

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(108)

CWP-14064-2022

Date of decision: - 27.02.2023

Gurmit Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Harchand Singh Batth, Advocate  
for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab  
for respondents No.1 to 3.

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**VIKAS BAHL, J. (ORAL)**

This is a Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 19.11.2014 (Annexure P-2) passed by respondent No.2, order dated 04.08.2016 (Annexure P-3) passed by respondent No.1; order dated 22.03.2018 (Annexure P-4) passed by respondent No.3-District Collector; order dated 27.10.2020 (Annexure P-6) passed by respondent No.2; and order dated 17.01.2022 (Annexure P-8) passed by the respondent No.1 vide which appointment of respondent No.5 to the post of Lambardar of village Chung, Tehsil Patti, District Tarn Taran, has been upheld.

2. Brief facts of the present case are that after the death of Virsa Singh on 16.09.2002, who was the permanent Nambardar of village

Chung, Tehsil Patti, District Tarn Taran, the process of filling up the vacant post of Lambardar was initiated. After due proclamation, the applications were submitted and five persons i.e., Gurcharan Singh, Gurnam Singh, Buta Singh-respondent No.4, Sarabjit Singh-respondent No.5 and the present petitioner Gurmit Singh, applied for the said post. The Collector, Tarn Taran in the first round, vide order dated 05.05.2011 (P-1), appointed the present petitioner as the Lambardar of village Chung, Tehsil Patti, District Tarn Taran. Both respondent No.5-Sarabjit Singh and respondent No.4-Buta Singh filed two separate appeals against the said order dated 05.05.2011 (P-1) and the said appeals were allowed and the matter was remanded back by the Commissioner, Jalandhar Division, Jalandhar to the District Collector, Tarn Taran for a fresh decision vide order dated 19.11.2014. While remanding the matter, it was observed that allegations have been levelled against the present petitioner of being in illegal possession of the panchayat land by both the appellants therein and for the said purpose, the relevant jamabandi was also presented before the Commissioner, Jalandhar Division, Jalandhar. It was also observed by the Commissioner, Jalandhar Division, Jalandhar that no certificate of educational qualification had been produced by the petitioner and the basic qualification of education had not been considered by the District Collector, Tarn Taran. The petitioner filed one ROR No.90 of 2015 against the said order and the Financial Commissioner (Appeals), Punjab dismissed the same vide order dated 04.08.2016 (Annexure P-3) and thus, upheld the order dated 19.11.2014.

3. The Financial Commissioner (Appeals), Punjab vide order

dated 04.08.2016, had also observed that the allegation of encroachment of panchayat land by the present petitioner has been supported by the relevant revenue record i.e., jamabandi and had taken note of the fact that although, the petitioner had claimed that he had passed 5<sup>th</sup> class, but no certificate regarding the educational qualification of the petitioner had been produced, thus, it was observed that the Commissioner, Jalandhar Division, Jalandhar had rightly remanded the matter back to the Collector, Tarn Taran. It is not in dispute that the said orders had attained finality.

4. In the second round, after remand of the matter, the Collector, Tarn Taran, vide order dated 22.03.2018 appointed respondent No.5-Sarabjit Singh as the Lambardar. The comparative merits and demerits of the candidates were considered. It was observed that respondent No.5-Sarabjit Singh was the best candidate as he is 10+2 class pass and also has good influence in the village. The other qualifications and merits of respondent No.5, including the fact that he was 35 years of age and owns 05 acres of land, were also noticed. The fact that the present petitioner was 49 years of age and even as per his own case, was 5<sup>th</sup> class pass, was also noticed. The Collector, Tarn Taran further considered the fact that the present petitioner was stated to be in illegal possession of Government land of Gram Panchayat bearing Khasra No.279(0-12) within the area of village Chung, Tehsil Patti, District Tarn Taran and that the girdwari of this land was also shown in the name of the present petitioner in the revenue record and even the jamabandi for the year 2013-14 was presented as a proof regarding the said illegal possession. Thereafter, two separate appeals were filed against the order of the Collector, Tarn Taran

dated 22.03.2018 by the present petitioner and Buta Singh (respondent No.4 herein). Both the said appeals were dismissed vide order dated 27.10.2020 and the Commissioner, Jalandhar Division, Jalandhar had observed that there was no infirmity and illegality in the order passed by District Collector, Tarn Taran and Sarabjit Singh was more meritorious than the other candidates, inasmuch as, he was more educated and was even younger in age as compared to the other candidates. It was observed that the present petitioner (appellant therein) was also reported to be in illegal possession of government land. Against the said order, two revision petitions were filed before the Financial Commissioner (Appeals), Punjab by the present petitioner and Buta Singh (respondent No.4) and both the revision petitions were dismissed by the Financial Commissioner (Appeals), Punjab vide order dated 17.01.2022 (Annexure P-8). The Financial Commissioner (Appeals), Punjab had observed that the matter regarding Lambardari had been lingering on since 05.05.2011 and that after the matter had been remanded, the Collector, Tarn Taran had reheard the parties and appointed respondent No.5-Sarabjit Singh and even the appeal preferred against the same has been dismissed. It was observed that the said order has been rightly passed and respondent No.5-Sarabjit Singh, who is younger in age and had better qualifications, was the most suitable candidate as compared to respondents therein (i.e present petitioner & Buta Singh). It was also noticed that the petitioner was in illegal possession of panchayat land. The judgment of Hon'ble Supreme Court in the case of "***Mahavir Singh vs. Khiali Ram and Ors.***" reported as ***2009(3) R.C.R. (Civil) 757***, on the aspect that the age of the

candidate is a relevant factor, was noticed. It was observed that there was no perversity in the order passed by the Collector, Tarn Taran or the Commissioner, Jalandhar Division, Jalandhar and accordingly, the revision petitions were dismissed.

5. Aggrieved by the order passed by the Collector, Tarn Taran; Commissioner, Jalandhar Division, Jalandhar and Financial Commissioner (Appeals), Punjab after the remand and also the order of the Commissioner, Jalandhar Division, Jalandhar and the Financial Commissioner (Appeals), Punjab passed prior to the remand, the petitioner has filed the present writ petition.

6. Learned counsel for the petitioner has submitted that in the first round of litigation, although respondent No.5 had applied for being appointed as the Lambardar, but since he had not appeared before the Collector, Tarn Taran, at the time of passing of the order dated 05.05.2011, thus, he could not have been appointed as the Lambardar in the second round after remand. It is submitted that on the said ground alone, the orders passed by the Collector, Tarn Taran; Commissioner, Jalandhar Division, Jalandhar and the Financial Commissioner (Appeals), Punjab in the second round of litigation and even by the Commissioner, Jalandhar Division, Jalandhar and Financial Commissioner (Appeals), Punjab in the first round of litigation remanding the matter back to the Collector, Tarn Taran, deserve to be set aside.

7. This Court has heard counsel for the petitioner and has perused the paper-book.

8. The Collector, Tarn Taran in the first round vide order dated

05.05.2011 (Annexure P-1) had appointed the petitioner as the Lambardar. The respondent No.5-Sarabjit Singh as well as Buta Singh had filed two appeals bearing No.153/2011 and 155/2011 respectively, before the Commissioner, Jalandhar Division, Jalandhar. The Commissioner, Jalandhar Division, Jalandhar vide order dated 19.11.2014 (Annexure P-2) had remanded the matter back to the District Collector, Tarn Taran for fresh decision. The relevant portion of the order passed by the Commissioner, Jalandhar Division, Jalandhar is reproduced as under:-

*“In this case allegation regarding illegal possession of the panchayat land has been leveled by both the appellants against the present respondent by presenting a copy of jamabandi. Moreover, there is no certificate of his educational qualification and while appointing the lambardar the basic qualification of education has not been considered by the District Collector, Tarn Taran. So, keeping these facts in view both the appeals are accepted and the orders of the District Collector, Tarn Taran is set aside and case is remanded to the District Collector for fresh decision.*

*Announced  
Dated: 19.11.2014*

*Sd/-R. Venkat Ratnam, IAS  
Commissioner, Jalandhar Division”*

A perusal of the above order would show that it was noticed by the Commissioner, Jalandhar Division, Jalandhar that there are allegations levelled against the present petitioner with respect to illegal possession, by both the appellants therein and that he was also not in possession of any certificate of his educational qualification.

9. Challenging the said order, the present petitioner had filed one ROR No.90 of 2015 before the Financial Commissioner (Appeals), Punjab. The Financial Commissioner (Appeals), Punjab vide order dated 04.08.2016 (Annexure P-3) dismissed the same. The relevant portion of

the said order has been reproduced as under:-

*“The allegation of encroachment on the Panchayat, land by the appellant has been supported by the relevant revenue record i.e. Jamabandi and further Ld Collector in his order has held that the appellant is 5th class pass, whereas on the other hand it has been recorded in the order of Collector that the appellant has not produced any certificate with regard to his education. Therefore I find that the Ld. Commissioner has rightly remanded the matter to decide the matter keeping in view the above facts. Moreover no prejudice has been caused to the appellant with this remand order as he will have sufficient opportunity to plead his case before the District Collector. With these observations the order of Ld. Commissioner is upheld and the present appeal is dismissed.*

*Announced  
Chandigarh, dated  
04th Aug, 2016*

*(Anjali Bhawra)  
Financial Commissioner,  
Punjab, Chandigarh”*

A perusal of the above order would show that it was observed therein that the allegation of encroachment of the panchayat land by the petitioner had been supported by the revenue record i.e., jamabandi.

10. The said orders of the Commissioner, Jalandhar Division, Jalandhar and the Financial Commissioner (Appeals), Punjab had not been challenged, thus, the said orders had attained finality. The second round for appointment of the Lambardar also stands completed and the Collector, Tarn Taran; Commissioner, Jalandhar Division, Jalandhar and the Financial Commissioner (Appeals), Punjab have concurrently found respondent No.5 to be more meritorious than the present petitioner and the other candidates and had appointed (/upheld the appointment of) respondent no.5 as the Lambardar. Since the order of remand had already been acted upon and the petitioner never challenged the same at the

appropriate stage, thus, the petitioner is estopped from challenging the order of the Commissioner, Jalandhar Division, Jalandhar dated 19.11.2014 (P-2) and the order of the Financial Commissioner (Appeals), Punjab dated 04.08.2016 (P-3). Moreover, the orders of the Commissioner, Jalandhar Division, Jalandhar as well as the Financial Commissioner (Appeals), Punjab are absolutely legal and in accordance with law and thus, do not call for any interference.

11. It would be relevant to note that the Collector, Tarn Taran after the remand of the matter, vide order dated 22.03.2018 appointed respondent No.5 as the Lambardar of the village. It is not in dispute that in the second round before the Collector, Tarn Taran, all the three candidates, including respondent No.5, had presented their case. The Collector, Tarn Taran had considered that respondent No.5 was 10+2<sup>th</sup> pass and was more educated in comparison to the petitioner, who claimed that he had passed 5<sup>th</sup> class. The Collector, Tarn Taran had also considered the other merits of respondent no.5 including the fact that he was 35 years of age whereas the present petitioner was 49 years of age and thus, respondent No.5 was younger and more educated than the present petitioner. The demerits of the petitioner, including the aspect of him being in illegal possession of panchayat land bearing khasra No.279 (0-12) in the area of village Chung, Tehsil Patti, regarding which the girdawari had been shown in the name of Gurmit Singh (present petitioner) and the relevant jamabandi, were also taken note of. Thus, the Collector, Tarn Taran after considering the merits and demerits of all the candidates, came to the conclusion that respondent No.5 was more

meritorious and had appointed respondent No.5 as the Lambardar.

12. This Court in the case of **“Sukhpal Singh vs. State of Punjab and others”** CWP-16717-2022 decided on 13.01.2023 had upheld the order of the Collector as well as the Financial Commissioner, upholding the order of the Collector, by taking note of settled proposition of law that the choice of the Collector is not to be set aside, unless there is some perversity or illegality in the order of the Collector. The relevant portion of the said judgment is reproduced hereinbelow:-

*“This Court has heard learned counsel for the petitioner and perused the paper book.*

*A coordinate Bench of this Court in CWP-1318-2008 decided on 11.02.2015 titled as “Pishora Singh vs. State of Punjab and others” has held as under:-*

*“11. A perusal of the record shows that District Collector after appreciating the comparative merit found the petitioner to be fit and suitable candidate and appointed him as such. In view of law laid down by Hon’ble the Supreme Court of India in the case of Mahavir Singh Vs. Khiali Ram & others, 2009(3) SCC-439, Lila Ram Vs. Asa Ram, 1995 Lahore Law Times-29 followed by Division Bench of this Court in the case of Phool Kumar Vs. State of Haryana and others, 2010(2) RCR (Civil) 819, the choice of the District Collector cannot be lightly set aside. It can only be set aside if there is perversity or illegality in the order of the Collector.*

*12. In Mahavir Singh's case (supra) the Hon'ble Supreme Court of India has observed that there should be no interference with the choice made by the Collector in the matter of appointment of Lambardar even if two views are possible. It is only the prerogative of the Collector to compare the merits of the candidates for appointment to the post of Lambardar. Therefore, there is no doubt with regard to the proposition of law that choice of the Collector cannot be lightly set aside. The finding of the District Collector has been affirmed by the Commissioner.”*

*A perusal of the above judgment would show that the reliance*

was placed upon judgment of the Hon'ble Supreme Court in **Mahavir Singh Vs. Khiali Ram & others**, reported as **2009(3) SCC-439**, as well as other judgments on the proposition in question and it was observed that the choice of the District Collector cannot be lightly set aside and it could be set aside only in case there was some perversity or illegality in the order of the Collector.

The Division Bench of this Court in **CWP-19720-2001** decided on 18.12.2001 titled as "**Sarwan Kumar vs. The Financial Commissioner Appeals-I, Punjab**" reported as **2002(2) RCR (Civil) 520**, has held as under:-

*"The Commissioner, Jalandhar Division, Jalandhar did not find any infirmity in the order of the Collector, but on a re-evaluation of the record, he thought that the petitioner was a better candidate and only on that ground, he allowed the appeal of the petitioner and directed his appointment in place of respondent no.3. This, in our considered view, the Commissioner could not have done and, therefore, the order passed by respondent no.1 setting aside the direction given by the Commissioner does not call for interference by this Court under Article 226 of the Constitution of India.*

*For the reasons mentioned above, the writ petition is dismissed."*

A perusal of the above judgment would show that in the said case the Commissioner, Jalandhar Division, Jalandhar did not find any infirmity in the order of the Collector but it was on revaluation of the record that he had come to the conclusion that the petitioner therein was a better candidate and had directed to appoint him in place of respondent no.3 therein who had been appointed by the Collector. The Division Bench had then observed that the Commissioner could not have done the same and had thus upheld the order of the Financial Commissioner vide which the order of the Commissioner had been set aside. To similar effect is the judgment of the Division Bench of this Court in **Balram's case** (Supra).

The settled position of law on the proposition at hand that the choice of the Collector is not to be lightly interfered with unless there is some perversity or illegality in the order, has not been disputed by learned counsel for the petitioner and no law to the contrary has been

*referred to by the learned counsel for the petitioner.”*

13. In the above said case also, the Collector had appointed respondent no.4 therein as the Lambardar, which had been set aside by the Commissioner, on reconsidering the merits and demerits, by observing that the petitioner therein was a more suitable candidate and had appointed him as the Lambardar. The Financial Commissioner had then in revision set aside the order of the Commissioner on the ground that the order of the Collector did not suffer from any illegality or perversity. The judgment passed by the Court in CWP-16717-2022 has been upheld by the Division Bench of this Court in LPA-107-2023 titled as **“Sukhpal Singh vs. State of Punjab and others”** decided on 06.02.2023. The relevant portion of the said judgment is reproduced hereinbelow:-

*“The present appeal seeks consideration of the order of the learned Single Judge in CWP-16717-2022, who has upheld the order of the Financial Commissioner, dated 19.05.2022 (Annexure P-3) while dismissing the writ petition filed by the petitioner, on 13.01.2023.*

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*In sum and substance, the learned Single Judge came to the conclusion that it was a settled principle of law that the choice of the District Collector cannot be lightly set aside and therefore, upheld the order of the Financial Commissioner, dated 19.05.2022 (Annexure P-3).*

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*We do not find any merit in this appeal. It is a settled principle of law that consideration has to be seen at the time of appointment. At that point of time, on merits, respondent No. 4 was appointed by the District Collector. However, the Divisional Commissioner in spite of his limited jurisdiction has set aside that order by giving preference for his personal opinion falling back on the sports background of the*

*appellant and not on account of the fact that there was an illegality in the order of the District Collector, which could be only the ground as such for interference. Therefore, the Financial Commissioner, Revenue, has corrected the said error and hence, the learned Single Judge has rightly upheld the order of the Financial Commissioner and rightly declined not to interfere in the same. We find no such reason to take a different view. Consequently, the appeal is dismissed.”*

14. In the present case, since no perversity or illegality has been pointed out in the order of the Collector, Tarn Taran dated 22.03.2018 (P-4), thus, the same has been rightly upheld by the Commissioner, Jalandhar Division, Jalandhar and thereafter, by the Financial Commissioner (Appeals), Punjab and the same does not call for any interference.

15. Moreover, it is not in dispute that the petitioner, at the time of passing of the order of the Collector, Tarn Taran, was 49 years of age and respondent No.5 was 35 years of age i.e. younger in comparison to the petitioner. The Hon'ble Supreme Court of India in ***Mahavir Singh's case (supra)*** has held as under:-

*“14. It is now a well-settled principle of law, keeping in view the decisions in regard to the appointment of Lambardar in the State of Punjab, that age of a candidate is a relevant factor.”*

16. It is also not in dispute that respondent No.5 is 10+2<sup>th</sup> pass, whereas, the petitioner, even as per his own case, is 5<sup>th</sup> pass. A coordinate Bench of this Court in case titled as ***“Om Parkash V. State of Haryana and others” reported as 2015(1) P.L.J. 507***, had observed that in the present era, better educational qualifications are necessary as everything is to be done in writing and thus, a more educated person is more suitable for being appointed as the lambardar. Relevant portion of the said

judgment is reproduced hereinbelow:-

“xxx xxx xxx xxx xxx xxx xxx xxx xxx

11. Besides this, Ramphal has been appointed by the Collector. It is a settled principle of law that the choice of the Collector cannot be lightly set aside. It can only be set aside if there is perversity or illegality in the impugned order of the Collector. This view of mine is supported by the law laid down by Hon’ble the Supreme Court of India in the case of **Mahavir Singh Vs. Khiali Ram & others, 2009(3) SCC-439, Lila Ram Vs. Asa Ram, 1995 Lahore Law Times-29** followed by Division Bench of this Court in the case of **Phool Kumar Vs. State of Haryana and others, 2010(2) RCR (Civil) 819**. In **Mahavir Singh's** case (supra) the Supreme Court of India has observed that there should be no interference with the choice made by the Collector in the matter of appointment of Lambardar even if two views are possible. It is only the prerogative of the Collector to compare the merits of the candidates for appointment to the post of Lambardar.

12. Against the settled law, choice of the Collector has been wrongly upset by the Commissioner and Financial Commissioner without recording any finding of perversity in this regard. Therefore, the impugned orders passed by Commissioner and Financial Commissioner are illegal, arbitrary and against the settled principles of law.

13. So far as plea of learned senior counsel for Rajbir that he is acting as Lambardar of the village for about 15 years, therefore, writ petitions be dismissed is concerned, same cannot be accepted as any benefit derived during the pendency of the writ petition cannot be taken into consideration.

14. So far as contention of the learned counsel for Om Parkah that he is having 15 acres of land whereas Ramphal and Rajbir are having seven acres of land is concerned, it can be one of the factors, whereas cumulative effect of the overall comparative merits has to be taken into consideration. However, in the present era better educational qualification is necessary as everything is to be done in writing, therefore, more educated person is the more suitable person for the appointment.

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*17. In view of above, CWP No.5725 of 2000 is allowed. Impugned order dated 02.11.1998 (Annexure P-2) passed by Commissioner, Hisar, and order dated 20.10.1999 (Annexure P-3) passed by Financial Commissioner, Haryana are set aside and order dated 04.06.1997 (Annexure P-1) passed by Collector, Hisar, is restored.”*

17. In the above-said case, Ramphal who was more educationally qualified than the other candidates therein, was appointed by the Collector but his appointment was set aside by the Commissioner and even the Financial Commissioner did not choose to appoint him. Coordinate Bench of this Court, after observing that the orders passed by the Commissioner and Financial Commissioner did not find any perversity in the order of the Collector, set aside the orders of the Commissioner and Financial Commissioner and upheld the order of the Collector appointing the said Ramphal as the Lambardar. It would be relevant to note that the other candidate, namely, Om Parkash had 15 acres of land as compared to Ramphal, who had 7 acres and 2 kanals of land and that the candidate Rajbir had been acting as the Lambardar since the past 15 years and was 30 years of age as compared to Ramphal who was 40 years of age. Educational qualification of Ramphal was given due importance while allowing the said Writ Petition.

18. In the present case, the Commissioner, Jalandhar Division, Jalandhar, vide order dated 27.10.2020 (Annexure P-6) upheld the order of the Collector, Tarn Taran dated 22.03.2018 and found that there was no illegality or perversity in the order of the Collector, Tarn Taran and that respondent No.5 had more merits than the other candidates, including the present petitioner.

19. Learned Financial Commissioner (Appeals), Punjab, vide order dated 17.01.2022 (Annexure P-8) had also dismissed both the revision petitions, filed by the present petitioner and Buta Singh respectively, and had also observed that there was no illegality or infirmity in the order passed by the Collector, Tarn Taran or in the order passed by the Commissioner, Jalandhar Division, Jalandhar and thus, they deserved to be upheld. It was found that respondent no.5 was younger than the petitioner and other candidates and was more qualified and reliance was placed upon a judgment of the Hon'ble Supreme Court of India in ***Mahavir Singh's case (supra)***, in which it had been observed that the age of the candidate is a relevant factor. The fact that the petitioner was in illegal occupation of panchayat land was also taken into consideration.

20. Thus, keeping in view the law laid down in the above-said judgments and also the fact that there was no perversity or illegality in the order passed by the Collector, Tarn Taran dated 22.03.2018, the order passed by the Collector, Tarn Taran dated 22.03.2018, the order passed by the Commissioner, Jalandhar Division, Jalandhar dated 27.10.2020 upholding the order of the Collector dated 17.01.2022, and the order passed by the Financial Commissioner (Appeals), Punjab, dated 17.01.2022, upholding the orders dated 22.03.2018 and 27.10.2020, do not call for any interference.

21. The argument raised by learned counsel for the petitioner to the effect that on account of the fact that respondent No.5 had not appeared in the first round of litigation before the Collector, Tarn Taran,

all the impugned orders deserve to be set aside, is absolutely misconceived. As noticed hereinabove, in the first round of litigation, respondent No.5 had filed an appeal before the Commissioner, Jalandhar Division, Jalandhar, against the order dated 05.05.2011 which was allowed, vide order dated 19.11.2014 and the matter was remanded back to the District Collector, Tarn Taran. The argument of learned counsel for the present petitioner (who was the respondent before the Commissioner, Jalandhar Division, Jalandhar) to the effect that the said respondent No.5 had no *locus standi* to file an appeal, was noticed at page 20-A, but , inspite of the said argument having been raised, the Commissioner, Jalandhar Division, Jalandhar, had allowed the appeals, including the appeal filed by respondent No.5, and had remanded the matter back. Further, the revision petition filed by the present petitioner had also been dismissed by the Financial Commissioner (Appeals), Punjab. The said orders of the Commissioner, Jalandhar Division, Jalandhar and Financial Commissioner (Appeals), Punjab had attained finality and were never further challenged. It is not in dispute that after the remand of the case, respondent No.5 had also appeared before the Collector, Tarn Taran.

22. In view of the same, the petitioner is estopped from raising the said plea as the said argument had already been rejected in the first round of litigation and at any rate, in the second round, respondent No.5 had also appeared and was duly appointed as the Lambardar by the Collector, Tarn Taran, which order had been upheld in the second round by the Commissioner, Jalandhar Division, Jalandhar and thereafter, by the Financial Commissioner (Appeals), Punjab.

23. Keeping in view the above-said facts and circumstances, this Court is of the view that the impugned orders passed by the respondent authorities are legal, valid and in accordance law and thus, do not call for any interference and the present writ petition being sans merit, deserves to be dismissed and is accordingly, dismissed.

February 27, 2023  
naresh.k

( VIKAS BAHL )  
JUDGE

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|----------------------------|-----|
| Whether reasoned/speaking? | Yes |
| Whether reportable?        | Yes |