The writ petition has no merit and is dismissed.

July 22, 2022

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No