

CWP-2213-2017

Date of Decision: 02.12.2022

Chinda Singh @ Shinda Singh**....Petitioner****VS****Avtar Singh and others****....Respondents****CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**Present:- Mr. R.S. Athwal, Advocate
for the petitioner.Mr. Abhishek Kumar Shukla, Advocate for
Mr. Paritosh Vaid, Advocate for respondent No.1.

Mr. Gurvinder Singh, AAG Punjab.

SUDHIR MITTAL, J. (Oral)

It is submitted that the petitioner was appointed as Lambardar by the Collector. Appeal of respondent No.1 was illegally allowed by the Commissioner and further appeal filed by the petitioner was wrongly dismissed. The Commissioner has appointed respondent No.1 as Lambardar by re-appreciating the merits of the parties, which was not permissible in law. Respondent No.1 has now passed away and the appellate order upheld by the Financial Commissioner cannot be given effect to. Thus, the writ petition has to be allowed.

Learned counsel for respondent No.1 admits that his client has passed away and that the order passed in his favour cannot be implemented.

In view of the above, the writ petition is allowed and impugned orders passed by Financial Commissioner and Commissioner are set aside.

02.12.2022*reena***(SUDHIR MITTAL)
JUDGE**