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

CWP-8126-2023

Date of decision : 20.04.2023

Kulwant Singh

...Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 3.

Mr. R.S. Chauhan, Advocate and
Mr. Rohit Sapehiya, Advocate and
Ms. Deepika Chauhan, Advocate for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of impugned order dated 19.12.2022 (Annexure P-6) passed by respondent No.1 whereby the order of the Commissioner as well as Collector has been set aside and respondent No.4 has been directly appointed as Lambardar of Village Sawal, Tehsil Sultanpur Lodhi, District Kapurthala.

2. During the course of arguments, both the learned counsel

appearing on behalf of the petitioner and respondent No.4 are ad idem that the order of the Financial Commissioner dated 19.12.2022 be set aside and the Financial Commissioner be directed to decide the matter afresh, in accordance with law. It has been jointly prayed that the consent order be passed on the said aspect.

3. Keeping in view the abovesaid facts and the consent between the petitioner and respondent No.4, the present Civil Writ Petition is partly allowed and order dated 19.12.2022 is set aside and the Financial Commissioner is directed to decide the case afresh in accordance with law. The Financial Commissioner would pass the said order after calling for the record from the authorities.

4. Both the parties are directed to appear before the Financial Commissioner on 01.05.2023.

5. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

20.04.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**