

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

Sr. No.129

Civil Writ Petition No.18833 of 2022

Date of Decision : August 25, 2022

Ranbir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Amit Khatkar, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner was appointed as Village Lambardar by the Assistant Collector Ist Grade in the year 1981. A complaint was made in the year 2012 to the Collector that the appointment was illegal, but the same was rejected. Appeal filed by the complainant succeeded and revision filed by the petitioner has failed. Thus, the present writ petition has been filed.

Learned counsel for the petitioner submits that Schedule B referred to in Chapter 3 of the Punjab Land Revenue Act, 1887 provides for appointment of Village Lambardar through the rule of primogeniture if the candidature is unopposed. Such an appointment can be made by the Assistant Collector Ist Grade. The petitioner was appointed unopposed by following the rule of primogeniture and accordingly, the order of the Assistant Collector Ist Grade was within jurisdiction.

The argument is misconceived because rule of primogeniture has been held to be unconstitutional. Thus, appointment made by the

Assistant Collector Ist Grade was without jurisdiction and has rightly been set aside by the Commissioner. The order of the Financial Commissioner upholding the said order does not call for any interference.

The writ petition has no merit and is dismissed.

August 25, 2022

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No