

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13214-2014
Date of decision: 20.04.2024

Amarjit SinghPetitioner

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Madhur Singh, Advocate for
Mr. J.S. Gill, Advocate
for the petitioner.

Mr. Rajeev K. Takkar, DAG, Punjab.

Mr. Nakul Sharma, Advocate
for respondent No.5.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned orders dated 30.05.2013 (Annexure P-7), 01.11.2013 (Annexure P-15), 23.01.2014 (Annexure P-20) being illegal passed under political pressure of respondent No.4 totally against the evidence brought on record rendering the same perverse on the grounds further mentioned in the petition. Further prayer has been made for directing respondent No.1 to immediately stop the process initiated for the appointment of a new Nambardar and to allow the petitioner to continue working as a Nambardar of Village Jandiala, Tehsil Banga, District SAS Nagar.

It has been submitted by counsel for respondent No.5 that earlier the petitioner was appointed as Lambardar of the Village in the year 1998. However, thereafter, he sought permission to go abroad for six months. He submits that as per the permission granted, petitioner was to return to India by 25.10.2012 but he failed to return by the said date and hence, respondent No.5 filed a complaint dated 07.03.2013 for removing

the petitioner from his post as he had disobeyed the permission granted to him by not returning to India. He submits that a show cause notice was issued to the petitioner and thereafter, he was removed from the post of Lambardar by the Collector vide order dated 30.05.2013. He submits that the appeal filed by the petitioner was dismissed by the Commissioner on 01.11.2013 and thereafter, the revision filed before the learned Financial Commissioner was dismissed on 23.01.2014. He submits that the petitioner challenged the same by way of filing the present writ petition. However, this writ petition was earlier dismissed as withdrawn vide order dated 14.07.2014. Thereafter, the petitioner filed the review application for recalling the order dated 14.07.2014 which was allowed vide order dated 22.08.2016. He further submits that during this time, respondent No.5 was appointed as Lambardar of the Village and Sanad Lambardari was issued to him on 12.02.2015. He submits that prior to the appointment of respondent No.5 as Lambardar of the Village, petitioner left the country and till date, he has not returned to India. He opposes the adjournment of the case as petitioner is no more interested in pursuing the case and he has not returned to the country from the last about 8-9 years.

Heard. On hearing counsel for respondent No.5 and perusing the record, it is apparent that the petitioner has gone abroad for about 8-10 years back which fact has not been controverted by counsel for the petitioner. Thus, it is evident that petitioner is no more interested in pursuing the case. Petition is dismissed for non-prosecution.

20.04.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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