

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 110)

LPA No. 2225 of 2023 (O&M)

Date of decision: 10.04.2024

Swaran Singh

..... Appellant

Versus

Financial Commissioner (Appeals) Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. S. S. Rangi, Advocate for the appellant.

Mr. Sherry K. Singla, Advocate for the caveator.

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DEEPAK SIBAL, J. (Oral)

(1) The present intra court appeal is directed against the judgment dated 25.08.2023 passed by a learned Single Judge of this Court dismissing the appellant's writ petition filed by him to challenge therein the appointment of respondent No.4 as Lambardar of village Kherpur Jattan, Tehsil Rajpura, District Patiala.

(2) After hearing learned counsel for the contesting parties and going through the record of the case as also the impugned judgment passed by the learned Single Judge, we find that in terms of the law laid down by a Division Bench of this Court in ***Balwinder Singh Vs. State of Punjab and others 2013 (25) RCR (Civil) 436*** as also ***Satinder Pal Singh Vs. Financial Commissioner (Revenue), Punjab and others 2014 (78) RCR (Civil) 871***, the learned Single Judge has not interfered with the appointment made by

the Collector of respondent No.4 as Lambardar on the ground that in the order of such appointment no perversity was found by him.

(3) A perusal of the record further reveals that at the time of passing of the order by the Collector, the appellant was 34 years of age, had passed 10+2 and was owner of 20 bighas and 5 biswas of agricultural land whereas respondent No.4 was 47 years of age, had also passed 10+2 and owned 16 bighas of land. It is further found that respondent No.4 had earlier been prosecuted under the Punjab Excise Act, 1914 which had ended in his acquittal whereas the appellant had been prosecuted for theft of electricity which offence by him had been compounded on his deposit of the theft amount.

(4) After considering the above we also find no perversity in the order of the Collector appointing respondent No.4 as the Lambardar. Consequently, the impugned judgment of learned Single Judge warrants no interference.

(5) Dismissed.

(6) All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

10.04.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No