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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.6112-CWP of 2017 in/and
CWP No.3393 of 2006
Date of Decision : 05.10.2023

Prem Chand

..... Petitioner

Versus

Financial Commissioner (Appeals) IInd Punjab,
Chandigarh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Naresh Kumar, Advocate for
Mr. K. S. Dadwal, Advocate
for respondent No.4.

RAJESH BHARDWAJ, J. (Oral)

CM-6112-CWP-2017

Present application has been filed for restoration of main writ
petition which was dismissed in default vide order dated 04.09.2013.

After hearing learned counsel for the parties and going
through the contents of the application, the main writ petition is restored to
its original number and taken on Board today itself for consideration.

Application stands allowed.

CWP-3393 of 2006

Present writ petition has been filed for setting aside the order
dated 05.10.2005 (Annexure P-7) passed by the learned Court of Financial

Commissioner (Appeals) IInd, Punjab, Chandigarh and to upheld the order dated 22.01.2003 passed by respondent No,3-District Collector, Hoshiarpur by which the petitioner was appointed as Harijan Lambardar of the village and order dated 26.02.2004 passed by Commissioner (Appeals) Jalandhar Division, Jalandhar by which the appeal of respondent No.4 was dismissed.

Learned counsel for the petitioner has fairly submits that respondent No.4, who was appointed by the Financial Commissioner is no more. He submits that the present petition be disposed of with direction to the respondents-authorities for taking further necessary action in the facts and circumstances of the case as respondent No.4 is no more. He further submits that as on date, the post of Lambardar in the village is lying vacant and thus, fresh process for the appointment is to be made.

Learned counsel appearing on behalf of respondent No.4 has affirmed the submissions made by learned counsel for the petitioner.

In view of the submissions made by learned counsel for the parties, the present petition is disposed of with direction to the respondents-authorities to take necessary action expeditiously in accordance with law in view of the facts and circumstances of the case as respondent No.4 is no more and post of Lambardar is lying vacant in the village.

(RAJESH BHARDWAJ)
JUDGE

05.10.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No