

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.111

CWP-30003-2022 (O&M)
Date of decision : 23.12.2022

Ramesh Kumar

..... Petitioner

VERSUS

Financial Commissioner, Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. V.D. Sharma, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The post of Lambardar (Backward Class) in village Maroudi Rangran, Tehsil Kalanaur fell vacant on the death of the previous Lambardar on 26.6.2015. After receipt of necessary sanction for filling up of the said post, proclamation was got done on 23.9.2015. According to this proclamation, the cut-off date for submission of applications was 15.10.2015. Before the said date, only two applications were received, one of the petitioner and the other of a third person who subsequently withdrew his application. Being the sole candidate, the petitioner's name was recommended by the Assistant Collector, Second Grade and Sub-Divisional Officer (C), Rohtak. However, the Collector ordered a fresh *munadi* as two additional applications were received after the cut-off date. Further, appeal and revision filed by the petitioner have been dismissed and thus, the present writ petition has been filed.

Learned counsel for the petitioner has submitted that after the cut off date, no applications could be received and thus, the orders passed by the Courts below are erroneous.

It may be that submission of applications after the cut-off date is not permissible in law, however, the fact that the petitioner was the only candidate cannot be lost sight of. In such a situation, it would be the discretion of the Collector either to appoint him or to order a fresh *munadi*. The Collector has chosen the latter option and the said action cannot be said to be perverse. Thus, the appellate and revisional authorities were justified in rejecting the challenge to his order.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

23.12.2022
Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No