

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

(121)

CWP-10840-2023**Date of decision: - 18.05.2023****Sukhwinder Singh and another****....Petitioners****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Hardeep Singh, Advocate, for the petitioners.

Mr. Ferry Sofat, Additional Advocate General, Punjab
for respondents No.1 to 4.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ, order or direction specially in the nature of certiorari for seeking quashing of the impugned order dated 09.05.2022 (Annexure P-7) passed by respondent No.2.

2. Learned counsel for the petitioner has submitted that respondent No.5 does not deserve to continue as Lambardar as several FIRs have been registered against him and thus, as per the provisions of Rule 16 of the Punjab Land Revenue Rules, respondent No.5 deserves to be removed from the post of Lambardar. It is further submitted that in view of the fact that the power to remove the Lambardar is with the Collector, thus, he be permitted to withdraw the present writ petition with liberty to move an appropriate application before the Collector in view of

the provisions of Rule 16 of the Punjab Land Revenue Rules and further liberty be also granted to raise all the pleas which have been raised in the present writ petition and are available to them as per law, before the Collector.

3. In view of the above statement of learned counsel for the petitioners, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

4. It is made clear that in case any such application is filed by the petitioners, the same would be considered and decided by the Collector in accordance with law after giving due opportunity of hearing to all the concerned parties including respondent No.5.

May 18, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No