

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

**CWP-6258-2019 (O&M)
Date of decision: 01.05.2024**

Daljit Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rajinder Sharma, Advocate
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

Mr. Jaswinder Singh, Naib Tehsildar, Lapoke, District
Amritsar.

RAJESH BHARDWAJ, J. (Oral)

CM-4660-CWP-2024

The present application has been filed praying for disposing of the writ petition in the light of subsequent events, i.e. appointment of respondent No.3 as Lambardar of the same village against another vacant post and is performing duties since 14.12.2021 and he is no more interested in pursuing the matter on the basis of impugned (remand order), dated 10.12.2018, Annexure P-6, and as such the impugned order has become ineffective and order dated 29.09.2015, Annexure P-2, passed by Deputy Commissioner-cum-Collector, Amritsar, appointing petitioner as Lambardar of village Othian against post vacated by Lamberdar Mohinder Singh has become absolute.

On the oral request made by counsel for the parties, the main case is taken up on board today itself.

Main case

Prayer in the present petition is for setting aside order dated 10.12.2018 (Annexure P-6) passed by respondent No.1 whereby illegally set aside the orders dated 29.09.2015 (Annexure P-2) passed by the Deputy

Commissioner-cum-Collector and order dated 10.11.2017 (Annexure P-5) passed by the Commissioner, Jalandhar Division, Jalandhar upholding the orders of the learned Collector appointing petitioner as Lambardar of Village Othian and remanding the matter back to the District Collector to decide the matter afresh after treating the application of respondent No.1 in time after as the orders passed by respondent No.1 is wrong, arbitrary, illegal and against the settled law.

Learned counsel for the petitioner has reiterated his contentions that the petitioner was appointed Lambardar of the Village by the Collector vide order dated 29.09.2015 which order was further upheld by the learned Commissioner as the appeal filed by respondent No.3 was dismissed. The order passed by the Commissioner was assailed before the Learned Financial Commissioner who remanded the case for a decision afresh to the Collector vide impugned order dated 10.12.2018. He further submits that during the pendency of the present petition, respondent No.3 has already been appointed as Lambardar in the same Village against another vacant post after the death of earlier Lambardar namely, Sukhwinder Singh. He further submits that once respondent No.3-Sukhraj Singh is already appointed as Lambardar on the another vacant post, petitioner should be allowed to continue on the post of Lambardar on which he is working since the date of his appointment.

This Court had summoned the Naib Tehsildar, Lapoke to assist this Court on the contentions raised by counsel for the petitioner. Mr. Jaswinder Singh, Naib Tehsildar, Lapoke, District Amritsar is present in the Court has apprised this Court that Sukhraj Singh has already been appointed as Lambardar of the Village and is working as such. He submits that petitioner is also working on the another post as Lambardar.

Heard. On hearing counsel for the parties and perusing the record, it is apparent that learned Financial Commissioner had remanded this case vide impugned order dated 10.12.2018 on the revision filed by respondent No.3 for a

decision afresh. However, respondent No.3 has already been appointed as Lambardar of the Village against another post. As the petitioner is already working as Lambardar on another sanctioned post, the impugned order dated 10.12.2018 passed by the learned Financial Commissioner does not survive and the same is hereby quashed.

Petitioner stands disposed of accordingly.

01.05.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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