

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 119)

LPA No. 231 of 2024 (O&M)
Date of decision: 24.01.2024

Parshottam Singh

.....Appellant

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Deepak Verma, Advocate for the appellant.

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DEEPAK SIBAL, J. (Oral)

(1) Sewa Singh was Lambardar of village Surapur, Tehsil Nawanshahr, District Shaheed Bhagat Singh Nagar. On his death the post of Lambardar fell vacant. Process for appointment of a new Lambardar was initiated. Proclamation was got done in the village for inviting applications from the interested candidates. Five applications were received. After character verifications of the applicants, Kulbir Singh, Parshotam Singh and Harmail Singh appeared along with their counsel before the Collector. The Collector evaluated the applicants' *inter se* merits and finding Harmail Singh to be the most meritorious, appointed him as Lambardar.

(2) Against the decision of the Collector, appellant - Parshotam Singh and Kulbir Singh filed their independent appeals before the Commissioner, Jalandhar Division, Jalandhar, who decided both the appeals through a common order and appointed Parshotam Singh as the Lambardar. Harmail Singh and Kulbir Singh challenged the order of the Commissioner before the Financial

Commissioner, who disagreed with both the orders passed by the Collector and the Commissioner and ordered appointment of Kulbir Singh as Lambardar. Parshotam Singh then knocked the doors of this Court through filing of a writ petition. A learned Single Judge of this Court considered the entire matter and remanded the same to the Collector for a fresh decision. The order of the learned Single Judge is the subject matter of challenge through the present intra court appeal.

(3) After hearing learned counsel for the appellant and examining the record, we find that through the impugned judgment, after noticing that the Collector, Commissioner and Financial Commissioner had appointed different candidates as Lambardar of village Surapur and the settled law it is the Collector who is the prime authority for appointing a Lambardar, decided to remand the matter to the Collector for a fresh decision as to who should be appointed as Lambardar of village Surapur with a further direction to complete the entire process within three months.

(4) In the afore facts, we find no error, factual or legal, in the impugned judgment warranting any interference by us.

(5) Dismissed.

(DEEPAK SIBAL)
JUDGE

24.01.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

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